

TORRANCE MEMORIAL INTEGRATED PHYSICIANS

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Policy/Procedure: **ACO Compliance Plan**

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**Policy:**

Torrance Memorial Integrated Physicians, LLC, (“TMIP”) which is also doing business as the TMIP ACO (the “TMIP ACO”), is fully committed to conducting its activities in compliance with all federal, state and local laws and regulations and in conformance with the highest standards of business integrity. The policies, standards and procedures outlined herein reflect the dedicated commitment of the ACO's Board of Directors and its Compliance Officer to fully comply with legal, regulatory and ethical standards.

This Compliance Plan (the "Compliance Plan") is designed to help all participants, officers, directors, and employees of the Torrance Health Associate (THA) (hereinafter the “ACO Personnel”) achieve these objectives by establishing a general overall framework for conducting our activities with integrity and accountability for a shared set of ethical and legal principles. In particular, this Compliance Plan is established to promote ethical and lawful conduct and to ensure full compliance with applicable laws and regulations, including those laws and regulations relating to the Next Generation ACO Model with CMS and federal health care program reimbursement.

While this Compliance Plan cannot address every possible issue that may arise in the conduct of the ACO's services, it does provide the overall policies and standards to guide all to whom the Compliance Plan applies. All ACO Personnel should utilize this Compliance Plan and its Compliance Officer to guide them in their everyday activities. By adhering to these principles, the ACO will achieve the legal compliance required under the law and to which the Board of Directors expects all ACO Personnel to adhere to.

**Procedures:**

The following describes the scope and operation of the TMIP ACO’s Compliance Plan. Each element governs a different and important aspect of the Plan.

1. Written Policies and Procedures
  - a. The Compliance Plan includes this policy as well as the ACO Code of Conduct and the Compliance Policies and Procedures. These documents will be collectively referred to as the “Compliance Plan.” The Compliance Plan will be made accessible on the ACO’s website and via the intranet. ACO Personnel may also obtain copies of these

documents from the ACO Office.

2. Oversight of the Compliance Plan

**a. Compliance Officer.** The ACO has designated a Compliance Officer who oversees the operations of the Compliance Plan. The ACO's Compliance Officer is not legal counsel to the ACO. The ACO Compliance Officer reports directly to the ACO's Board of Directors (the "Board") regarding compliance issues.

**b. ACO Board of Directors.** As the governing body of the ACO, the Board has ultimate responsibility for oversight of the Compliance Plan. As such, the Board will approve any substantive changes to the Compliance Plan. In addition, it will receive periodic reports from the Compliance Officer as to the operation of the Compliance Plan, as well as to the investigation and resolution of any material compliance issues that may arise.

3. Training and Education

**a. Education and Training of ACO Personnel.** This Compliance Plan will be made accessible to all ACO Personnel.

- i. New ACO Personnel are: (1) required to review and sign the Code of Conduct; (2) review the General Compliance Fraud Waste and Abuse Training; and, (3) take the General Compliance and Fraud, Waste and Abuse quiz.
- ii. All ACO Personnel are required to take the General Compliance and Fraud, Waste and Abuse training module annually.

4. Communication Lines and Reporting

**a. Open Communication.** Open communication between ACO Personnel and the Compliance Officer, as well as between the Compliance Officer, senior management and the Board, is important to the success of this Compliance Plan and to the reduction of any potential for fraud, abuse and waste. Without help from ACO Personnel, it may be difficult to learn of possible compliance issues and make necessary corrections.

**b. Reporting.** All ACO Personnel who are aware of or suspect acts of fraud abuse or waste or other violations of the ACO Compliance Plan are required to report such acts or violations. Several reporting paths are available including reporting to:

- i. The Compliance Officer. ACO Personnel may at any time report directly to the ACO Compliance Officer.
- ii. Torrance Memorial Compliance Hotline. Torrance Memorial Medical Center ("Torrance Memorial") has contracted with an independent third-party provider to operate a 24-hour, 365-day hotline known as the "Compliance Hotline." In cooperation with Torrance Memorial the

TMIP ACO is using the Torrance Memorial Compliance Hotline, to which all TMIP ACO Personnel can report – anonymously or otherwise – any compliance concerns, issues or potential violations of the TMIP ACO Compliance Plan. All such reports will be handled pursuant to Torrance Memorial’s established protocols, and the TMIP ACO Compliance Officer will be informed of any relevant reported matters. Torrance Memorial’s Compliance Hotline may be reached at 1-855-226-5554 or [www.tmmc.ethicspoint.com](http://www.tmmc.ethicspoint.com)

5. Investigation, Corrective Action and Reporting of Suspected Violations
  - a. Investigation. Whenever a compliance problem is uncovered, regardless of the source, the Compliance Officer will initiate a thorough investigation.
  - b. Corrective Action. The Compliance Officer and relevant ACO Personnel will ensure that appropriate and effective remedial action is implemented, as appropriate. Any corrective action and response must be designed to ensure that the violation or problem does not re-occur (or reduce the likelihood that it will reoccur) and be based on an analysis of the root cause of the problem.
  - c. Reporting of Suspected Violations. The TMIP ACO will report probable violations of law related to fraud, waste and abuse involving TMIP ACO Personnel and/or its participants, providers and suppliers to an appropriate law enforcement agency.
  
6. Non-Retaliation Policy
  - a. Retaliation is Strictly Prohibited. There will be no intimidation or retaliation for good faith participation in the Compliance Plan, including but not limited to reporting potential issues, investigating issues, self-evaluations, audits and remedial actions, and reporting to the government or accreditation agencies. Any TMIP ACO Personnel who makes an intentional false report or a report not in good faith may be subject to remedial or disciplinary action.

**References:**

1. Next Generation ACO Participation Agreement
2. TMIP ACO-COMP-002, Code of Conduct
3. TMIP ACO-COMP-003, Conflict of Interest
4. TMIP ACO-COMP-004, Designation of Compliance Officer
5. TMIP ACO-COMP-005, Compliance Education and Training
6. TMIP ACO-COMP-007, Investigation of Reported Incidents & Complaints

7. TMIP ACO-COMP-008, Reporting Potential Compliance Issues
8. TMIP ACO-COMP-010, Center for Medicare & Medicaid Services (CMS) Audit & Monitoring

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Initial Effective Date:  
Revised Effective Date(s):  
Reviewed Date(s):  
Revised Date(s):