

CORPORATE COMPLIANCE MATTERS

By: MICHAEL A. SMITH, CCS, CCE, FELLOW HET, EVERCARE NEWSLETTER, May 5, 2022, VOL. 7, #31 1 of 2 Pages

*** CONNECT & COMPLY WITH COMPLIANCE *** 24/7 HOTLINE: 844/371/4700 ***

HOT TOPICS:

1] Q. With all the concern about Phishing risk, should you open any link you are not sure of?

A: No. Be on guard. Any emails you receive that are unsolicited, from an unexpected source or cannot be properly identified - OR attachments that are suspicious - DO NOT OPEN. Report immediately to your Supervisor, Compliance or call our IT Help Desk 1-800-434-2726

2] Q. When do you need to put "secure" in the subject line of your email?

A: Any time you have an email containing PHI - whether it is an attachment and/or in the email message. This includes email threads containing PHI. By having "Secure" your email will insure all PHI identifiers are automatically secured.

3] Q. Are EverCare emails allowed on your personal equipment or phones.

A: No. EverCare emails are not allowed on your personal equipment or phone.

EVERCARE COMPLIANCE PROGRAM ACHIEVES RENEWAL OF HEALTH ETHICS TRUST CERTIFICATION

The Review Panel of the Health Ethics Trust voted unanimously to approve EverCare's Corporate Compliance Program for the full three [3] year Re-Certification on March 11, 2022. The Review Panel consisted of three [3] highly accomplished compliance professionals, from different parts of the country, who spent several days to complete its examination of the EverCare, Inc. Compliance Program. As mentioned by Marcy Reposa, CCO, the Review Panel was impressed "by the consistent quality of the EverCare employees with whom it met." The Compliance Team would like to thank all employees that participated in the interviewing process and to ALL employees here at EverCare -- thank you for your continued support to our Compliance program! Our successes are a direct result of your continued involvement and support to the program!

NEW FEATURE: PAULETTE'S POINTERS!

By Guest Columnist, Paulette Wunsch, Esq. General Counsel | EverCare

TO BE OR NOT TO BE ... the CDPAS AIDE, that is the question!

When it comes to deciding whom can or cannot be the Consumer Directed Personal Assistant or as we refer to them – the CDPAS Aide; Paulette has a few pointers to help you remember the rules!

The first person who **can never** be the Aide is the Designated Representative ("DR") who is overseeing the hiring and firing of CDPAS Aides. If she or he could be the Aide, then they would be overseeing their own conduct. A clear conflict. This rule only applies to the DR on the CDPAS contact. The Member may have many people in her or his life that serve as health care proxies and representatives, but they have nothing to do with overseeing the CDPAS program, so they can be Aides. Only the DR that signs the CDPAS duties and responsibilities agreement cannot be the Aide.

The second group that **cannot** be Aides, are relatives who are already required by law to take care of the Member. Parents are required to take care of their children at least until they are 21, spouses are required to take care of each other. However, children are NOT required by law to take care of their parents, so they can be Aides.

For more information on who can and cannot be the CDPAS Aide, follow this link to the NYS DOH website.

[Clarification to the New Law in Relation to the Consumer Directed Personal Assistance Program\(CDPAP\) \(ny.gov\)](#)

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TOP 18 ACRONYMS:

ADL: Activities of Daily Living
CIC: Change in Condition
CM: Care Manager
DME: Durable Medical Equipment
FFS: Fee for Service
HCBS: Home & Community Based Services
IB: Information Blocking
LHCSA: Licensed Home Care Services Agency
LUPA: Low Utilization Payment Adjustment
MN: Medically Necessary
NTUC: Not Taken Under Care
NYSOFA: NYS Office for the Aging
PCA: Personal Care Assistant
PDGM: Patients Driven Groupings Models
POA: Power of Attorney
OCL: Open Case List
RCA: Root Cause Analysis
SADC: Social Adult Day Care

THE 18 PHI IDENTIFIERS:

1] Person's Name **2]** Postal Address
3] All elements of dates except year
4] Telephone # **5]** Fax # **6]** Email Address
7] URL address **8]** IP Address
9] Social Security # **10]** Account Numbers
11] License Numbers **12]** Medical Record #
13] Health Plan beneficiary # **14]** Device Identifiers & their serial numbers
15] Vehicle identifiers and serial number
16] Biometric identifiers [finger and voice prints]
17] Full face photos and other comparable images
18] Any other unique identifying number, code or characteristic

QUIZ: Which of the following is NOT PHI? 1] A person's date of birth 2] A person's education 3] A person's name or email address? Answer: #2

QUIZ #2: How many years is PHI information is no longer considered PHI? Answer: 50 years after death!

BEWARE OF PHISHING & NEW THREAT: CYBERTHREATS

As we read and see the events unfold over the world, we hope that those actions do not come into our own daily life, we must be prepared, especially as a heightened scrutiny started to emerge around a new threat, **Cyberthreats**.

This is a great time to: **Pause, Inspect and Think** before clicking any links, opening any attachments, or visiting websites. This applies across all potential channels: e-mail, social media, text messaging, messaging apps, etc. and should be considered across your personal IT devices in addition, to your EverCare devices.

If you have any questions, please don't hesitate to reach out to myself or Executive Office with additional questions.

Contributed by Marcy Reposa, CCO.

EVERCARE LIFE SOCIAL ADULT DAY CARE is now open at both the Newburgh and Poughkeepsie sites. EverCare Life is able to achieve its mission of providing high-quality services in a safe environment, enabling attendees to improve function and quality of life and remain healthy, active independent in their communities. If you have any questions, please contact Delilah Socci, Manager of Newburgh site; Julianna Todaro, Manager of Poughkeepsie site or Janet O'Connor, Director.

CHHA CHARITY CARE PROGRAM is designed to assist those in need of care and who live in EverCare's covered counties of Orange, Dutchess, Rockland. This includes those unable to pay full charges; not eligible for covered benefits under title XVIII or XIX of the Social Security Act; not covered by private insurance and whose household income is less than 200% of the federal poverty guideline. This program provides for services only, not equipment. Anyone can make a referral. Contact the CHHA office Lead Intake Coordinators or call 1-855-485-6697.

POPULAR QUESTION –

Q: How do you recall an email that contains PHI?

A: There are five essential steps to take as follows:

- Go into the sent email in question
- Go to "Actions/More Move Actions" and click "Recall this Message"
- Click "Delete unread copies of this message"
- If successful, delete unread copies of the email for each recipient
- If not successful, immediately, without delay, contact the person or provider and request that the email be deleted and have it confirmed
- Report incident to Supervisor or Compliance without delay!