

# CORPORATE COMPLIANCE MATTERS

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CONNECT WITH COMPLIANCE When In Doubt, Check Us Out 24/7 HOTLINE: 844/371/4700

## HOT TOPICS:

Q. Which kind of Protected Health Information [PHI] is protected by HIPAA's privacy rule? A. Written B. Electronic C. Spoken.

A: All of the above.

Q. Does computer equipment that has been used to store members, patient or client health information must undergo special processing to remove all traces of information before it can be disposed of?

A: Yes

Q. Which of the following is NOT included in PHI?

a. The fact that person is deceased b. The person's educational level. c. The person's name or telephone number.

A: The person's education level.

Q: If you receive a gift from a Member, Patient, Client or Vendor, what do you do?

A: Report immediately to your Supervisor, Compliance or Executive office, as accepting gifts are not permitted anytime!

## SAFEGUARDING YOUR EMAILS

**Are your emails from a trusted source?** Often times, emails may appear to be from a trusted or known source. For example, if you receive an external email and it appears to be not relevant or unrelated to your work, has typos, and has an unfamiliar link or attachment, what do you do? The quick answer is – **DO NOT OPEN** any such attachment or link and **do not respond to it!** You may be able to right click on the email to see the true email address. If any doubt, report it out to your Supervisor, Compliance office or call the Eisner Amper IT Help Desk. Remember, it is not a matter **if** you get phished, but **when**.

## PROTECTING PHI & ENCRYPTION

**When you are about to send an email with PHI, there are three [3] things you must do before sending:** **1]** Check your email distribution list to be sure it contains ONLY your intended recipients. **2]** if your email contains PHI or your attachments, links, screenshots, you must write "secure" in the subject line of your email so it cannot be captured by hackers. **3]** Immediately recall your email if your email was sent to another person or provider in error. Use "secure" for email replies to Member, Patient, Client, Vendors/Providers. **Remember: adding "secure" is the word that secures encryption.**

## DOES AN ADVANCED DIRECTIVE EXPIRE?

An Advanced Directive is a written instruction that communicates your **health care wishes**. Advanced Directives will speak for you when you are no longer able to speak for yourself. It does not expire. However, you can change it anytime you wish. There is a "Five Wishes" publication included with CHHA materials to help guide anyone through the process. In New York State, as there are four [4] types of Advanced Directives:

1] **Health Care Proxy:** You may choose any person that you feel will be able to make decisions that reflect your wishes, values and beliefs. They will be able to make choices for you, even if something happens for which you did not leave specific instructions.

2] **Living Will:** this is a document that contains your specific health care wishes and may use it to make your wishes regarding life-prolonging procedures and end-of-life care clear. These wishes will be followed, even when you are no longer able to communicate for yourself.

3] **A Living Will together with a Health Care Proxy,** combines both the Health Care Proxy and Living Will into one document.

4] **Do Not Resuscitate Order [DNR]** instructs medical professionals not to perform cardiopulmonary resuscitation [CPR], in the event that your heart stops beating or your lungs stop breathing.

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## TODAY'S TOP ACRONYMS:

**APS:** Adult Protective Services  
**CHAP:** Community Home Accreditation Partner  
**CIN:** Consumer Identification Number  
**COTA:** Certified Occupational Therapy Assistant  
**DR:** Designated Representative  
**EHR:** Electronic Health Record  
**EVV:** Electronic Visit Verification  
**FCA:** False Claims Act  
**FI:** Fiscal Intermediary  
**HCBS:** Home and Community Based Services  
**HHA:** Home Health Aide  
**HHS:** Health and Human Services  
**IBNR:** Incurred But Not Received  
**LUPA:** Low Utilization Payment Adjustment  
**MMCOR:** Medicaid Managed Care Operating Report  
**MSW:** Masters prepared Social Worker  
**NAMI:** Net Available Monthly Income  
**NFLOC:** Nursing Facility Level of Care  
**NHT:** Nursing Home Transition  
**PCA:** Personal Care Assistant  
**PCS:** Personal Care Services  
**POC:** Plan of Correction  
**PT:** Physical Therapist  
**SOC:** Start of Care  
**SSL:** Social Services Law  
**UM:** Utilization Management

**AUTHORIZATIONS** for medical records release must only use form No. 960, the Authorization for Release of Health Information Pursuant to HIPAA. *It must be reviewed by the Compliance Office for accuracy first!*

**EMAILS & TEXTS** are only allowed on **EverCare equipment and work phone, as these are secured.** Never use any unauthorized equipment including personal phones for any company related email or text to anyone's personal phone especially if contains PHI.

## RETURNING CAPITATION – WHAT'S THE BIG DEAL?

**It is the responsibility of the MLTC to make sure eligibility are met for all of our members, at all times;** if one element is not met, we run the risk of having to return capitation (the payment we receive from the State to provide eligible members with Medicaid benefits) to the State. A member remains eligible by being **[1]** currently Medicaid eligible; **[2]** have NFLOC of 5 or greater and **[3]** demonstrate a need for skilled service longer than 120 days. If your role alerts you that one of these elements are not met, you must report to it a Supervisor immediately for a secondary review. **[4]** When an Aide, for example, did not show up as scheduled or the Member does not recall the visit – staff must call the vendor to verify the dates of service rendered. If Medicaid eligibility is reported as no longer active or an assessment yields an NFLOC less than 5, it must be reported ASAP!

Contributed by Marcy Reposa

**TERMS** by COMMISSION FOR CASE MANAGER CERTIFICATION:

**Medical Necessity:** describes the supplies and services provided to diagnose and treat a medical condition in accordance with nationally recognized standards.

**Outcome:** The result and consequence of a healthcare process. A good outcome is a result that achieves the expected goal and may be the result of care received or not received. It represents the cumulative effects of one or more processes on a person at a defined point in time.

**Outlier:** Something that is significantly well above or below an expected range or level.

**WHAT IS ELDER ABUSE?:** To protect our aging and vulnerable population from harm, to keep safe, and free from abuse. Elder abuse consists of physical, psychological, neglect, sexual abuse or financial exploitation. Elder abuse awareness is critical and have it reported to the your Supervisor or care team. The Office for the Aging [OFA] are also committed to assisting the elderly to maintain their dignity, well-being, independence and to enjoy the best quality of life possible.

**EVERCARE LIFE SOCIAL ADULT DAY CARE** is now open at two sites: Newburgh and Poughkeepsie. EverCare Life provides high-quality service and socialization in a safe environment. It helps attendees to improve function, quality of life, remain healthy, be active and socialize. If you have any questions, please contact Delilah Socci or Helen Witherel. Poughkeepsie site: Jordan Alexander or Jessica Kaufman, coordinators; or overall Director, Janet O'Connor, RN.

**QUICK QUIZ:** A person asks you a question about the health of a Member, Patient or Client. Which one of the following is correct?

A. Tell them you cannot discuss any private information. B. Tell them you will talk after hours. C. Only tell the basic status information. Answer: A

*"To know even one life has breathed easier because you have lived. This is to have succeeded."* Ralph Waldo Emerson