



# Annual Compliance Training

San Francisco Health Commission

*DPH Office of Compliance and Privacy Affairs - 2023*



# Overview of Training

1. DPH Compliance Program
2. DPH Code of Conduct
3. Conflicts of Interest
4. Statement of Incompatible Activities
5. Health Commission Responsibilities
6. Recognizing and Reporting Compliance Concerns
7. Consequences of Compliance Violations



# Overview of DPH Compliance Program

The mission of the DPH compliance program is:

**To ensure integrity in DPH business and clinical operations.**

We do this by promoting an understanding of, and compliance with, healthcare laws and regulations through:

Education and training to improve compliance with coding, billing and documentation; and

Working with providers, managers, and staff to integrate compliance into the daily operations of DPH.



# Overview of DPH Compliance Program

The DPH Compliance program is operated in accordance with State/Federal standards and regulations.

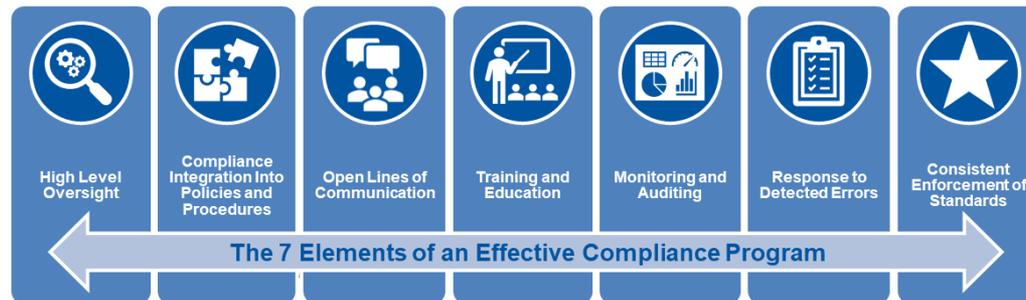
It promotes an environment where potentially improper, fraudulent or abusive activities are prevented, detected and reported.

The DPH Compliance Program follows the Office of Inspector General's (OIG) recommended seven (7) elements of an effective compliance program.



# Elements of a Compliance Program

1. Designate a Compliance Officer and Compliance Committee.
2. Implement written policies and procedures.
3. Open lines of communication.
4. Provide education and training.
5. Conduct internal audits and monitoring.
6. Prompt response to detected offenses including development of corrective action plans.
7. Enforcing standards through well-publicized disciplinary guidelines





# Fraud, Waste, and Abuse

The federal and state government closely monitor fraud, waste and abuse to protect taxpayer dollars that fund patient care and population health services.

So, DPH, its contractors, and affiliates must carefully document services provided, bill correctly and follow regulations.



# Healthcare Laws and Regulations

False Claims Act – Federal statute that sets out criminal and civil penalties for falsely billing the government, over-representing the amount of a service or product, or understating an obligation to the government. The False Claims Act may be enforced either by the Justice Department or by private individuals in a qui tam (whistleblower) action.

Fraud Enforcement and Recovery Act - Increased funding to federal agencies that combat financial fraud and expanded enforcement provisions of the False Claims Act.



# Healthcare Laws and Regulations

Deficit Reduction Act - Enacted to strengthen Medicaid fraud and abuse enforcement. The law requires entities that make or receive annual Medicaid payments of \$5 million or more to provide detailed information in written policies applicable to employees that address fraud, waste and abuse. The law also requires entities to inform employees of all whistleblower protections.



# Code of Conduct

The DPH Code of Conduct policy covers many of DPH's business practices and standards.

The Code describes our commitment to conduct business practices in compliance with all applicable laws and regulations.

The Code addresses expected behaviors for all to follow, and provides direction to all DPH employees, contractors, vendors, interns, volunteers, and others who do business with or on behalf of DPH.



# Elements of the Code of Conduct

Records Integrity

Ethics in Research

Safety

Business Ethics

Workplace Conduct

Compliance and Privacy

Fraud, Waste, and Abuse

Duties of DPH Staff





# Conflicts of Interest

An important policy to be aware of is regarding **Conflicts of Interest**. A conflict of interest involves any circumstance where a City officer or employee has a personal or financial interest that may improperly influence the performance of DPH duties.

**Actual** or **perceived** conflicts of interest arise from a few different scenarios. These include using your work for your personal benefit, inappropriately accepting gifts, and having unauthorized outside employment.





# Statement of Incompatible Activities

Since October 2008, all officers and employees of the City are subject to the provisions of their department's Statement of Incompatible Activities (SIA).

The SIA identifies activities that are considered to be incompatible with your duties as a City officer or employee.

The SIA is a guide for City officers and employees to understand how they should conduct themselves while serving the City and when engaging in activities outside that work.

The SIA is a legal requirement for all City departments under San Francisco Campaign & Governmental Conduct Code, section 3.218



# Health Commission Responsibilities

- Awareness of the regulations governing provision of care and reimbursement of services.
- Apply that understanding to evaluating the adequacy and performance of all aspects of DPH.
- Monitor fiduciary duty and advisory oversight for DPH.
- Evaluate structural and operational effectiveness of the DPH Compliance program.

The governing body must act in good faith in the exercise of its oversight responsibility for its organization, including making inquiries to ensure the compliance reporting system and timely attention to the matters reported is in place.



# Recognizing and Reporting Compliance Concerns

The duties of Public Officials and employees are to:

Comply with the laws, regulations, standards, DPH Code of Conduct, and other City/DPH policies that apply.

Understand the scope of practice determined by professional licensure, including any restrictions determined by job description and DPH policies and procedures.

Avoid actions or activities that may present as a conflict of interest, or promptly disclose those actions or activities.

Actively participate in compliance activities (e.g., annual compliance training is mandatory).



# Duty to Report Violations

SAN FRANCISCO DEPARTMENT OF PUBLIC HEALTH  
COMPLIANCE AND PRIVACY

**ANONYMOUS AND CONFIDENTIAL HOTLINE**



**1-855-729-6040**

OR

**[compliance.privacy@sfdph.org](mailto:compliance.privacy@sfdph.org)**

## What should be reported:

- Privacy breaches (report immediately)
- Non-compliance with billing, coding, and documentation regulations
- Issues regarding Code of Conduct or Compliance with DPH Policies
- Suspected Health Care Fraud, Abuse and Waste
- Theft or Misuse of DPH and/or City resources
- Conflict of interest
- Misconduct: Research/Scientific, Workplace Harassment
- Retaliation against the informant

## Reporting Options:

- Your supervisor/manager
- Your designated Compliance or Privacy Officer
- DPH Office of Compliance & Privacy Affairs Toll-Free Hotline: 855-729-6040 OR [compliance.privacy@sfdph.org](mailto:compliance.privacy@sfdph.org)
- Controller's Office Whistleblower Program, City and County of San Francisco: 415-701-2311 OR [whistleblower@sfgov.org](mailto:whistleblower@sfgov.org) OR you may file online at [www.sfgov.org/whistleblower](http://www.sfgov.org/whistleblower)

**SFDPH has a strict non-retaliation policy!**

**Your Privacy/Compliance Officer & Contact Info:**



# Consequences of Compliance Violations

Potential compliance violations will be thoroughly investigated by the DPH Office of Compliance and Privacy Affairs.

Once an investigation is completed, appropriate action to resolve the violation and prevent recurrence will be taken.

Actions could include progressive or corrective discipline (suspension, termination, criminal charges, and/or civil penalties and fines).



# Thank You!

- For any questions you have about Compliance, Privacy, Conflicts of Interest, Gifts, and other Ethics rules, please contact OCPA. We are here to provide guidance and advice.
- Hotline: **855-729-6040**
- Email: [compliance.privacy@sfdph.org](mailto:compliance.privacy@sfdph.org)