

Taking the Lead in Compliance Education

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by Susan C. Manning, JD, RHIA, CPC

Voluntarily developed and implemented compliance programs for the healthcare industry are the continual goal of the Office of the Inspector General (OIG) of the Department of Health and Human Services. The OIG recognizes that when a healthcare provider establishes an effective compliance plan, it represents a sincere effort to comply with state and federal standards and reduce the risk of unlawful or improper conduct. AHIMA has developed a model HIM compliance program to provide guidance to healthcare organizations as they design, implement, and refine their own. This guidance is intended to provide assistance in developing effective internal programs that promote adherence to local, state, and federal guidelines relating to the provision of healthcare services.

Education and Training Roles

One of the key elements to a compliance program is the effective education, training, and continual retraining of all employees, at all levels, in relation to applicable local, state, and federal regulations and other payer requirements. These programs should be detailed and comprehensive and cover general areas of compliance as well as specific policies and procedures.

AHIMA's model compliance program delegates responsibility for the development and coordination of education and training programs for all appropriate personnel relative to HIM compliance to an HIM compliance specialist. It would be expected, even in the absence of specifically delegated compliance duties, that the expertise of the HIM professional would be used in all aspects of the design, development, and implementation of compliance education.

The expectation of the OIG is that the education component will consider the particular statutes, rules, and program instructions that apply to each function or department. The written policies and procedures should reflect current regulatory requirements and guidance from the model compliance plans. The policies and procedures must be appropriately maintained, reviewed, and revised.

Among the issues to be addressed in the HIM policies are the education and training requirements for HIM personnel, including billing and coding personnel. These policies should include a plan for addressing the risk areas for fraud, waste, and abuse; the integrity of the patient information system; and the methodology for assuring accuracy of documentation, coding, and billing processes. In addition, the policies should reflect the current reimbursement principles according to applicable statutes and regulations as well as federal, state, and payer healthcare program requirements. Further, the HIM professional should communicate all regulation, policy, and guideline changes to all appropriate personnel.

HIM education policies and procedures should ensure that:

- Coding and billing are based on accurate and timely medical record documentation
- All rejected claims pertaining to diagnosis and procedure codes are reviewed
- Proper and timely documentation of all physician and other professional services are obtained prior to billing
- Compensation for coders and consultants does not provide any financial incentive to improperly code claims
- A process for pre- and post-submission review is in place
- The proper selection and sequencing of diagnoses occurs
- The correct application of official coding rules and guidelines occurs
- There is a duty and process for reporting potential/actual violations
- There is a process for identifying coding errors

Relevant education and training resource materials should be maintained, updated, and made available to all appropriate personnel. Resources relating to current regulations, coding, documentation, and billing of healthcare services should be

included.

Training Program Design

Employees should be required to have a minimum number of hours of education per year as part of their employment responsibilities. A variety of teaching methods should be used to ensure understanding of all compliance concepts. Further, the OIG recommends that attendance and participation at annual and additional training programs be made a condition of continued employment and that failure to comply result in disciplinary action. Adequate records of attendance and educational materials should be maintained, and adherence to provisions of the compliance program should be factored into annual employee evaluations.

The OIG recommends that employee training be separated into two sessions: a general session on compliance and a detailed session including specific information relevant to employee job tasks. The HIM professional should guide and provide input on the content and structure of both sessions, as well as accept responsibility for developing educational materials. Current and ongoing employee education and identifying, revising, and updating educational sessions and materials are also an HIM professional's responsibilities.

The general sessions should disseminate information about patient and confidentiality policies and procedures. All employees should attend general compliance training sessions annually, including training on the employer's corporate compliance standard, federal and state statutes, regulations, and guidelines, the policies of payers, and corporate ethics. At the end of the general sessions, all employees should sign a statement that reflects their knowledge and commitment to the standards of conduct, while the HIM professional should be involved in the development and maintenance of verification of employee understanding.

HIM professionals can also assist in identifying areas that require specific training and subsequent development and implementation. They also should be responsible for identification of timely and relevant educational topics assimilated through review of health information processes, including:

- specific government and private payer reimbursement principles
- appropriate documentation practices
- the relationship of coding to documentation
- regulatory rules and requirements pertaining to coding, billing, and documentation
- proper selection and sequencing of diagnoses
- the effect of documentation on the clinical, operational, and financial aspects of healthcare delivery
- medical necessity
- chargemaster development and use
- improper alterations to documentation
- confidentiality
- physician-specific education in relation to documentation, coding, and reimbursement rules
- the duty to identify and appropriately report misconduct

Additional areas of HIM expertise will expand responsibilities for involvement in compliance educational programming.

Educating Patients

In light of the government's patient education initiative to assist in identifying and reporting fraud, HIM professionals should accept responsibility for assisting patients in understanding health information practices. The patient education process should include assistance in understanding access to patient records and the relationship of record documentation to the patient billing process. Enhanced patient understanding will help to reduce patient dissatisfaction and beneficiary reports of fraud.

References

Prophet, Sue. *Health Information Management Compliance: A Model Program for Healthcare Organizations*. Chicago, IL: American Health Information Management Association, 1998.

The OIG's compliance program guidances are available at www.hhs.gov/oig.

Recommended Procedures

AHIMA recommends that the following components be integrated into the design, development, and implementation of a comprehensive compliance education and training program.

1. Every compliance plan should require the development and distribution of written compliance policies, standards, and practices.
2. Every compliance plan should include proper education and training of all personnel, including managers, supervisors, employees, and physicians, as an essential component of an effective compliance program. All independent contractors and other external agents should be included in compliance education and training. These entities should be asked to sign an agreement of understanding and compliance with the organization's compliance program as part of their contract.
3. All education and training should be provided within a structured format that outlines the content, the directed audience, and the time frames for completion.
4. Implementation of education should occur as a continuous and ongoing process, including the training of new personnel as well as continuous retraining of current personnel at all appropriate levels.
5. Education and training should be designed to meet the educational needs of the different categories of employees. It may consist of internal or external programming. Educational strategies should be utilized to ensure that that appropriate information is disseminated to the correct individuals. The training may be separated into two sessions, general and focused, depending on the employee involvement in compliance risk areas. A general session should be designed for all employees while more focused sessions may be required depending on employee tasks. Focused training programs should be developed for all employees participating in activities related to compliance-regulated areas such as coding, billing, and patient confidentiality. Focused training programs should also be developed in response to regulatory change, identified areas of deficiency, investigative resolutions, or corrective action plans.
6. Education and training sessions should be designed using educational strategies to meet the specific needs of all employees. This may require interactive, language-specific programming or other methods adopted to meet employee learning needs.
7. Attendance and participation in training programs should be made a condition of continued employment and failure to comply should result in disciplinary action. Participation and a basic level of understanding should be factors considered in employee evaluations.
8. Verification of education should be completed by all employees and maintained in relation to employee evaluations and compliance education. Attendance rosters, agendas, and all educational materials provided should be maintained as part of the education/training compliance component.
9. The education structure should include a projected minimum number of education hours per year designed to appropriately address the needs of different categories of individuals.
10. All HIM employees should receive annual training on the basic features of the employer's corporate compliance plan. The training should be designed to achieve an understanding of the compliance standards, the employee role in maintaining and applying the standards, and their obligation to report and take corrective action in relation to potential/actual violations.

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