

Advantage Dental

From DentaQuest

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<p>PURPOSE: Advantage Dental is committed to conducting its business with integrity and in compliance with all applicable federal, state and local laws. To fulfill that commitment, Advantage Dental has established a Compliance Program. The Compliance Program has been modeled on principles established in the United States Sentencing Guidelines and the Office of the Inspector General Compliance Program Guidelines for similar organizations.</p>	
<p>DEFINITIONS: Personnel: The term “Personnel” includes any officers, employees, independent contractors, Board of Director members, governing bodies, officers, employee subcontractors, consultants, and First Tier, Downstream and Related Entities (“FDRs”) (if applicable) of DentaQuest.</p>	
<p>POLICY: Advantage Dental personnel are subject to and required to comply with those elements of the Compliance Program applicable to them. The Compliance Program applies to all activities conducted by Advantage Dental including but not limited to the operation of dental benefit plans that serve Medicaid, State Children’s Health Insurance Program (SCHIP), Medicare Advantage Dental, and Federally Facilitated Marketplace (“FFM”) members.</p> <p>Advantage Dental leadership is committed to an effective Compliance Program and has allocated resources to ensure that all levels of the organization participate in the Compliance Program and that communications and activities across the enterprise support and reflect an unqualified commitment to compliance with the law and the highest standards of ethical conduct.</p> <p>This policy will be reviewed annually by the Compliance Committee for necessary updates based on changed company circumstances, revisions to the Compliance Program Description, related compliance policies, procedures and documentation, legislation, state and federal law, and compliance risks.</p>	
<p>PROCEDURES: As outlined in the Compliance Program Description, the seven elements of an effective compliance program are:</p>	

1. Written Policies and Procedures;
2. Chief Compliance Officer and Committee Structure;
3. Conducting Effective Training and Education;
4. Developing Effective Lines of Communication;
5. Auditing and Monitoring;
6. Enforcement and Discipline and;
7. Corrective Action.

1. Written Policies and Procedures

Advantage Dental has adopted a Code of Conduct and Ethics, and other policies and procedures to guide the conduct of Advantage Dental's directors, officers, employees, and independent contractors in carrying out their roles in Advantage Dental's business. The Code of Conduct and Ethics and other policies and procedures that relate to the Compliance Program are approved by the Compliance Committee. The Code of Conduct and Ethics and other Compliance Program policies and procedures are posted on Advantage Dental's intranet and are presented in Compliance Program training.

Personnel shall certify upon hire and annually thereafter, that they have read and will abide by its standards. This certification is retained in the employee's personnel file.

Advantage Dental has established a policy and process for the annual review of all Compliance Program policies and procedures to ensure that changes in federal and state legal requirements and accepted standards of business ethics are reflected in the Code of Conduct and Ethics and the policies and procedures. Advantage Dental has also established a policy and process to ensure an annual review of the Compliance Program. The annual evaluation summarizes all goals, initiatives, program activities and monitoring outcomes over the past year.

2. Director, Compliance Western Division and Committee Structure

The Chief Ethics & Compliance Officer (CECO) is the focal point of compliance activities and is responsible for operating and monitoring the activities of the Compliance Program. The Director, Compliance Western Division reports directly to the CECO. The CECO reports directly to DentaQuest Board of Directors.

The Director, Compliance Western Division and his or her respective committee's primary responsibilities include, but are not limited to:

- Planning, implementing and monitoring operations of the Compliance Program;
- Reporting on a regular basis to the Advantage Dental Compliance Committee and Board of Managers that has oversight of Advantage Dental's Compliance Program;
- Working collaboratively with Advantage Dental's Quality Improvement and Utilization Management Committee and sharing information on a regular basis, in particular on matters related to establishing methods to prevent, identify, and respond to fraud, abuse and waste;
- Recommending revisions to the Compliance Program in light of changes in Advantage Dental's needs and the law and policies of governmental programs and plans;

- Developing and participating in training programs that focus on the elements of the Compliance Program and the compliance responsibilities of individuals to ensure that all employees understand and comply with the Code of Conduct and Ethics, and Compliance Program policies and procedures;
- Cooperating with financial management in coordinating internal compliance review and monitoring activities;
- In accordance with the Compliance Program's policy on internal investigations, investigating instances of potential legal and ethical violations and developing recommendations with respect to the response to confirmed violations; and
- Participation with legal in the appropriate reporting of self-discovered violations of program requirements.

A Compliance Committee has been formed to work in conjunction with and assist the Director, Compliance Western Division in carrying out the functions and activities of the Compliance Program. The members of the Compliance Committee represent each of the major functional areas within Advantage Dental business and have the requisite seniority and experience within their respective departments and Advantage Dental organization to be effective as members of the Committee. The Committee benefits from having the perspective of individuals with varying responsibilities in the organization, such as operations, finance, audit, human resources, and clinical management as well as employees and managers of key operating units. The Compliance Committee meets on at least a quarterly basis.

Committee responsibilities include, but are not limited to:

- Identifying specific risk areas;
- Assessing existing Compliance Program and Department policies and procedures that address these risk areas to determine needed changes and/or additions;
- Working with appropriate departments to develop standards of conduct and policies and procedures to promote compliance with legal and ethical requirements;
- Recommending and monitoring, in conjunction with the relevant departments, the development of internal systems and controls to carry out Advantage Dental's policies;
- Determining the appropriate strategies and approaches to promote compliance with program requirements and to detect any potential violations, such as through anonymous disclosure lines and other fraud reporting mechanisms; and
- Monitoring internal and external audits and investigations for the purpose of identifying deficiencies and implementing corrective action.

3. Conducting Effective Training and Education

The Director, Compliance Western Division is responsible to ensure that Advantage Dental provides appropriate education and training to all personnel to enable them to perform their responsibilities to Advantage Dental, its customers and the individuals it serves with integrity and in compliance with all applicable laws.

All new personnel receive (1) general training with respect to the principles of the

Compliance Program and their responsibilities to adhere to the Code of Conduct and Ethics and the Compliance Program policies and procedures adopted to achieve the objectives of the Program; (2) training with respect to fraud, waste and abuse; (3) general training with respect to privacy and security of protected health information; (4) annual retraining in each of these areas; and (5) in-depth training in any or all of these areas that are relevant to the responsibilities of their position with Advantage Dental. Presentations on compliance-related subjects may also be presented at monthly Management Team meetings at which managers are prepared to educate their staff with respect to the information presented.

4. Developing Effective Lines of Communication

Advantage Dental supports effective lines of communication between all employees and the Compliance Department, and among Advantage Dental and the individuals it serves and the providers in its networks including a process – such as a disclosure program – to receive complaints. If requested, Advantage Dental will ensure protection of anonymity (to the extent possible) and in all cases will ensure protection against retaliation to any individual who reports potential misconduct.

Supervisors and/or managers serve as a first line of communication of any compliance-related issues. If the issue relates to an individual's employment situation, employees are encouraged to talk with a representative of the Human Resource (HR) Department. If for any reason an employee is uncomfortable with using either of these lines of communication, employees are encouraged to use Advantage Dental's Compliance Alertline, a service operated by an independent third party through whom they can communicate their concerns by telephone or on the internet on an identified or anonymous basis. Members and providers are informed of the availability of compliance hotlines that they may call to report concerns they may have about the administration of dental benefits by Advantage Dental.

Advantage Dental has adopted a non-retaliation policy that prohibits retaliation of any kind against any employee who reports suspected misconduct in good faith. The policy states that any form of retaliation against any employee who reports a perceived problem or concern in good faith is strictly prohibited, and any employee who commits or condones any form of retaliation will be subject to discipline up to and including, termination. The protection from retaliation is reinforced in numerous communications to employees.

All employees are responsible for promptly reporting actual or potential wrongdoing, including an actual or potential violation of law, regulation, policy, or procedure, and may be subject to disciplinary action if they fail to do so. Communication is the key to ensuring that Advantage Dental's reporting system is effective. All employees receive information on how the disclosure program is used. This information focuses on the options available to make a report.

- The Director, Compliance Western Division will maintain an "open-door policy" to allow individuals to report problems and concerns.
- The Compliance Department will act upon the concern promptly and in the appropriate manner.
- Compliance Alertline and other reporting mechanisms are designed to permit employees, and in the case of the Compliance Alertline, members and

providers, to report anonymously or in confidence, problems and concerns or to seek clarification of compliance-related issues from their managers or other members of Advantage Dental management.

- Personnel who report concerns in good faith will not be subject to retaliation, intimidation, or harassment.
- No personnel are permitted to engage in retaliation, intimidation, or any form of harassment against another employee for reporting compliance-related issues.
- Personnel cannot exempt themselves from the consequences of wrongdoing by self-reporting, although self-reporting may be taken into account in determining the appropriate disciplinary action

5. Auditing and Monitoring

5.1: Program Review and Evaluation

At least annually, the Compliance Department will conduct a review and evaluation of the Compliance Program and report the results to the Compliance Committee and Advantage Dental leadership for approval. The evaluation will include the review of all Advantage Dental Privacy and Compliance policies, standards and practices. If recommendations for change to the Compliance Program are approved by the Compliance Committee, they will be prioritized and implemented to the extent possible within available resources.

Surveys, management assessments, and periodic review of benchmarks, investigations, corrective action plans, overpayments and personnel feedback will provide information for the Compliance Program evaluation. Advantage Dental education and training efforts will be routinely evaluated for effectiveness. Communications from personnel will be evaluated to assess the “tone at the top” and whether Advantage Dental is perceived as truly supporting the goals of the Compliance Program, the adequacy of Compliance Program training, the options available to report concerns about non-compliance, misconduct, and the guidance provided by the Compliance Program policies and procedures.

As part of its annual review, all findings of investigations will be evaluated for scope and identifiable patterns. The Compliance Department will also review policies and procedures for corrective action and disciplinary procedures connected to violations of corporate compliance and ethical standards for ongoing applicability and effectiveness.

5.2: Statutory and Regulatory Compliance

Advantage Dental conducts ongoing monitoring for compliance in each operational area. Advantage Dental employs several monitoring techniques:

- Various quality and service indicators which are tracked by the Quality Improvement Committee,
- Legal assessment of contractual relationships with plans and providers and regulatory bodies,
- Management reporting,
- Internal and external audits,
- Federal and State statutory review

The monitoring process will assess compliance with federal and state health care statutes, regulations and health care program requirements, and payer rules. The monitoring process will also review the process elements, including the dissemination of the standards, attendance of educational programs, and the documentation of internal investigations of alleged noncompliance. In instances where a department, process, policy, or procedure is found to be non-compliant, the Compliance Department and the responsible operational department will work to update and implement internal processes and work plans in order to ensure ongoing compliance with contractual obligations, state and federal statutes.

6. Enforcement and Discipline

It is the responsibility of the Director, Compliance Western Division, to ensure that reports of potential noncompliance are promptly investigated and that appropriate action is then promptly taken. It is essential to establish consistent and appropriate disciplinary policies for personnel, and that sanctions for noncompliance are consistently applied and enforced in order for the disciplinary policy to be a deterrent. All levels of employees are subject to the same types of disciplinary action for similar offenses because the commitment to compliance applies to all personnel within the organization. Managers and supervisors may also be disciplined for failing to adequately instruct their staff or failing to detect noncompliance with applicable policies and legal requirements where reasonable diligence would have led to the discovery of violations. Sanctions can include but are not limited to verbal warnings, written corrective action plans, suspension or termination from employment or service.

Each situation is considered on a case-by-case basis to determine the appropriate response. The Compliance Department will consult with the HR Department regarding an appropriate response to noncompliance. Appropriate disciplinary action arising from a violation of the Code of Conduct and Ethics or Compliance Program policies or procedures will be determined by the HR Department, in consultation with the Director, Compliance Western Division, in a manner that is consistent in the treatment of similar incidents and in accordance with HR Department policies and procedures. However, the imposition of any sanction must be regarded as a serious disciplinary step and even a first offense may warrant the most extreme penalty and loss of employment.

With respect to identified misconduct of Advantage Dental's independent contractors, vendors or agents, each situation is considered on a case-by-case basis to determine the appropriate response. In consultation with the Director, Compliance Western Division, the appropriate member of Advantage Dental's senior management has a responsibility to determine how Advantage Dental will respond in an appropriate and consistent manner, holding the contractor or vendor accountable for failing to comply with the applicable standards, policies and procedures.

7. Corrective Action

This element ensures that prompt and proper responses to detected offenses are applied upon receipt of reasonable indications of suspected noncompliance. This is accomplished through a process of prompt and decisive steps of investigation. Corrective action plans and monitoring are implemented if the investigation substantiates compliance issues.

If the identified noncompliance involves a violation of law applicable to the delivery or payment for health care item or services under any federally funded health care program, the noncompliance will be reported to the appropriate government agency. If the noncompliance has led to an overpayment to Advantage Dental, Advantage Dental will report the overpayment to the appropriate agency within sixty (60) days of becoming aware that it has occurred.

Should it be determined that any Advantage Dental is out of compliance with applicable rules, federal, state and/or local laws; the Compliance Department will review such failure with Advantage Dental leadership to implement a correct action plan.

Revision History

Date:	Description