### PROVIDENCE HEALTH ASSURANCE POLICY AND PROCEDURE

**SUBJECT:** Providence Health Assurance Reporting, Investigation and Resolution of Potential Noncompliance Concerns  
**DEPARTMENT:** Regulatory Compliance, Risk Management and Government Affairs

**ORIGINAL EFFECTIVE DATE:** 01/11  
**DATE(S) REVIEWED/REVISED:** 01/12, 05/12, 03/14, 12/15, 09/16, 12/17, 09/18

**APPROVED BY:** Chief Compliance and Risk Officer

**NUMBER:** RA 60  
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**POLICY:**  
Providence Health Assurance (PHA) in accordance with the below regulations will conduct a timely and reasonable investigation and issue a prompt response to reported potential noncompliance issues. Potential noncompliance concerns include suspicion that specific activities may be violating laws, rules, regulations, policies or standards of the code of conduct.

**APPLIES TO:**  
All PHA Caregivers, Delegated Entities, First Tier, Downstream and Related Entities (FDRs)

**REFERENCES:**  
Providence Medicare Advantage Plans Compliance Program, Providence Compliance Program, 42 CFR §422.503(b)(4)(vi)(g), §423.504(b)(4)(vi)(g), and 438.608(a)(1)(vii), Chapter 9 of the Medicare Prescription Drug Manual, Providence St. Joseph Health Policy, PROV-HR-422, Chapter 21 of the Medicare Managed Care Manual, Compliance Program Guidelines, RA 78 Medicaid Compliance Program

**PROCEDURE:**

I. PHA is committed to identifying and correcting detected noncompliance issues. PHA ensures that all potential noncompliance issues are identified and addressed in a reasonable and timely manner. All PHA caregivers, Delegated Entities and FDR’s may report a potential noncompliance concern through a variety of communication mechanisms, which ensure non-intimidation/retaliation and confidentiality of the reporting individual.

II. In the instance of a suspected and/or potential compliance issue, all PHA caregivers, Delegated Entities and FDR’s are required to report such issues to Regulatory Compliance, Risk Management and Government Affairs (RCRMGA). RCRMGA will investigate appropriately and follow the standard processes for reported compliance issues.
PHA caregivers may report potential noncompliance issues/concerns via the RCRMGA intranet page. A link is provided to caregivers that automatically notifies appropriate RCRMGA leadership of the potential issue/concern.

III. FDRs and Delegated Entities must immediately report any potential noncompliance violations, including unethical or illegal behavior. The report may be submitted several ways:

- Medicare Advantage: FDRs can report potential compliance issues directly to the Delegation Program Consultant or issue may be faxed to 503-574-6543, or a message can be left for the for PHA’s Medicare Compliance Officer at 503-574-6437 or a call can be made to the confidential Integrity Hotline at 888-294-8455, 24 hours a day, seven days a week.

- Medicaid: Delegated Entities can report potential compliance issues directly to the Medicaid Program Director and/or Medicaid Compliance Program Manager via email or fax the issue to 503-574-6543. They can also leave a confidential message for the Chief Compliance and Risk Officer at 503-574-7430 or a call can be made to the confidential Integrity Hotline at 888-294-8455, 24 hours a day, seven days a week.

IV. If PHA caregivers or FDR's would prefer to report anonymously, they may:

- Medicare Advantage: Fax the concern/issue to (503) 574-6543, or send a written concern via interoffice mail or leave a message for the Medicare Compliance Officer at (503) 574-6437 or call the confidential 24/7 Integrity Hotline at (888) 294-8455.

- Medicaid: Fax the concern/issue to (503) 574-6543, send a written concern via interoffice mail, leave a confidential message for the Chief Compliance and Risk Officer or call the confidential Integrity Hotline at 888-294-8455, 24 hours a day, seven days a week.
V. Research and investigation of each notification will be conducted as follows:

- Medicare Advantage: The Medicare Compliance Officer will research and conduct a thorough investigation for each notification received using the procedures outlined in the document “Investigation Protocols for Reports of Noncompliance”. The Medicare Compliance Officer is obligated to report any noncompliance to the PHA board, and The Centers for Medicare and Medicaid Services (CMS). Instances of noncompliance are reported on the monthly Medicare Advantage Compliance Scorecard as well.

- Medicaid: The Medicaid Program Director and/or Medicaid Compliance Program Manager will research and conduct a thorough investigation for each notification received. The Medicaid Program Director is obligated to report any noncompliance to the PHA Compliance Committee. Instances of noncompliance are reported on the monthly Medicaid Compliance Scorecard.

VI. All PHA Caregivers, Delegated Entities and PHA first tier, downstream, or related entities are subject to the aforementioned requirements as applicable and in the event of any potential misconduct are required to undergo the processes listed above. Regardless of where the misconduct is identified, PHA is responsible for initiating a timely and reasonable investigation and response.

VII. In addition, PHA follows policies outlined in Providence St. Joseph Health policy PROV-HR-422.