

Elite Health Plan	Dept: Corporate
POLICIES AND PROCEDURES	Effective Date: January 1, 2025 Policy No: PC200 Revised:
Subject: Corporate Compliance Program and FWA - Employee Training and Requirements and FDRs	Page 1 of 7

Reviewed and Accepted By: (Committee or Department Head) <u>Board of Directors</u>
Authorized Signature: <u><i>Steph M. Blacklock</i></u> Date: <u>1/27/2025</u>

I. Purpose:

To outline the training and education sessions for all staff, Board Members, volunteers, and First Tier Downstream Related (FDR's) entities that are conducted regarding Elite Health Plan's Corporate Compliance Program and FDR Compliance Program Training, Standards of Conduct, and Program to control Fraud, Waste and Abuse, and Education will also occur should any policies and procedures be modified as a result of changes in federal and state laws and regulations affecting the company, or as required when performance improvement or corrective actions are required from internal/external audits.

II. Policy:

All existing part-time/full-time employees, interns, volunteers, seasonal employees, temporaries, Board Members are required to participate in annual training sessions upon hire/contracted and annually via training platform and materials recommended by the Corporate Compliance Committee and approved by the Board Compliance Committee. Training includes the company's Corporate Compliance Program, Fraud, Waste, and Abuse and supporting elements and policies. An employee or board member or any other individual internally who has missed a regularly scheduled training session, must complete the session within thirty (30) days of the originally scheduled training date or within thirty days of return to work if the person is on vacation or leave of absence. This rescheduled training may take place either as a one-on-one presentation with the Compliance Officer, at a rescheduled "make-up" training meeting for multiple individuals, or via an on-line training session. As part of initial staff orientation, all new employees will receive a training session that discusses the goals and objectives of the Corporate Compliance Program within the first fifteen (15) business days of employment as part of onboarding.. Each new employee is required to attest to training and acceptance of the Plan's Corporate Compliance Program and related elements and complete a quiz as a knowledge check for compliance. All employees will receive updated policies and procedures at annual training sessions and upon hire. Changes to CMS Program Guidance updated in 2019, no longer requires first-tier and downstream related

Elite Health Plan	Dept: Corporate
POLICIES AND PROCEDURES	Effective Date: January 1, 2025 Policy No: PC200 Revised:
Subject: Corporate Compliance Program and FWA - Employee Training and Requirements and FDRs	Page 2 of 7

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entities to complete the CMS online CBT training to obtain certification. Elite Health Plan allows FDRs to provide internal CMS Compliance Training and FWA training to those staff members that deal with Part C and/or Part D services for Elite Health Plan members. This requirement for onboarding training applies to Plan delegated FDRs, per contract.

The overall Employee Training includes the Employee Manual and Standards of Conduct, FWA, HIPAA, cyber security general compliance training and, if applicable, subsequent training by the Compliance Officer on the Compliance Program and general compliance requirements established for functional areas; which includes related CMS Chapter Manual guidance. As required, the individual departments complete supplemental specialized training with supporting policies and procedures for the specific department / job function. The Compliance Officer is responsible to report compliance activity to the Board of Directors Compliance Committee and/or Board of Directors. Physicians within a delegated entity are not required to take FWA CMS training as they are deemed trained as a certified Medicare provider Physicians and all other individuals named above in an FDR or delegated provider entity MUST be provided Corporate

Compliance Program training. Elite Health Plan allows for the FDR to utilize their own Compliance Program or the Plan's Compliance Program.

III. Procedure:

A Compliance Officer working with the Compliance Committee will update the compliance program to be consistent with regulatory requirements. The program review will occur minimally on an annual basis: All policies and procedures related to training and the corporate compliance program will also be reviewed and/or updated at least annually.

Awareness of the Corporate Compliance Program starts with the new hire process and is reinforced by annual training. The Compliance Officer and Compliance Committee

Elite Health Plan	Dept: Corporate
POLICIES AND PROCEDURES	Effective Date: January 1, 2025 Policy No: PC200 Revised:
Subject: Corporate Compliance Program and FWA - Employee Training and Requirements and FDRs	Page 3 of 7

Reviewed and Accepted By: (Committee or Department Head) _____ <u>Board of Directors</u>
Authorized Signature: <u><i>Harold Blacklock</i></u> _____ Date: <u>1/27/2025</u>

maintain and communicate the existence, purpose, content, and expectations of the Compliance Program and supporting elements throughout the company.

Required Training:

Employee handbook that includes the Standards of Conduct given to all employees upon hire and when updated. The Employee Handbook states that all employees are required to take annual training to remain employed. All employees are trained and provided a copy of the company's Compliance Program and associated policies initially during the new hire orientation process. Each new hire is required to sign an acknowledgment form of the program and related policies which is then retained for a period of 10 years.; Updates occur as program requirements change, and the overall program is reviewed annually, with changes incorporated into annual refresher training and updated copies of the Compliance Program and related policies distributed at that time. The requirement for training is also included in the employees' annual review process. All in-person training of Compliance Program and FWA requires a sign-in sheet, copy of training materials and testing documents that are housed in the Compliance & HR Department.

Specialized departmental training occurs on department specific policies and procedures separate from the Corporate Compliance training. All training requires a sign-in sheet for attendees and a copy of the training documents to be sent to Compliance upon completion. All training is offered live and in slide-deck format. All testing requires 85% or better score, which is retained as evidence of training and completion of the training requirements.

Evidence of Training:

At the conclusion of the initial training session, employees will be asked to sign a Statement of Understanding/Acknowledgment that they are aware of and will abide by the Corporate Compliance Program within fifteen (15) days of start date as part of the Plan's on-boarding process. Employee acknowledgement forms are provided to Human Resources. All employees are required to review the Corporate Compliance

Elite Health Plan	Dept: Corporate
POLICIES AND PROCEDURES	Effective Date: January 1, 2025 Policy No: PC200 Revised:
Subject: Corporate Compliance Program and FWA - Employee Training and Requirements and FDRs	Page 4 of 7

Reviewed and Accepted By: (Committee or Department Head) _____ <u>Board of Directors</u>
Authorized Signature: <u><i>Steph M. Blacklock</i></u> Date: <u>1/27/2025</u>

Program, related policies and procedures, submit testing and acknowledgment to be considered fully trained from a corporate perspective. Individual training occurs at the department level and is job specific. For retraining, employees will sign an attendance sheet at all training sessions and these forms will be maintained in by the Compliance Officer, Participation in training sessions and make-up sessions are mandatory and a condition of continued employment.

Delegated entities are required to provide an attestation annually and shall be forwarded all Plan compliance materials and supporting compliance policies that they will:

- comply with Elite Health Plan's Corporate Compliance Program and/or their own Compliance Program if deemed sufficient by Elite Health Plan's audit based on contract and/or risk assessment,
- incorporate Fraud, Waste and Abuse program requirements into their operations. FDRs who have met the FWA certification requirements through enrollment into the Medicare program or accreditation as a Durable Medical Equipment, Prosthetics, Orthotics, and Supplies (DMEPOS) are deemed to have met the training and educational requirements for fraud, waste and abuse. This does not apply to compliance training as it must be provided to all
- provide copies of the program and related policies and procedures to all employees and downstream entities who work with Elite Health Plan and its members upon request
- provide any other state and/or federal training (Example: Cultural Linguistics, Health Equity, Diversity, etc.)
- provide copies to all relevant new employees or downstream entities as part of the new hire process upon request

Elite Health Plan	Dept: Corporate
POLICIES AND PROCEDURES	Effective Date: January 1, 2025 Policy No: PC200 Revised:
Subject: Corporate Compliance Program and FWA - Employee Training and Requirements and FDRs	Page 5 of 7

Reviewed and Accepted By: (Committee or Department Head) <u>Board of Directors</u>
Authorized Signature: <u><i>Steph M. Blacklock</i></u> Date: <u>1/27/2025</u>

- confirm that employees and downstream entities have received, reviewed and understand the program and also receive FWA training thru proof of sign-in sheets, Attestation for effective Compliance Program and Training annually. Attestations shall be filed electronically through the ICE (Industry Collaborative Effort) On-Line FTE Attestation Process.
- Monthly Attestation with proof that OIG/GSA (state, federal) sanction, exclusion and preclusion (Plan provided) lists are checked upon hire/contracting upon request.

Department heads are responsible for specialized training related to department specific policies, procedures and job functions and for tracking and monitoring related job performance and department specific process controls related to monitoring and oversight to help deter fraud, waste and abuse in the Medicare program and for department reporting tracked through the key indicators reporting. All department heads must provide sign-in sheet with training materials as proof of training.

Completed annual compliance training will be included as a requirement within employee performance evaluations. Immediate retraining is given when employees are found to be noncompliant if corrective action plan deems necessary. All compliance related records are to be retained for 10 years.

Topics to be included in compliance training are as follows:

- Description of the Compliance Program, mission statement, policies and procedures provided. Standards of conducts, ethics, disciplinary actions, and overall compliance with regulations;
- How to ask compliance questions and how to report Fraud, Waste, and Abuse without retaliation and anonymously via internal, hotline, mail, and web. Provide desk cards to all employees to reinforce knowledge.
- Requirement to report FWA and noncompliance,

Elite Health Plan	Dept: Corporate
POLICIES AND PROCEDURES	Effective Date: January 1, 2025 Policy No: PC200 Revised:
Subject: Corporate Compliance Program and FWA - Employee Training and Requirements and FDRs	Page 6 of 7

Reviewed and Accepted By: (Committee or Department Head) _____ <u>Board of Directors</u>
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- Examples of required reportable non compliance or FWA and non-retaliation policy
- Review of disciplinary guidelines
- Conflicts of interest/ Moonlighting
- Sanction List requirements - OIG/GSA Sanction List Checks, Preclusion Lists, Exclusions
- Relevant compliance laws with description; example: Stark, physician referrals, false claims, Anti-kickback, nominal value, beneficiary inducement; HIPAA/HITECH, etc.
- Overview of the monitoring and auditing process
- Review of laws that govern employee conduct in Medicare Program

Auditing and Monitoring

In order to ensure that all individuals represented in the policy and procedures are trained as required from an internal perspective, the Compliance Office retains all copies of sign-in sheets from trainings and email confirmations from those attending the live training sessions remotely and the testing, which is graded by Compliance and tracked on an internal spreadsheet. The Compliance Officer also maintains any new hire training information for the testing of knowledge. The Human Resources Department retains the Acknowledgment from new hires that they have read and understand the Compliance Program. All employee reviews require the reviewer to contact Compliance Dept to determine if in fact, training and testing was completed and this is marked on the employees review. Training is mandatory and is a requirement for employment with Elite Health Plan as required by regulations.

FDR Auditing and Monitoring

The Compliance Department in conjunction with Industry Collaborative Effort for Health Care (HICE) developed an annual online attestation form whereby FDRs must attest to training as required for FWA and Compliance and other compliance requirements stated within CMS guidance found in Chapters 9 and 21. All Corporate Compliance Plans used by FDRs are requested annually by the Compliance Dept and reviewed to ensure that the

Elite Health Plan	Dept: Corporate
POLICIES AND PROCEDURES	Effective Date: January 1, 2025 Policy No: PC200 Revised:
Subject: Corporate Compliance Program and FWA - Employee Training and Requirements and FDRs	Page 7 of 7

Reviewed and Accepted By: (Committee or Department Head) _____ <u>Board of Directors</u>
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seven required elements are present. Per the Plan's Audit Schedule, elements are tested during audit by Compliance request to review sign-in sheets, policies, training materials, and sanction list results. In the event of non-compliance, a corrective action plan is required and Compliance monitors for ongoing compliance.

IV. References:

Elite Health Plan Compliance & Anti Fraud Program; 42 CFR 422.503(b)(4)(VI)(C), 423.504(b)(4)(vi)(C) Medicare Chapters 9 and 21.