

# Communication is Key to Home Health Compliance

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For Alacare, a home health agency based in Birmingham, AL, the keys to developing and implementing a compliance plan were education and communication. Three years after the plan's introduction, managers find that continued followup is also an important element.

## First Steps Forward

First, Alacare asked an outside law firm experienced in home care compliance to perform a risk assessment for us. We designated a corporate compliance officer (CCO) based on that person's knowledge and experience with both clinical and administrative issues in home healthcare.

The CCO, in conjunction with other senior managers, continued to develop the formal plan. As part of this process, a handbook was developed, a hotline established, reporting forms created, and an introductory training videotape produced.

The first phase of staff implementation, using lectures and audiovisuals, began in 1997. We distributed the compliance handbook and obtained each employee's signature demonstrating their commitment to compliance. Because we wanted to emphasize access for reporting concerns, we made sure all employees were aware of the 24-hour availability of a toll-free number reporting line and distributed written report forms to all sites to ensure access and privacy.

## Education: The Cornerstone

Our training activities continue today. Currently, all new employees receive compliance training as part of their orientation. Staff members also receive continuing education through presentations at managers' meetings and seminars as well as through employee and management newsletters and informative posters. The posters remind staff of their obligation to report descriptions of "reportable" events, and there are instructions for contacting the corporate compliance office.

The health information and quality management (HIQM) department is heavily involved in clinical staff education. The department pays special attention to risk areas identified in the OIG's model compliance plan. Using the plan as a guideline, we have increased training for clinicians in the identified areas of concern for homebound status, medical necessity, and physicians' orders. We also have increased emphasis placed on case conferences, discharge-planning councils, focused clinical record reviews, and on-site supervision of nurses and home care aides.

Two newsletters, one for nurses and one for home care aides, communicate directly with visiting staff regarding problematic clinical areas. A patient newsletter also has contained information about Alacare's corporate compliance plan.

Our compliance officer, in-house legal counsel, and invited speakers have presented information on significant aspects of corporate compliance. Areas of interest include:

- corporate compliance exit interviews
- key risk areas
- compliance relative to competing home health agencies
- industry reports on problems with corporate compliance
- the OIG's model corporate compliance plan for home care agencies
- the difference between advisory and suspected wrongdoing reports

Community education has included presentations at physicians' offices, one-to-one consultation between the medical director and referring physicians, and a recorded message on the Alacare incoming phone line.

## Getting a Handle on Risk

In 1998, as a result of the publication of the OIG's list of 31 areas of high risk for home care noncompliance, Alacare decided to identify compliance risk coordinators.

The agency's response to these industry-identified risks would be addressed through 14 "clusters of risk." Each cluster was assigned a coordinator chosen for that individual's knowledge, experience, and skill in that area. The company also developed a reference manual for each area, incorporating the seven requirements set forth in the federal sentencing guidelines.

The risk coordinators have met as a committee and will meet periodically to review and revise the resource manuals and improve any risk area compliance processes.

Also in 1998, Alacare began to survey a random sample of current employees for review of compliance issues. On a quarterly basis, the human resources department sends a compliance questionnaire (with return envelopes) to the homes of a random sample of 2.5 percent of full-time employees. Responses are mailed directly to the compliance officer.

## A Team Effort

Some experts believe that many compliance reportings are not compliance issues so much as personnel management issues. Our experience has been similar. As a result, the human resource department has been of great assistance by providing guidance on all human resource related issues. Complaints of alleged harassment have resulted in increased sensitivity training and staff education.

We continue to review auditing protocols after our conversion to a new information system. The relation of cost to the benefit of auditing is a critical issue for Alacare.

Further, the legal services, finance, and HIQM departments continue to be involved in many aspects of development and administration of the compliance program.

Alacare's compliance program continues to develop through monitoring staff report forms, continued education and communication efforts, and working closely with related departments. All of these efforts have helped us maintain "a watchful eye" to ensure that our company stays in compliance.

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## What Compliance Can Do For You

Healthcare organizations, by law, need to ensure that they are not submitting false or inaccurate claims to government and private payers. But there also are benefits of voluntarily implementing compliance programs. These may include:

- formulation of effective internal controls to ensure compliance with statutes, regulation, and rules
- a concrete demonstration to employees and the community at large of the organization's commitment to responsible corporate conduct
- the ability to obtain an accurate assessment of employee and contractor behavior
- an increased likelihood of identifying and preventing unlawful and unethical behavior
- the ability to quickly react to employees' operational compliance concerns and effectively target resources to address those concerns

- an improvement in the quality, efficiency, and consistency of providing services
- a mechanism to encourage employees to report potential problems and allow for appropriate internal inquiry and corrective action
- a centralized source for distributing information on healthcare statutes, regulations, and other program directives
- a mechanism to improve internal communication
- procedures that allow prompt and thorough investigation of alleged misconduct
- through early detection and reporting, minimizing the organization's exposure to civil damages and penalties, criminal sanctions, and administrative remedies

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