

CORPORATE COMPLIANCE MATTERS

By: MICHAEL A. SMITH, CCS, CCE, FELLOW HET, EVERCARE NEWSLETTER, May 24, 2023, VOL. 8, #35 1 of 2 Pages

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

HOT TOPICS:

Q. You received a written authorization from a provider for a member, patient or client in order to release information. The provider then calls and verbally asks for additional information not mentioned in the authorization. What is your response?

A: You can only provide information as requested on the authorization form. Nothing else. Provide only the minimum necessary.

Q. Are emails and texts only allowed on EverCare equipment and work phones?

A: Yes, because they are secured. You cannot use any unauthorized personal phones. Plus, employees or vendors or NOT authorized to send EverCare related email or text to anyone's personal phone especially if it contains Protected Health Information [PHI].

Q. Can any person call the Compliance Hotline number and leave a message anonymously?

a. Yes, any person can call the hotline anonymously.

WORKING REMOTELY

Thank you for completing your annual PHI Remote Certification! As a follow up, there were several topics that were brought to our attention:

1] Our IT company, Eisner Amper, that manages our IT Risk Mitigation, continues to work towards added security measures in order to assure our PHI is safely being stored remotely. These layers of protection do lessen the risk of getting PHI into the wrong hands. This includes protections such as Multifactor Authentication [MFA], Microsoft Authenticator, AuthPoint for VPN access, Bit Locker and Quick Pass.

2] Be sure that your Bit Locker encryption system is working correctly and are functional on EverCare issued laptops/tablets.

3] The IT team continues to monitor and review threats and to provide security layers as seen fit. Be on the lookout - more updates are coming soon!

If you have any questions, comments or concerns, please do not hesitate to reach out.

4] Make sure to change passwords frequently; do not share passwords with anyone; only use authorized EverCare equipment for EverCare business matters only. Contributed by Marcy Reposa, CCO

COMPLIANCE REPORTING

We all have a duty and obligation to report any compliance concerns or questions directly to Compliance or to the Executive Office, your Supervisor and a member of our management team that you are comfortable to report to. It can be either in-person, telephone, anonymous hotline or email. As a reminder, there is no fear of retaliation. This helps greatly to make your compliance program to be as effective it can be. You are our greatest asset. We appreciate it when any compliance matter is brought to our attention. Hotline: 844-371-4700

ANTI-SPOOFING: What is spoofing? It is a common tactic used by cyber criminals and in phishing attacks in order to trick us into providing information. According to our IT provider, EisnerAmper, a malicious actor will use a forged email address that may seem to be a legitimate website or email address - to mislead the recipient about the origin of the email message. They are hoping to obtain, by falsely impersonating a business or resource, to obtain your information in order to gain anything of value. Though our IT provider has solutions, such as Proofpoint, that is geared to finding spoofed messages and prevent them reaching us. Proofpoint is a strong line of defense but we still have to be vigilant since there are no guarantees. Remember, *any email that originates from outside of EverCare needs to be reviewed.* **DO NOT CLICK LINKS OR OPEN ATTACHMENTS UNLESS YOU RECOGNIZE THE SENDER AND KNOW THE CONTENT IS SAFE!**

Please turn page →

TODAY'S TOP ACRONYMS

CMS: Centers for Medicare and Medicaid Services

DME: Durable Medical Equipment

D-SNP: Dual Eligible Special Needs Plan

FAD: Final Adverse Determination

FIDA: Fully Integrated Duals Advantage

HCBS: Home and Community Based Services

HEDIS: Healthcare Effectiveness Data & Information Set

HIPAA: Health Insurance Portability and Accountability Act

IAD: Initial Adverse Determination

ISR: Initial Service Request

LHCSA: Licensed Home Care Services

MAP: Medicaid Advantage Plus

MFA: Multi-Factor Authentication

NYSOFA: New York State Office for the Aging

PAC: Personal Care Assistant

PAH: Potentially Avoidable Hospitalizations

PCP: Primary Care Physician

QI: Quality Improvement

SRA: Service Request Assessment

UAS: Uniform Assessment System

UR: Utilization Review

MEDICAL RECORDS requests can only be processed with the appropriate documents. The Authorization form, known as the release for health information pursuant to HIPAA, or the #960 form, is a one pager and has questions. Other documents may be required, as needed, in order to process, such as the Power of Attorney or Health Care Proxy forms. Provide any of these forms when needed, for accuracy by the Compliance office. This all helps to provide the records as soon as possible.

DEFINING PROTECT HEALTH INFORMATION [PHI]

It is our duty and responsibility to our members, patients and clients that their information is properly protected. What is PHI? PHI actually consists of eighteen [18] identifiers as defined by HIPAA. While these are the most recognized, PHI is any unique identifying #, code or character identifiers include: a person's name, postal address, telephone and fax numbers; email address, Social Security number; account numbers; all elements of dates except for the year; license numbers; medical record number; URL and IP addresses; health plan beneficiary number; biometric identifiers, finger and voice prints; full face photos and other comparable images; device identifiers/serial number.

TERMS TO KNOW:

Overutilization: Using established criteria, as a guide, a determination is made as to whether the member/patient is receiving services that are redundant unnecessary or in excess.

Skilled Care: care services that require delivery to be by licensed professional such as a RN, physical, occupational, or speech therapist, or a social worker.

Underutilization: Using established criteria, as a guide, so that a determination is made as to whether the member or patient is receiving all of the appropriate services.

WHAT IS THE DIFFERENCE BETWEEN ANONYMOUS AND CONFIDENTIAL? Anonymous is when the identity of a person is unknown, such as the phone number on the work phone screen, as with our Compliance hotline number. Confidential is when the identity of the person is known but information is kept private and not reported to reveal identity at the person's request.

TIPS: When using any of EverCare's copiers, please remember to:
1] Make sure you are not inadvertently removing any other documents that are not yours. 2] Shred documents immediately, as appropriate.

REMINDERS:

Any emails that have PHI, even if they originate from an outside vendor, it is needed, for all of us, to add SECURE to the subject line in order to protect member/patient/client PHI!

Be sure to wear your EverCare ID badge especially when we have visitors for meetings or surprise visits from NYS DOH or CMS!

WHEN DO YOU REPORT ANY SUSPICION OF FRAUD, WASTE OR ABUSE TO YOUR SUPERVISOR OR THE COMPLIANCE OFFICE?

Report immediately, even if you may not have all the information.

"The time is always right to do what is right" Dr. Martin Luther King, Jr.