

MEMORANDUM

TO: OneCity Health DSRIP Partners

FROM: Catherine G. Patsos
Chief Corporate Compliance Officer
Corporate Privacy and Security Officer
NYC Health + Hospitals

DATE: April 2, 2019

RE: **NYC HEALTH + HOSPITALS/ONECITY HEALTH
OFFICE OF CORPORATE COMPLIANCE
DSRIP COMPLIANCE TRAINING REQUIREMENTS**

The purpose of this correspondence is to provide all performing providers (hereinafter also referred to as “Partners”) in the NYC Health + Hospitals sponsored OneCity Health Performing Provider System (“PPS”) (“OneCity Health”) with information about the compliance training obligations its Partners.

I. Background and Legal Requirements

Pursuant to New York State mandatory provider compliance program regulations, NYC Health + Hospitals is required to adopt and implement an effective compliance program, which includes the provision of periodic compliance “*training and education of all affected employees and persons associated with [NYC Health + Hospitals] ... on compliance issues, expectations and the compliance program operation.*”¹ Under the OMIG DSRIP compliance guidance, these compliance and training and education requirements extend to the DSRIP program.² Accordingly, all Partners who have received or are eligible to receive DSRIP funds are required to undergo compliance training and education about OneCity Health’s compliance program.³

II. OneCity Health DSRIP Compliance Training and Education

¹ 18 NYCRR §521.3(c)(3); Social Services Law § 363-d(2)(c) (emphasis added).

² See OMIG’s *DSRIP Compliance Guidance 2015-01 Revised: Special Considerations for Performing Provider System (“PPS”) Leads’ Compliance Program*, fn1, *supra*, at pgs. 2-3) Special Considerations by Element – Element 3).

³ See *id.*

OneCity Health is responsible for ensuring that its Partners complete DSRIP compliance training.⁴ To assist Partners in meeting their DSRIP compliance training and education requirements, the Office of Corporate Compliance (“OCC”) developed its own training course entitled “DSRIP Compliance Training”. Partners who do not provide their workforce with the required compliance training could exercise either of the following approaches to appropriately utilize the training provided by OneCity Health:

- (i) Utilize the DSRIP Compliance Training developed by the OCC to incorporate into any current methods of compliance and education training; or
- (ii) Simply distribute the DSRIP Compliance Training to workforce members involved with or otherwise affected by the DSRIP program

DSRIP Compliance Training is available on the OneCity Health Compliance website at: <https://www.onecityhealth.org/dsrp-compliance/>.

Note: Partners should consult with their legal counsel if they have any legal questions regarding the content of the DSRIP Compliance Training course.

III. OneCity Health DSRIP Compliance Training and Education Course Content

The OneCity Health DSRIP Compliance Training and Education course covers the foregoing topics:

1. *Introduction to DSRIP* which provides an introduction to the DSRIP program as well as (i) discusses the key players involved in the DSRIP program; and (ii) reviews several important terms that are unique to the DSRIP program.
2. *General Compliance Requirements for Medicaid Providers* which elaborates on the definition of the term Compliance, as well as its purpose and benefits, which include the importance of early detection and reporting of compliance issues. This section also discusses Medicaid compliance program certification requirements, compliance risk areas, and the eight required elements of an effective compliance program.
3. *Special Considerations for DSRIP Compliance* which expands upon compliance program elements as they pertain to DSRIP related compliance requirements. This section includes the eight DSRIP specific compliance program elements and further describes how OneCity Health is meeting these requirements.

⁴ See OMIG’s *DSRIP Compliance Guidance 2015-02-Frequently Asked Questions by Performing Provider System (PPS) Leads Relative to Compliance Programs*, pg. 2, available at: https://www.omig.ny.gov/images/stories/compliance_alerts/20150715_dsrp_fags.pdf.

4. *Fraud, Waste and Abuse & Relevant Laws* which provides importance information including the definitions of terms fraud, waste, and abuse, as used in the healthcare context, by providing specific examples of fraud, waste, and abuse (e.g., improper billing for services and misuse of coding on a claim). This section also provides an overview of some important Federal laws that are relevant to understanding OneCity Health's compliance requirements including the following: (i) the Deficit Reduction Act of 2005; (ii) the False Claims Act; (iii) the Physician Self-Referral Law; (iv) the Anti-Kickback Statute; (v) the Criminal Health Care Fraud Statute; (vi) the Civil Monetary Penalties Law; and (vii) the Exclusion Authorities.
5. *Reporting Compliance Issues* which provides information on how to report compliance issues or concerns to the Office of Corporate Compliance.

IV. Compliance Training Attestation Requirements

On an annual basis One City Health will provide Partners with instructions on how they can certify, by way of a Compliance Attestation, that they have met, among other things, the DSRIP compliance training and education requirements as described herein. Specific details and instructions will be provided to each Partner when this cycle begins.

V. Questions or Additional Information

Partners are encouraged to contact the Office of Corporate Compliance at (646) 458-5632 or compliance@nychhc.org if they have any questions pertaining to compliance training requirements, compliance training and education certification under the compliance attestation or other DSRIP-related compliance concerns.

Thank you for participating in the NYC Health + Hospitals Corporate Compliance and Ethics Program.