

**Community Mental Health Affiliation
of Mid-Michigan**

PROCEDURE #: 1.4	Page 1 of 2	SUBJECT: Compliance
Related Policy #: 1.0		SUBJECT: PIHP Administration
Issuing Director: Director of Affiliation Operations		Original Effective Date: 12/6/02

REVISED DATE

1/22/2007
02/19/09

Review Date(s)

02/22/07					
02/22/08					

I. PURPOSE:

To assure CMHAMM conducts all aspects of functioning with integrity, in compliance with requirements of all applicable laws, utilizing sound business practices and with the highest standards of excellence.

II. STANDARDS:

Applicable Federal and State statutes as listed in The CMHAMM Compliance Plan section III.

III. PROCEDURES:

- A. PIHP will develop and maintain CMHAMM Standards of Conduct.
- B. PIHP will assure the development, maintenance and implementation of an Affiliation wide Compliance Plan that will be updated as required and reviewed annually utilizing input from the Affiliates.
- C. CMHSPs/CAs will implement the CMHAMM Compliance Plan (CCP). CMHSPs/CAs will have policies and procedures necessary to fulfill all aspects of the CCP and will provide the PIHP with updated copies of such.
- D. CMHSPs/CAs will provide all staff training required in the CCP and maintain records of staff attendance. This must include but is not limited to the Federal False Claim Act, Michigan's False Claim Act and federal and state statutes regarding "whistleblowers".
- E. CMHSPs/CAs will have an identified compliance officer with the duties and authority described in the CCP, holding regular compliance committee meetings and will provide the CMHAMM Compliance Administrator with copies of the minutes.
- F. CMHSPs/CAs will require all Board members, employees, and contractors to report suspected compliance violations or misconduct by phone/voicemail, email, in person, or in writing to the Affiliate Compliance Officer. Reports of suspected violations will be investigated and documented as required in the CCP.

- G. Individuals making a report are encouraged to disclose their identity, recognizing that anonymity may hamper complete and timely investigation. However, no anonymous report shall be refused or treated less seriously because the complainant/reporter wishes to remain anonymous. No promises will be made to any individuals making a report or witnesses providing supporting information about the report by the Compliance Officer or anyone else in regard to his/her culpability or what steps may be taken by CMHAMM in response to the report. Confidentiality and anonymity of the individual making the report and the content of the report will be preserved to the extent permitted by law and by the circumstances. Information about reports, investigations, or follow-up actions shall not be disclosed to anyone other than those individuals charged with responsibility in investigation and remedial action as well as legal counsel.
- H. The PIHP will be notified of occurrences that will require reporting to regulatory agencies. The CMHSP/CA will ensure any necessary disciplinary action will occur for all levels of compliance violation.
- I. No employee, provider, contractor, consumer, or other individual making such a report in good faith shall be retaliated against by CMHAMM PIHP or CMHSPs. All employees or agents will be protected by the Michigan Whistleblower's Protection Act (P.A. 469 of 1980). Discipline for engaging in acts that violate applicable laws and regulations, making knowingly false reports, failure to report known violations, or discipline for any other performance-related reason unconnected to reporting potential violations is not retaliation.
- J. CMHSPs/CAs will review their own compliance activities at least annually and will participate in the annual review of the CCP and provide recommendations for changes if needed.

IV. APPLICATION:

CMHAMM PIHP and all CMHAMM CMHSPs/CAs and their contractors.

V. MONITOR AND REVIEW:

The Affiliation Compliance Administrator and Affiliate Compliance Officers will monitor these functions. The Director of Affiliation Operations, the Affiliate Compliance Administrator and Affiliation Compliance Committee will review this procedure annually. External review will include MDCH and CMS site visits and reporting.

VI. RELATED POLICIES AND PROCEDURES:

CMHAMM Policy 1.0 PIHP Administration

CMHAMM Compliance Plan