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Compliance & Privacy Officer

Board of Trustees

Annual Compliance Training

November 2024



Quick EMSA Compliance Recap

- Call to Action:
 - Reinststate the EMSA Compliance Committee with BOT engagement.
 - Socialize the EMSA Compliance Program with the frontline and operations staff.
 - Team Meetings
 - Ride-a-longs
 - Revised Code of Conduct/Guiding Principles
 - New Employee Orientation
- Where we are:
 - Working to develop the EMSA Compliance Dashboard
 - Monthly roll-out of Compliance Training



Evaluation and Risk Analysis

- Policy and Procedure Review; 🍏
- Training and Education (program and effectiveness); 🍏
- Assessment of Claims Submission; 🍏
- System Reviews and Safeguards; 🍏
- Sanctioned Suppliers. 🍏



7 Elements of an Effective Compliance & Ethics Program



We are putting these policies in writing and using them as our foundation for the entire program.



1. Standards of conduct, policies, and procedures



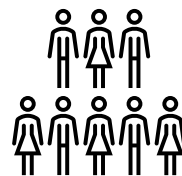
2. Compliance officer and Committee

The individual with operational responsibility, autonomy, and authority.



3. Communication and education

Create an effective, ongoing training program that establishes open lines of communication.



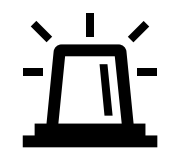
4. Internal monitoring and auditing

Use internal tools to evaluate program effectiveness and detect criminal conduct.



5. Reporting and investigating

Encourage employees to raise concerns and have investigative procedures in place.



6. Enforcement and discipline

Establish appropriate incentives for compliance and disciplinary actions for violations.



7. Response and prevention

Resolve identified problems promptly and add related issues to monitoring activities





U.S. Department of Health and Human Services
Office of Inspector General

OIG Issues Final Compliance Program Guidance for Ambulance Suppliers

March 24, 2003

- The compliance program guidance is not mandatory for ambulance suppliers...yet. But, is best practice.
- The 2003/2024 guidance establishes focused areas for internal monitoring. *Element 4*



The OIG Reports and Pursues Fraudulent and Abusive Practices in Ambulance Transportation

- Focused Areas for Fraud and Abuse - Ambulance Suppliers
 - Improper transport of individuals with other acceptable means of transportation;
 - Medically unnecessary trips;
 - Trips claimed but not rendered;
 - Misrepresentation of the transport destination to make it appear as if the transport was covered;



Additional Focused Areas for Fraud and Abuse

– Ambulance Suppliers

- False documentation;
- Billing for each patient transported in a group as if he/she was transported separately;
- Upcoding from basic life support to advance life support services and;
- Payment of Kickbacks.

Kickbacks and Inducements



Anti-Kickback Statute [42 U.S.C. §1320a-7b(b)]

- What is the Anti-Kickback Statute
 - Prohibits remuneration to induce or reward referrals of federal health care program business, including Medicare and Medicaid business.
 - Violators are subject to imprisonment and criminal fines.
 - Violators can be excluded from federal health care programs.
 - Key is whether the parties intend to pay or be paid for referrals.

- How can Ambulance Suppliers avoid risk under the Anti-Kickback Statute?

- Assess Risk and potential conflicts of interest with:

- Municipal Contracts
 - Arrangements with other responders
 - Arrangements with hospitals
 - Arrangements with patients



- Are there particular arrangements to which Ambulance Suppliers should be alert or aware of?
 - Municipal Contracts
 - Arrangements with other responders
 - Arrangement with hospitals
 - Arrangements with patients

Expectations for Board Oversight of Compliance Program Functions

The Board of Trustee's:

- Has a duty to attempt in good faith to ensure:
 - An information and reporting system exists regarding compliance.
 - The system is adequate to assure the board that appropriate information about compliance with applicable laws will come to its attention in a timely manner as a matter of ordinary operations.
- Establish clear expectations for management; and
- Hold management accountable.



How do we know we have an effective Compliance Program?

Early Detection: Identifying problems early before they have a large impact.

Effective Resolution: Ensuring compliance issues do not recur.

Implementation System: Having a system in place to ensure the effective implementation of new or updated Medicare requirements.

