POLICY PURPOSE
The purpose of this policy is to demonstrate Troy’s commitment to comply with all applicable regulatory requirements. Troy Health, Inc. (dba Troy Medicare) complies with the federal regulation and CMS contract requirements to require general compliance and FWA training. Troy Health is hereby referred to as “Troy” for the purpose of this policy.

SCOPE
This policy applies to all members of the workforce and FDRs.

REFERENCES
- 42 CFR 422.503(b)(4)(vi)(C)(1)
- Medicare Managed Care Manual, Chapter 21, Section 5.3

RESPONSIBLE PARTIES
- Chief Compliance Officer

DEFINITIONS
- **Abuse** – practices that may directly or indirectly result in unnecessary costs, such as providing unnecessary services to beneficiaries.
- **Conflict of Interest** – a situation in which a person is in a position to derive personal benefit or financial gain from actions or decisions made in their workplace.
• **FDRs** – First-Tier, Downstream and Related Entities (different levels of contracted entities to perform health plan functions or health care services to enrollees).

• **Fraud** – intentional and criminal deception intended to result in financial or personal gain

• **FWA** - fraud, waste, and abuse, typically categorized together.

• **Waste** – unintentional errors, most frequently incorrect coding and billing.

**POLICY**

CMS requires each Medicare Advantage organization to establish and implement effective training and education for its workforce, governing body members, and FDRs. At a minimum, training must occur as part of new employee orientation or appointment of a chief executive officer or governing body member, or within 90 days of a contract with an FDR, and annually thereafter. Healthcare providers are no longer required to complete the CMS web-based FWA training.

General compliance training should include the following topics:

• Review of compliance program, the Code of Conduct, and ethical standards
• How to ask compliance questions, report suspected non-compliance and FWA
• Discuss non-retaliation, confidentiality, and anonymity in reporting
• Adherence to policies and procedures
• Disciplinary guidelines
• Conflict of Interest
• HIPAA privacy and security basics
• Purpose of auditing and monitoring
• Corrective actions

Fraud, waste, and abuse training should include the following topics:

• Definitions of fraud, waste, and abuse
• False Claims Act
• Anti-kickback Statute
• Beneficiary Inducement Statute
• Civil Monetary Penalties (CMPs)
• Stark Statute
• HITECH Act and HIPAA
• Excluded Persons and Entities

Participation in compliance and FWA training is a condition of employment and in compliance with the Code of Conduct.
PROCEDURE

1. New employees, consultants, and governing body members are required to complete the Troy Compliance/FWA training within 90 days of hire/appointment.
   a. New employees complete training in Gusto.
   b. Consultants complete training in Rippling.
   c. Governing body members complete training and sign an attestation in HelloSign.

2. Healthcare providers are still required to take the general compliance training and maintain a certificate as evidence upon request.

3. FDRs must be able to demonstrate that their employees have completed compliance and FWA awareness training.

4. First-tier entities are required to confirm their downstream entities have fulfilled this requirement, upon request or audit.

5. FDRs are responsible for designing and conducting their own training. FDRs may use the content from the CMS training without modification to develop their own material. Training must be completed within 90 days of hire/contract and annually thereafter.

6. CMS training will only be available for a limited time.

ATTACHMENTS/RELATED POLICIES/STANDARD OPERATING PROCEDURES

• None

APPROVALS

Sally A. Scott
Chief Compliance Officer
10 / 26 / 2022

Date: