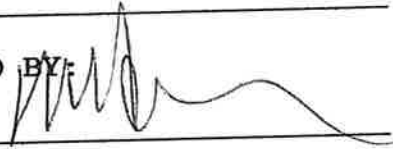


COUNTY OF IMPERIAL
DEPARTMENT OF BEHAVIORAL HEALTH SERVICES
POLICY AND PROCEDURE MANUAL

SUBJECT: Compliance Program	POLICY: 01-111
SECTION: Administration	EFFECTIVE DATE: 2-1-05
REFERENCE:	PAGE: 1 of 3
AUTHORITY: Title 42, Chapter IV, Part 438, Subpart H, Sec. 438.608	SUPERSEDES: New Policy
	APPROVED BY: 

PURPOSE: To establish how the compliance program will be implemented and enforced in order to promote the understanding of and adherence to, all applicable state, federal, and county rules, laws, and mandates.

NOTES: Title 42, Chapter IV, Part 438, Subpart H, Section 438.608 is included as Attachment I.

Imperial County Behavioral Health is committed to providing high quality, cost effective health care and human services in compliance with all applicable federal, state, and local laws and regulations. To achieve this goal, Imperial County Behavioral Health depends upon its employees to be aware of, and comply with, these laws and regulations.

Imperial County Behavioral Health acknowledges that violations of health care and human services laws and regulations by employees can expose the department to the risk of substantial penalties. In order to avoid violations, Imperial County Behavioral Health has implemented a formal Compliance Program that applies to all aspects of the department.

While recognizing that Imperial County Behavioral Health has already adopted policies and procedures intended to increase compliance with all applicable laws and to promote quality patient care and client services, by implementing a formal, department-wide Compliance Program, Imperial County Behavioral Health seeks to promote a working environment that fosters and expands these ideals and permits its

employees to demonstrate the highest ethical standards in performing their daily work activities.

DEFINITIONS: ICBHS: Imperial County Behavioral Health Services

POLICY: The Compliance Program will be designed, implemented, and enforced with the purpose of detecting, responding to, and preventing violations of noncompliance with state, federal, and county statutes and regulations that affect the business of ICBHS. The program's design incorporates the seven elements that represent industry standards for the scope of the Compliance Program:

1. Policies and Procedures. The Compliance Officer shall establish written standards and procedures and monitor to ensure they are followed by ICBHS staff that promote a commitment to compliance and that are reasonably capable of reducing the prospect of wrongful conduct.
2. Designation of a Compliance Officer and Compliance Committee. ICBHS shall uphold the position of Compliance Officer who is vested with the primary responsibility for overseeing and monitoring the effective implementation and maintenance of the Compliance Program. The Compliance Officer will report to the Compliance Committee and the ICBHS Director with periodic reports on the progress of the Compliance Program.
3. Training and Education. The Compliance Officer shall ensure the Compliance Program effectively communicates its policies and procedures to all ICBHS staff and ensure mandatory participation in training programs and dissemination of related Compliance Program materials.
4. Effective Lines of Communication. The Compliance Officer shall establish a system that allows for the free and full communication by ICBHS staff regarding complaints or concerns relating to actual or potential noncompliance with ICBHS standards, state and federal mandates, as well as other laws to the Compliance Officer. This system shall permit ICBHS staff to communicate these concerns without fear of retaliation or reprisal.
5. Enforcement of Standards. ICBHS will enforce the progressive disciplinary methods established by

the County of Imperial when appropriate. Appointing authorities shall be responsible for the fair and consistent application of discipline relating to violations of the Compliance Program.

6. Internal Auditing and Monitoring. The Compliance Officer shall develop and implement systems for auditing and monitoring compliance with applicable federal, state, and local laws and regulations, and county ordinances. These systems shall be designed to reasonably detect potential violations of those laws and regulations. The auditing and monitoring shall be performed in accordance with audit work plans established by the Compliance Officer working together with the Compliance Committee and, as appropriate, County Counsel.
7. Prompt Response to Detect Offense(s), and Development of Corrective Action Initiatives. The Compliance Officer shall develop and implement mechanisms for promptly responding to and investigating all reasonable questions, concerns, or complaints regarding compliance and suspected noncompliance, and for taking necessary corrective action to address wrongful conduct and to prevent any recurrence of similar conduct.

ICBHS understands the development and implementation of compliance standards, educating, and training employees regarding those standards, and reviewing and enhancing internal controls and monitoring systems will require the Compliance Officer to work with many ICBHS departments, committees, and ICBHS staff.

ATTACHMENT I

[Code of Federal Regulations]
[Title 42, Volume 3]
[Revised as of October 1, 2005]
From the U.S. Government Printing Office via GPO Access
[CITE: 42CFR438.608]

[Page 228]

TITLE 42--PUBLIC HEALTH

CHAPTER IV--CENTERS FOR MEDICARE & MEDICAID SERVICES, DEPARTMENT OF HEALTH AND HUMAN SERVICES (CONTINUED)

PART 438 MANAGED CARE--Table of Contents

Subpart H - Certifications and Program Integrity

Sec. 438.608 Program integrity requirements.

- (a) General requirement. The MCO or PIHP must have administrative and management arrangements or procedures, including a mandatory compliance plan, that are designed to guard against fraud and abuse.
- (b) Specific requirements. The arrangements or procedures must include the following:
- (1) Written policies, procedures, and standards of conduct that articulate the organization's commitment to comply with all applicable Federal and State standards.
 - (2) The designation of a compliance officer and a compliance committee that are accountable to senior management.
 - (3) Effective training and education for the compliance officer and the organization's employees.
 - (4) Effective lines of communication between the compliance officer and the organization's employees.
 - (5) Enforcement of standards through well-publicized disciplinary guidelines.
 - (6) Provision for internal monitoring and auditing.
 - (7) Provision for prompt response to detected offenses, and for development of corrective action initiatives relating to the MCO's or PIHP's contract.