University of Utah Health Compliance Plan

University of Utah Health (U of U Health) is committed to serving the people of Utah and beyond by continually improving individual and community health and quality of life. U of U Health meets this commitment through excellence in patient care, education, and research.

Operating in a manner consistent with ethical and legal expectations is critical to U of U Health’s success. The U of U Health Compliance Plan is designed to help U of U Health meet these expectations. U of U Health Compliance Services provides oversight of U of U Health activities through methods designed to prevent, detect, and correct non-compliant and unethical conduct.

All individuals conducting U of U Health business share responsibility for operating in a manner that meets our organization’s high standards. U of U Health expects all individuals to meet professional, ethical, and legal standards associated with their respective roles.

This Compliance Plan is intended to provide a high-level description of how U of U Health Compliance Services provides oversight. It is not intended to provide detailed policies and procedures. U of U Health has and will continue to promulgate compliance-related policies and procedures applicable to U of U Health. U of U Health units are encouraged to consider and address compliance issues in unit-specific policies and procedures.

The Elements of Effective Compliance Programs, as outlined in Chapter 8, Sentencing of Organizations, of the United States Sentencing Commission Guidelines Manual, serves as the foundation of the U of U Health Compliance Plan.¹ U of U Health has implemented these elements as follows:

1. Standards of Conduct, Policies, and Procedures. The University of Utah, including U of U Health, maintains written Code of Conduct & Ethical Standards outlining ethical and compliant behavior expectations. These standards of conduct also address consequences of non-compliance.

   - In addition to general expectations for ethical conduct for University of Utah personnel, the Ethical Standards & Code of Conduct specifically addresses U of U Health Code of Conduct matters including: patient care services; Compliance Services and the Compliance Hotline; patient privacy and HIPAA; integrity of medical records; ethical medical billing standards, including federal fraud, waste, and abuse standards and laws; and conflicts of interest.

   - As appropriate, U of U Health and individual operating units issue policies and procedures addressing specific compliance matters. Compliance-related policies are reviewed and updated pursuant to the University of Utah’s policy review schedule.

2. Compliance Officer and Committee. U of U Health has appointed a Chief Compliance Officer who reports directly to senior U of U Health leadership. U of U Health also maintains an executive-level compliance oversight committee consisting of senior leaders.

¹ In addition to the United States Sentencing Guidelines (2018), U of U Health relies on the following resources to help inform the implementation and operation of its compliance program: (1) U.S. Department of Justice Criminal Division Evaluation of Corporate Compliance Programs (Updated June 2020); (2) Department of Health and Human Services, Office of Inspector General Publication of the OIG Compliance Program Guidance for Hospitals (1998); (3) Department of Health and Human Services, Office of Inspector General OIG Supplemental Compliance Program Guidance for Hospitals (2005); and (4) Measuring Compliance Program Effectiveness: A Resource Guide, issue date: March 27, 2017.

*Approved by Compliance Oversight Committee on November 16, 2021
The Chief Compliance Officer is responsible for creating, implementing, and operating the U of U Health Compliance Program. The Chief Compliance Officer directs investigations, training plans, policy creation, and the provision of advisory opinions. The Chief Compliance Officer reports directly to the Associate Vice President for Clinical Affairs for U of U Health. Additionally, the Chief Compliance Officer chairs the Compliance Oversight Committee.

The Compliance Oversight Committee (COC) is a standing U of U Health committee comprised of senior U of U Health leadership. The COC is charged with a duty to assist the Chief Compliance Officer in his/her duties and ensuring that Compliance Services oversees an effective compliance and ethics program. In addition to the COC, the Chief Compliance Officer may, in his/her discretion, form such other committees or working groups as may be necessary to further U of U Health compliance efforts.

On at least an annual basis, the Chief Compliance Officer reports to the Audit Committee of the University of Utah Board of Trustees on the performance and effectiveness of U of U Health’s compliance program.

3. **Communication and Education.** U of U Health regularly provides compliance-related communication and education/training to its personnel to meet their individual compliance responsibilities.

- U of U Health provides annual compliance education to all U of U Health personnel emphasizing U of U Health’s commitment to compliance with legal requirements and policies, including federal laws and regulations related to fraud, waste, and abuse as well as patient privacy and security.

- U of U Health provides targeted education and training to its personnel on an as-needed basis. Training may be provided in response to risk assessment findings, internal auditing and monitoring and external audit results, in follow-up to corrective action in cases of non-compliance, and when other risks indicating a need for education or training are identified.

4. **Internal Auditing and Monitoring.** U of U Health regularly audits and utilizes evaluation techniques to monitor compliance and assist in the remediation of identified problem areas.

- U of U Health maintains an annual auditing work plan based on risk assessment tools, regulatory agency guidance and enforcement actions, and internal data analytics.

- U of U Health Compliance Services works closely with the U of U Health hospital and professional billing offices to incorporate automated and manual monitoring of problems identified either internally or by external auditors.

- U of U Health Compliance Services evaluates the effectiveness of its monitoring and auditing program based on outcomes associated with identified risks and areas detected for improvement.

5. **Reporting and Investigating.** U of U Health encourages its personnel to contact and work with Compliance Services when they become aware of a compliance matter or concern. The University of Utah maintains an Ethics and Compliance Hotline that allows individuals to report complaints, concerns, or ask questions related to compliance-related matters. Reports may be anonymous. U of U Health policy prohibits retaliating against individuals for making a report.

- University of Utah Ethics & Compliance Hotline: 888-206-6025.

- HIPAA privacy matters may be reported here (internal only) or at 801-587-9241.
6. **Enforcement and Discipline.** U of U Health appropriately responds to allegations of improper or illegal activities by conducting timely investigations. Compliance Services prepares written reports detailing the allegations made, personnel involved, investigation steps, findings, and any recommended corrective action. Compliance Services works cooperatively with University stakeholders, individual supervisors, and Human Resources concerning investigation findings and any corrective actions resulting from identified non-compliance.

- Investigations, including the identity of the reporter, remain confidential to the extent possible. All individuals involved in any investigation are notified of the University of Utah’s non-retaliation policies. Final reports of the outcome of investigations are made to the appropriate oversight bodies and U of U Health leadership.

- Recommendations for corrective actions are based on University of Utah Human Resources Policy 5-111: Corrective Action and Termination Policy and any applicable departmental policies.

7. **Response and Prevention.** Upon detecting a violation of law, regulation, or policy, U of U Health takes reasonable steps to respond appropriately and to prevent similar conduct in the future. U of U Health works with the appropriate authorities and legal counsel for prompt resolution if criminal conduct is identified. Compliance Services monitors identified violations to ensure ongoing compliance and the proper application of remedial measures.

U of U Health’s continued success depends on the personal and professional integrity of the individuals working to further its mission. The U of U Health Compliance Plan and its supporting policies and procedures are designed to help personnel reach ethical and legally compliant solutions to the problems they face, to exercise due diligence to prevent and detect inappropriate conduct, including criminal conduct, and to promote a culture that encourages ethical conduct and a commitment to compliance with the law.\(^2\)