Healthcare Law Blog

Highlighting the Legal Issues Important to the Healthcare Industry

Presented By SheppardMullin

How Compliance Programs Can Really Reduce Risk

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A compliance program sends an important message to employees that mistakes will occur and that employees have an affirmative duty to report those mistakes so that they may be corrected. A compliance plan discourages employees from turning to the government or a payer to resolve issues or, what is worse, to one of the many attorneys advertising on the internet that promise whistleblowers large recoveries.

It is important to educate employees on the differences between "erroneous" and "fraudulent" claims. Some employees may fear that the government will "come down on them" for making mistakes, while others may be overly focused on "doing the right thing" without acknowledging mistakes happen. This difference in perspectives can create differences in opinion that leads to whistleblowers. It is important for employees to understand that the government cannot impose criminal, civil or even administrative penalties for most errors.

It is also very important before determining that an error is made to have a complete review done of the billing requirements. Sometimes what is in the coding manuals may be contradictory or confusing and may not mesh with other payer guidance. Train employees not to jump to conclusions without a compete review.