

Document Number:	CP06
Document Name:	Compliance Education and Training
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1. Purpose

The purpose of this policy is to outline the participation requirements for employees in Compliance Education and Training as established in the Coherent Compliance Program.

2. Policy Details

All Employees, Coherent Business Associates, and FDRs as may be identified by the Chief Compliance Officer must receive Compliance and FWA Training in accordance with this policy. If an Employee fails to receive Compliance training within the prescribed time periods outlined in this policy, the Employee must be immediately suspended without pay until he or she receives the required training. If the Employee on suspension fails to undergo the required training within 15 calendar days, the Chief Compliance Officer (CCO) will coordinate with the CEO and Department Management to determine the next step in the performance management process, which may include termination of employment.

3. Policy Scope

This policy applies to:

1. All Coherent employees working directly or indirectly with Medicare Advantage Membership.
2. All Consultants/Business Associates working with or for Coherent on projects involving the MA Membership.
3. All Coherent First Tier, Downstream, and Related Entities (FDRs) and their Associates.

4. Related Policies

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5. Policy Owner

The Coherent Chief Compliance Officer is responsible for ensuring the policy is revised to include modifications required due to changes in applicable laws, regulations or Health Plan Compliance Requirements. The Compliance Officer will have the policy updated within 30 days of notification that there is a need for revision.

6. Procedures

1. Initial Training

- a. Each new Employee must complete Compliance Training, within 30 calendar days of beginning employment using materials provided by the CCO.
- b. The Compliance Training will be conducted by the CCO or other individual as designated by the CCO. The training information will be provided to the employee within 5 business days of hire. Training provided for employees assigned MA plan operational responsibility will receive MA related training based on the CMS Medicare Advantage Manuals relevant to their function. This is a sub-set of the standard Compliance training and will be provided by the CCO and the Employees' Operational manager.
- c. Upon completion of the training, each employee/Associate must sign and date the Training Attestation form and submit to the CCO.
- d. All training and education attestations will be retained in the employee's personnel file with a copy in the Training & Education file which is retained for ten (10) years.

2. Annual Training

- a. Each year by July 1, employees must complete annual Compliance training. The Chief Compliance Officer will send an organization wide email to remind employees of the need to complete the annual training. This notification will include the training materials or the location of training materials where employees can access the information.
- b. Department Leadership is responsible for ensuring that all department employees received the annual notice, finish training and submit the attestation on or before June 30 of each year.

3. Enforcement

- a. All employees whose responsibilities are affected by this policy are expected to be familiar with the basic procedures and responsibilities created by this policy. Failure to comply with this policy will be subject to appropriate performance

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management pursuant to all applicable policies and procedures, up to and including termination.

4. Training Agenda

At minimum the following areas will be required in the new hire and annual training materials.

- A. Coherent Compliance Standards of Conduct
- B. Coherent Compliance Program
 - a. The seven core requirements for an effective Compliance Program
 - b. The consequences of non-compliance
- C. Non-Compliance Affects Everybody.
- D. How to Report Potential Non-Compliance
- E. Actions when Non-Compliance is Detected
- F. Internal Monitoring and Audits
- G. Non-retaliation and non-intimidation
- H. Fraud Waste and Abuse (FWA)
 - a. False Claims Act
 - b. Anti-Kickback Statute
 - c. Physician Self-Referral Law (Stark Law)
 - d. United States Criminal Code
 - e. Exclusion Statute
 - f. Government Agency Oversight
 - g. Examples of Fraud Waste and Abuse

2. Assessment

Assessments are included in the training. Each employee must complete the assessment independently and submit the assessment to the CCO.

7. Exhibits / Appendices / Forms

Exhibit CP07-A Coherent Compliance and FWA Training Document

Exhibit CP07-B Training Post Assessment Document

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8. References

Title 42 Code of Federal Regulations (CFR) 42 CFR §422.503(b)(4)(vi)(C) 42 CFR §423.504(b)(4)(vi)(C)

CMS Medicare Managed Care Manual Chapter 11

Medicare Advantage Application Procedures and Contract Requirements – Section 20.1 Chapter 21 – Medicare Compliance Program Guidelines – Section 50.3

CMS Compliance Training and MLN website

The False Claims Act

Statute: 31 U.S.C. §§ 3729–3733

The Anti-Kickback Statute

Statute: 42 U.S.C. § 1320a–7b(b), Safe Harbor Regulations: 42 C.F.R. § 1001.952

The Physician Self-Referral Law

Statute: 42 U.S.C. § 1395nn, Regulations: 42 C.F.R. §§ 411.350–.389

The Exclusion Authorities

Statutes: 42 U.S.C. §§ 1320a–7, 1320c–5, Regulations: 42 C.F.R. pts. 1001 (OIG) and 1002 (State agencies)

The Civil Monetary Penalties Law

Statute: 42 U.S.C. § 1320a–7a , Regulations: 42 C.F.R. pt. 1003

Criminal Health Care Fraud Statute

Statute: 18 U.S.C. §§ 1347, 1349

9. Document History

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5/1/18	Original	A. Gable

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