

6005 - A COMPLIANCE PROGRAM CHARTER

EFFECTIVE DATE: July 1, 2020

REFERENCES: United States Sentencing Commission; *Federal Sentencing Guidelines*, Chapter Eight Effective Compliance Program, United States Department of Health and Human Services, Office of Inspector General.

The purpose is to oversee the Division's implementation of the compliance program, policies and procedures designed to address any identified regulatory risks facing the Division, and assist with the oversight responsibility for the Division's contractual and regulatory compliance, and standards of conduct.

The oversight responsibility of the Committee shall not extend to planning or conducting audits, conducting investigations, or assuring compliance with relevant laws, the Division's Code of Conduct, or other relevant standards, including those imposed by any resolution agreements such as corrective action plans, notice to cure or monetary sanctions. These are the responsibilities of the Division's Executive Leadership.

Definitions

Compliance Program - A compliance program is a set of internal policies and procedures within the Division to comply with laws, rules, and regulations, or contractual obligations. A compliance team examines the rules set forth by government bodies, creates a compliance program, implements it throughout the Division, and enforces adherence to it.

Elements of a Compliance Program - According to the Department of Health and Human Services-Office of Inspector General, an effective compliance program can enhance the Division's operations, improve quality of care, and reduce overall costs. There are seven fundamental elements of an effective compliance program:

- Policies and Procedures
- Oversight
- Education and Training
- Monitoring and Auditing
- Reporting
- Enforcement and Discipline
- Response and Prevention

Policy

Health care operates in a heavily regulated environment with a variety of identifiable risk areas; an effective Compliance Program can help mitigate those risks. Therefore, in the fulfillment of the Division's oversight responsibilities, management will be charged with the responsible of establishing a Compliance Program to help ensure that appropriate information as to AHCCCS contractual obligations, and all applicable state and federal laws

and regulations, will come to the attention of the Compliance Committee and Executive Leadership will be notified in a timely manner as a matter of ordinary operation.

- A. The Division will establish a Compliance Committee to develop and maintain an effective Compliance Program.
- B. A Compliance Officer will be appointed with the delegated authority to manage the Compliance Program's day-to-day operation.
- C. The Compliance Officer and designees will ensure that the Compliance Program includes the seven elements that make an effective compliance program.
- D. An annual risk assessment will be completed for the Division. Identified potential risk areas will be evaluated periodically, and reported to the Assistant Director and the Compliance Committee.
- E. A report of Compliance Program activities will be presented periodically to the Assistant Director and the Compliance Committee.
- F. The Compliance Committee will conduct an annual self-assessment of the Compliance Committee's activities.