

Kaiser Permanente Northwest Provider Manual 2018



Compliance

We created this manual to help guide you and your staff in understanding Kaiser Permanente's compliance policies and procedures.

If you have a question or concern about the information in this manual, contact our Provider Relations Department at 503-813-3376.

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Section 8: Compliance

Kaiser Permanente (KP) strives to demonstrate high ethical standards in its business practices. Because contracting providers are an integral part of KP's business, it's important that we communicate and obtain your support for these standards. The Agreement details specific laws and contractual provisions we expect you to comply with.

8.1 Compliance with Law

Providers are expected to conduct their business activities in full compliance with applicable laws, including but not limited to the Healthcare Anti-Kickback Statute, False Claims Act, Stark Law, the Health Insurance Portability and Accountability Act of 1996 and its implementing privacy and security regulations ("HIPAA"), and any laws applicable to entities receiving federal funds.

8.2 Kaiser Permanente Principles of Responsibility and Compliance Hotline

The Kaiser Permanente *Principles of Responsibility* ("POR") is the code of conduct for Kaiser Permanente physicians, employees, and contractors working in KP facilities ("KP Personnel") in their daily work environment. You should report to Kaiser Permanente any suspected wrongdoing or compliance violations by Kaiser Permanente Personnel under the POR. Use the Kaiser Permanente Compliance Hotline to report suspected wrongdoing without fear of retaliation. It's available 24 hours a day, 7 days a week, at 1-888-774-9100.

8.3 Gifts and Business Courtesies

You're expected to comply with all applicable state and federal laws governing remuneration for health care services, including anti-kickback and physician self-referral laws. Even if certain types of remuneration are permitted by law, Kaiser Permanente discourages providers from providing gifts, meals, entertainment, or other business courtesies to Kaiser Permanente Personnel. KP staff have been advised that they cannot accept the following types of remunerations, and might be asked to return or reimburse the value of such gratuities if inadvertently received.

- Gifts or entertainment that exceed \$25 in value
- Gifts or entertainment that are given on a regular basis
- Cash or cash-equivalents, such as checks, gift certificates/cards, stocks, or coupons
- Gifts from government representatives
- Gifts or entertainment that reasonably could be perceived as a bribe, payoff, deal, or other attempt to gain advantage

Gifts or entertainment given to KP Personnel involved in Kaiser Permanente purchasing and contracting decisions.

8.4 Conflicts of Interest

Conflicts of interest between a provider and KP Personnel, or the appearance of it, should be avoided. There may be some circumstances when members of the same family or household may work for Kaiser Permanente and for a provider. However, if this creates an actual or potential conflict of interest, you must disclose the conflict at the earliest opportunity, in writing, to a person in authority at Kaiser Permanente (other than the person who has the relationship

with the provider). You can call the Compliance Hotline at 1-888-774-9100 for further guidance on potential conflicts of interest.

8.5 Fraud, Waste, and Abuse

Kaiser Permanente will investigate allegations of provider fraud, waste, or abuse related to services provided to members and, when appropriate, take corrective action, including but not limited to civil or criminal action. The Federal False Claims Act and similar state laws are designed to reduce fraud, waste, and abuse by allowing citizens to sue on behalf of the government to recover fraudulently obtained funds (i.e., “whistleblower” or “qui tam” actions). KP personnel may not be threatened, harassed, or in any way discriminated against in retaliation for exercising their rights under the False Claims Act or similar state laws.

8.6 Providers Ineligible for Participation in Government Health Care Programs

Under Kaiser Permanente policy, we will not do business with a provider if it or any of its officers, directors, or employees involved in Kaiser Permanente business is, or becomes excluded by, debarred from, or ineligible to participate in any federal health care program or is convicted of a criminal offense related to providing health care. Kaiser Permanente expects you to (a) disclose if any of its officers, directors, or employees becomes sanctioned by, excluded from, debarred from, or ineligible to participate in any federal program or is convicted of a criminal offense related to providing health care and (b) assume responsibility for taking all necessary steps to ensure that your employees and agents directly or indirectly involved in Kaiser Permanente business haven’t been or aren’t currently excluded from participation in any federal program.

8.7 Visitation Policy

When visiting Kaiser Permanente facilities (if applicable), you’re expected to comply with the applicable visitation policy, which is available at Kaiser Permanente facilities upon request. You must wear a visitor badge provided by the Kaiser Permanente facility at all times during the visit.

8.8 Compliance Training

Kaiser Permanente requires certain providers, including those who provide services in a Kaiser Permanente facility, to complete Kaiser Permanente’s compliance training, as required by your Agreement, applicable law, or regulatory action. Where applicable, you must also ensure that your employees and agents involved in Kaiser Permanente business complete the relevant Kaiser Permanente compliance training. Please refer to your Kaiser Permanente contract manager for more guidance regarding these requirements.

8.9 Provider Resources

- Kaiser Permanente’s National Compliance Office: 510-271-4699
- Kaiser Permanente’s Compliance Hotline: 1-888-774-9100
- Regional Compliance Office: NW-RCO-KPNW@kp.org
- Provider Contracting Department 503-813-3376