

## OIG Creates Videos for Provider Compliance Training

— Julie A. Simer, Esq., Shareholder, Buchalter Nemer —

The Office of the Inspector General (“OIG”) of the Department of Health and Human Services (“HHS”) announced on December 5, 2011, that it has created eleven video presentations to assist providers in developing training programs for compliance with the laws and regulations that apply to federal health care programs. The videos are posted at [http://oig.hhs.gov/newsroom/video/2011/heat\\_modules.asp](http://oig.hhs.gov/newsroom/video/2011/heat_modules.asp).

Each video is approximately four minutes in length, and a new video will be released each week (except the week of December 26). The OIG also published a “widget” which creates a direct link to the webpage. The widget can be inserted into a non-OIG website, such as a compliance page on a provider’s intranet, for ease in locating the videos. The website is at [http://oig.hhs.gov/newsroom/video/2011/heat\\_modules.asp](http://oig.hhs.gov/newsroom/video/2011/heat_modules.asp).

The videos provide instruction on compliance topics, such as exclusion from federal health care programs and the Anti-kickback Statute. Also posted on the website are 16 modules from the Health Care Fraud Prevention and Enforcement Action Team (“HEAT”) Provider Compliance Training Webcast (“Webcast”) delivered in spring 2011. According to Lewis Morris, Chief Counsel to the Inspector General, “The presentations provide an overview of the importance of promoting a culture of prevention, detection, and resolution of compliance problems.”

Section 6401 of the Patient Protection and Affordable Care Act, enacted in March, 2011, states that certain providers and suppliers will be required to establish compliance programs that contain “core elements.” The core elements are to be

established by the Secretary of HHS and the OIG, and the Secretary is to determine the date of implementation.

The OIG previously issued a separate training program for physicians entitled, “A Roadmap for New Physicians: Avoiding Medicare and Medicaid Fraud and Abuse.” The physician training program contains a color booklet, speaker notes, and a PowerPoint presentation. The Webcast makes it clear that there is no “one size fits all” compliance program. Providers are encouraged to develop programs tailored for their own companies and industry.

While training is a necessary element of any compliance plan, it is only one piece of an effective compliance program. Providers should carefully review the OIG’s industry-specific guidance to create a program that implements all of the elements recommended for an effective compliance program. It may be necessary to obtain independent advice from legal advisors and auditors to ensure that compliance becomes an integral part of the provider’s operations, but an effective compliance program can help prevent the potentially devastating effects of fines, penalties, criminal prosecution, and exclusion.

### UPCOMING 2012 EVENTS

## HFMA Educational Outreach

**January 26 Chapter Webinar** – Lunch & Learn – “*Changing Supply Chain Culture*”

**February 16 Chapter Webinar** – Lunch & Learn

**April 18-20 Educational Outreach Session**

**May 17 Chapter Webinar** – Lunch & Learn

*Be sure to check the “Events” page on the chapter website for the full upcoming educational calendar.*