



POLICY TITLE: Management Certification of Compliance

Responsible Department: Audit and Compliance

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SUMMARY & PURPOSE:

To delineate the Corporate Integrity Agreement (CIA) requirement for annual management certification of compliance.

POLICY:

On an annual basis South Miami Hospital management employees in specific positions, as designated in the South Miami Hospital Corporate Integrity Agreement, shall certify that departments within their scope of responsibility are in compliance with applicable Federal healthcare program requirements and the obligations of the South Miami Hospital Corporate Integrity Agreement.

SCOPE/APPLICABILITY:

This policy applies to South Miami Hospital.

PROCEDURES TO ENSURE COMPLIANCE:

1. Under terms of the Corporate Integrity Agreement (CIA), employees in certain management positions have been designated as Certifying Employees. At a minimum, Certifying Employees include:
 - a. Chief Executive Officer
 - b. Vice President and Chief Nursing Officer
 - c. Chief Medical Officer
 - d. Vice President of Operations
 - e. Assistant Vice President, Neonatal Services
 - f. Assistant Vice President, Operations
 - g. Assistant Vice President, Perinatal Services
 - h. Assistant Vice President, Peri-Operative Services
 - i. Assistant Vice President, Quality & Performance Improvement
 - j. Assistant Vice President, Nursing.

2. Certifying Employees are expected to monitor and oversee activities within their areas of authority on an ongoing basis.
3. Certifying Employees shall annually certify that their areas of authority are in compliance with Federal healthcare program requirements and the obligations of the CIA.
4. The certification shall read: ***“I have been trained on and understand the compliance requirements and responsibilities as they relate to [insert name of department], an area under my supervision. My job responsibilities include ensuring compliance with regard to the [insert name of department] with all applicable Federal healthcare program requirements, obligations of the Corporate Integrity Agreement, and South Miami Hospital policies, and I have taken steps to promote such compliance. To the best of my knowledge, the [insert name of department] of South Miami Hospital is in compliance with all the applicable Federal health care program requirements and the obligations of the Corporate Integrity Agreement. I understand this certification is being provided to and relied upon by the United States.”***
5. Prior to completing the annual certification, Certifying Employees must take the appropriate actions to ensure that the statements contained in the certification accurately reflect the activities within their areas of responsibility.
 - a. Actions to oversee and monitor activities within their area of responsibility must be on-going throughout the certification period.
 - b. Examples of the type of information that should be considered when the Certifying Employee is making the determination of compliance, include, but are not limited to:
 - i. Certification statements, obtained from direct reports, regarding the area of responsibility;
 - ii. Results of auditing and monitoring activities, including follow-up activities to correct any identified deficiencies;
 - iii. Reports of misconduct or non-compliance with Federal healthcare program requirements;
 - iv. Employee training and education completion rate;
 - v. Disciplinary actions related to violations of the Code of Ethics;
 - vi. Incident reports and related follow-up;
 - vii. Hotline reports and related follow-up;
 - viii. Compliance with established quality indicators;
 - ix. Compliance with implemented evidence-based protocols; and
 - x. Fluctuations in department activity and/or revenue.
 - c. This monitoring information should be reviewed throughout the reporting period to ensure compliance with the Corporate Integrity Agreement and SMH policies.
6. If at anytime during the reporting period, the Certifying Employee has questions or concerns regarding completion of the certification statement, the Certifying Employee must immediately contact the Hospital Compliance Officer to discuss the concern.
 - a. If any Certifying Employee is unable to provide a certification, the Certifying Employee shall provide a written explanation of the reasons why he or she is unable to provide the certification outlined above.
7. Completed certifications must be provided to the Hospital Compliance Officer for retention as proof of compliance with the CIA. Records must be maintained and will be made available to the Office of Inspector General as required.

SUPPORTING/REFERENCE DOCUMENTATION:

- Department of Health and Human Services, Office of Inspector General, Compliance Program Guidance for Hospitals
- United States Federal Sentencing Guidelines

All references to Policies must go to the BHSF Master Copy on the BHSF Intranet; do not rely on other versions / copies of the Policy.

- Corporate Integrity Agreement between the Office of the Inspector General of the Department of Health and Human Services and South Miami Hospital, Inc.

RELATED POLICIES, PROCEDURES, AND ASSOCIATED FORMS:

ENFORCEMENT & SANCTIONS:

Enforcement of this policy is the responsibility of South Miami Hospital senior management. Failure to comply with compliance program policies and procedures can lead to disciplinary action up to and including termination of employment.