



RSS Compliance Program Training Series: RSS Organizational Experience and Risk Areas

Rehabilitation Support Services, Inc. 2024

*Information for Affected Others, including Contractors,
Subcontractors, Independent Contractors*

Purpose of the Compliance Program

- The purpose of RSS' Corporate Compliance Program is to ensure that our organization, including those we contract with, comply with laws and regulations which apply to it.
- Purpose is to prevent against Fraud, Waste or Abuse
- An Effective Compliance Program demonstrates that RSS and it's contractors/subcontractors are aware of the rules and laws that apply to our organization
- We take reasonable, sincere steps to stay on the right side of those rules and laws.

Compliance is Everyone's Responsibility

- “Affected individuals” include all persons who are affected by RSS Risk areas including all employees, chief executive, senior administrators, managers, contractors, agents, subcontractors, independent contractors and governing body and corporate officers.
- Training and Education is critical to all parties
 - understanding of your role, the laws/regulations governing your role, agency policies and procedures

Does the RSS Compliance Program Apply to You?

- Any contractor, subcontractor, independent contractor who has a role in the RSS Compliance Risk Areas as noted below are required by the NYS Office of Medicaid Inspector General to be trained in and knowledgeable of the RSS Compliance Expectations
 - Billings
 - Payments
 - Ordered Services
 - Medical Necessity
 - Quality of Care
 - Governance
 - Mandatory Reporting
 - Credentialing
 - HIPAA Security

RSS Programs and Services

- RSS offers a wide array of services, throughout 17 counties in NYS.
- Programs and Services include:
 - OMH Certified Residential Programs (Community Residences, Treatment Apartments, CRSRO)-Adults, Children and Youth, Geriatric
 - OMH Licensed Outpatient Programs (Article 31 Clinic/MHOTRS, Personalized Recovery Oriented Services, CORE, Family Stabilization)
 - Supportive Housing Programs (OMH Medicaid)
 - Health Home Care Management (Adults, Children)
 - ACT Teams (Children and Youth)
 - OASAS Residential Services-Abel House
 - An array of supportive programs, vocational programs, educational programs and crisis services

RSS Medicaid/Medicaid Managed Care/Medicare Programs and Services -2024

RSS Program	Payer
Certified Residential Programs	Medicaid
Article 31 Clinic	Medicaid, Medicare, Medicaid Managed Care
Personalized Recovery Oriented Services	Medicaid, Medicaid Managed Care, Medicare (clinical component only)
CORE (Community Oriented Recovery and Empowerment) Services	Medicaid, Medicaid Managed Care
Health Home Care Management	Medicaid, Medicaid Managed Care
Supportive Housing (limited)	Medicaid
Family Stabilization	Medicaid
Children and Youth ACT	Medicaid
OASAS Abel House	Medicaid, Medicaid Managed Care

RSS Services and Programs-Resources

- RSS Programs and Services Document : A more detailed overview of all RSS Services: available upon request

RSS Compliance Officer and Compliance Committee

- Committee made up of RSS Senior Staff
- Compliance Committee Charter-outlines the purpose of the committee to ensure RSS is conducting business in an ethical, responsible manner, consistent with all laws, regulations and policies
- Meets Quarterly to discuss agency wide systems, processes and identified risk areas and ways to mitigate those risks
- Expressed commitment to maintaining an effective Compliance Program

RSS Compliance Committee Charter; Ensuring Elements of an Effective Plan

- Written Policies and Procedures
 - Be knowledgeable of the RSS Policies in Compliance Section C-20 Code of Conduct
- Effective Training and Education Plan
 - Be trained prior to contract and annually thereafter
- Effective Lines of Communication
 - Its your duty to report any known issues
 - Know how to report an issue
- Clear Disciplinary Standards (including Contractors/Subcontractors)
 - Violations of the RSS Compliance expectations can result in termination of contract
- Audit and Monitoring
 - Contracts are audited and monitored for adherence to RSS compliance expectations
- Annual Compliance Program Review
- Monitoring Excluded Providers
 - As a contractor, you are required to check your employees through the OIG/OMIG Exclusion Lists upon appointment and x 30 days thereafter
 - If found to be on the OMIG/OIG (Excluded from participation in Medicaid or other state/federal programs) Exclusion List: RSS will not engage in the contract
- Clear procedures for responding to compliance issues
 - All compliance related issues are investigated

Duty to Report

- Every employee or affected other (contractor, subcontractor, independent contractor) has an affirmative duty to the agency and to our consumers to report actions, behaviors or suspicions that may violate the law, regulations, agency procedures or Standards of Conduct.

RSS Policy on Non-Retaliation and Whistleblower Protections

- No individual who in good faith, reports any action, or suspected action taken by, or within RSS that illegal, fraudulent, or in violation of any adopted policy of RSS shall NOT suffer intimidation, harassment, discrimination or any other retaliation, or in the case of employees, any adverse employment consequences.

What are RSS Compliance Risk Areas

- **Billings:** All claims submitted to a payer are accurate and complete supported by appropriate documentation
- **Payments:** Payments received are appropriate and accurate
- **Ordered Services:** Accurate and appropriate documentation is contained within the record; those ordering services are in compliance with regulation and scope of practice
- **Medical Necessity:** Consumers of services meet the eligibility requirements and there is clear evidence through documentation that continued services are appropriate
- **Quality of Care:** Quality Services are provided throughout all RSS programs and services
- **Governance:** The RSS Board of Directors provide high level oversight of RSS activities and performance; ensuring accountability of executive leadership and the organization.
- **Mandatory Reporting:** Affected others all have a duty to report observed or suspected fraud, waste or abuse
- **Credentialing:** staff and affected others are appropriately credentialed based on their role. Consumers of services receive the highest level of care from qualified individuals
- **Contractor, Subcontractor Oversight:** are knowledgeable of, and understand their role in the RSS Compliance Program
- Other Areas as identified:
 - **HIPAA Security:** Appropriate safeguards are in place to prevent against potential breaches

Current RSS Priorities -2024

Training and Education: Contractors, Subcontractors, Independent Contractors

- Contractors, Subcontractors and Independent Contractors must provide attestation of review of the Code of Conduct and this training prior to engagement in, or continuation of a contract
- A Contract Addendum is required outlining your role in the RSS Compliance Program
- The RSS Director of Facilities oversees this process
 - Timothy Farricker
 - tfarricker@rehab.org or 518-579-4219

Current RSS Priorities: Disciplinary Standards

- Failure to abide by the RSS Compliance Expectations can result in termination of contract
- Standards are enforced fairly and consistently and the same standards apply to all levels of personnel

Current RSS Priorities –Excluded Providers

Risk Area:

- All Business Associates, Contractors/Subcontractors who are affected by the risk areas must be checked for exclusion from OIG/OMIG x 30 days
- Business Associates/Contractors/Subcontractors are clearly identified, and Business Associate Agreements/Contracts are on file

Who Must Report Potential Compliance Related Issues

“Affected individuals” include all persons who are affected by RSS Risk areas including all employees, chief executive, senior administrators, managers, contractors, agents, subcontractors, independent contractors and governing body and corporate officers.

How to Report

- Contact Vickie Ronda, Director Corporate Compliance
 - vronda@rehab.org
 - 518-579-4208
- Report via anonymous hotline
 - 855-222-0629
- Via Email at compliance-privacy@rehab.org

Disciplinary Standards for Violations or Failure to Report

- Failing to report a suspected violation of law, rules, regulations or guidelines will result in disciplinary action, up to and including termination or in the case of non-RSS employees, termination of a relationship/contract.

Agency Response to Compliance Issues and Corrective Action Plans

- Compliance related issues are prioritized for prompt investigation and resolution
- If there is a suspicion of fraudulent behavior; this may result in immediate action (for the individual/contractor/subcontractor) pending investigation
- Determination regarding disciplinary action will be completed as soon as possible preferably within 10 business days
- Corrective Action Plans will be implemented and monitored as indicated
- Willful violation of the Compliance Policies (Code of Conduct) will result in termination of employment/contract

Additional Resources

- Regulation Part 521-Provider Compliance Programs
- 2024 Compliance Plan-available upon request
- RSS Policies and Procedures
 - Code of Conduct Section C-20: Agency Website
- For additional questions: please contact
 - Vickie Ronda, LCSW
Director, Corporate Compliance
vronda@rehab.org
518-579-4208