

CORPORATE COMPLIANCE MATTERS

By: MICHAEL A. SMITH, CCS, CCE, FELLOW HET, EVERCARE NEWSLETTER, September 12, 2023, VOL. 8, #36 1 of 2 Pages

CONNECT WITH COMPLIANCE See Something, Say Something 24/7 HOTLINE: 844|371|47

HOT TOPICS:

Q. Do emails, containing PHI, using the word “secure” in the subject line, protect all 18 identifiers?

A: Yes, “secure” is the only word that will secure all the 18 identifiers as defined by HIPAA, as it helps to ensure a safe email transmission to intended party.

Q: You received from a provider a written Authorization form #960 for a member, patient or client. The provider then calls you for other information that is not mentioned in the Authorization. What is your response?

A. You can only release or provide information that is requested on the Authorized form – only the minimum necessary. No exceptions.

Q: When should you report any suspicion you have of any Fraud, Waste or Abuse to your Supervisor or Compliance office?

A. Report any concern, even if you do have all the information, immediately. Also, call the hotline #844-371-4700, anytime, 24/7. It is everyone’s duty to report.

PHISHING, CYBERTHREATS & MORE

Cyberthreats such as Phishing continue to unfold all over and there are no exceptions. Phishing is a scam when someone sends to you a forged email, that looks legitimate but is not! All Phishers want to do is to mislead or hook you via electronic bait and bring you in, with the goal to trick any one of us into replying with information. Sometimes there is a link or an attachment containing malware to go to, and have your password stolen! What to do? **Make a PIT Stop! Pause [P]. Inspect [I]. Think [T]** before clicking on any links, opening any attachments, or visiting websites. This applies to email, text messaging, social media messages and should be considered for all your EverCare devices, let alone your personal IT devices. If you have any questions, contact your Supervisor, Compliance office, EverCare IT or our IT Help Desk at 1-800-4343-2726.

“SECURE” VERSUS “PROTECTED” & “EXTERNAL”

We have noticed some vendors may use the headers “Protected” or “External” versus “Secure”. **External and Protected are only naming conventions. They do not secure the email. ONLY “SECURE” secures the email! All emails with member, patient or client information need “secure” in the subject line.**

BITLOCKER ADDED TO EVERCARE IT RISK MITIGATION

Our IT continues to work towards adding additional security measures, to ensure EverCare’s PHI is safely being stored remotely. As such, multiple layers of protection have been added in order to lessen the possibility of risk of having PHI getting into the wrong hands. Since last year, our IT company and office has added Multifactor Authentication [MFA]; Microsoft Authenticator; AuthPoint for VPN Access; BitLocker encryption system and Quick Access. Despite these efforts, we ask all staff to keep changing their passwords frequently; do not share passwords with anyone and, use only authorized EverCare equipment for EverCare business matters.

RECORD RELEASE BETWEEN AGENCIES SUCH AS MLTCP/CHHA

is allowed without form #960, if three [3] points are met: 1] Both covered entities must have or have had a relationship with member/patient. 2] PHI request must pertain to the relationship. 3] Discloser must disclose only the minimum information necessary for the health care agency.

MEDICAID RENEWALS STARTED again in March 2023. This is effectively the unwinding of the Public Health Emergency [PHE] that started in March 2020. All Medicaid cases were extended automatically for twelve [12] months since Medicaid could not be discontinued or reduced during the PHE. Renewals started in March for NYC, and April for the rest of NYS.

Please turn page →

TODAY'S TOP ACRONYMS

CBLTC: Community Based Long Term Care

CDPAP: Consumer Directed Personal Assistance Program

CHHA: Certified Home Health Agency

DR: Designated Representative

EOC: Episode of Care

EVV: Electronic Visit Verification

IRP: Independent Review Panel

LDSS: Local Department of Social Services

NAMI: Net Available Monthly Income

NYIAP: New York Independent Assessor Program

PCS: Personal Care Services

PCSP: Person Centered Service Plan

PHI: Protected Health Information

POC: Plan of Care

QI: Quality Improvement

UM: Utilization Management

DEFINING PROTECT HEALTH INFORMATION [PHI]:

Remember, any time ONE or more of the following 18 identifiers of PHI appears in your email as defined by HIPAA While these are the most recognized, PHI is any unique identifying #, code or character identifiers include but not limited to 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, plus other comparable images; device identifiers/serial number.

NAVIGATING THE REMOTE ENVIRONMENT

As we continue to navigate a remote work environment along with new Staff joining, the following is an article summary for remote meeting etiquette. Please keep in mind some key points/expectations for participating in remote meetings as a reminder of proper etiquette:

1] Leave the keyboard alone – while taking notes is essential, the sound of your typing may distract. Devote your full attention to the meeting.

2] Dress appropriately – be professional in your attire. There is no reason to dress very informally in front of co-workers or vendors.

3] Your surroundings – adjust your work setup so that you have plenty of light and your background is professional and work appropriate.

4] Mute your microphone when not talking as it gives others the ability to participate sharing their thoughts without distraction.

5] Speak up. If the meeting is small [around two to five people] announce yourself when you join - just make sure you are not interrupting someone in mid-sentence. Project your voice so you can be heard clearly.

6] No food allowed. Attempt to eat or have a snack before your virtual team meeting, so it is not distracting others and have you focus on the task.

7] Stay seated and present as you might miss out on key information or an opportunity to give input. Use attentive body language by sitting up straight; keeping still or let your eyes wander. Contributed by Marcy Reposa, CCO

TERMS TO KNOW:

Medically Necessary: Defined by Medicare.gov as “healthcare services or supplies needed to prevent, diagnose, or treat an illness, injury, condition, disease, or its symptoms and that meet accepted standards of medicine.”

Over Utilization: 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.

Activities of Daily Living; Services intended to maximize an enrollees' independence and help to perform specific tasks such as mobility, eating, toileting, dressing and transferring. Personal Care includes some or total assistance for the individual.

Excess Income: otherwise known as surplus income or spend-down. Some categories of Medicaid applicants can obtain Medicaid despite having income above the income limit. Before Medicaid covers the cost of service for these individuals, they must incur medical expenses that offset their income.

Fraud: is knowingly and willfully executing or attempting to execute, a scheme or artifice to defraud any healthcare benefit program, or to obtain, by means of false or fraudulent pretenses, representation or promises, any of the money or property owned by, or under the custody or control of any health care benefit program.