



Compliance News

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Updates to SAM.gov Exclusion List Checks

By Karen Steggerda

As a Medicare/ Medicaid provider of services, it is required that you check all individuals and vendors against the Office of the Inspector General's LEIE Exclusion List and the Sam.gov EPLS Exclusion List before hire and on a monthly basis. The government requires this because they do not want any of their funds going to people that are excluded from receiving government money.

At the end of June, SAM.gov changed the process to check individual names. Here are the new steps to follow when checking an individual against the EPLS on Sam.gov

Go to <https://www.sam.gov>

In the top blue ribbon, click on "Search Records"

When the new page opens up, there is a light blue box mid page and on the RIGHT side of this box there is a box that states "Advanced Search-Exclusion" Click on "Advanced Search-Exclusion"

A box pops up and click on "OK"

New page opens up and you have 3 options: "Single Search", "Multiple Name Search" and "SSN/TIN". You can click on any of these, but I recommend for ease to use the SSN.

Click on "SSN/TIN" and put in the information. Make sure that "Exclusion Status" is "Active"

Click on Search

A page opens with the results. In order to get the results and the name, click on "Save PDF" and when it opens, print that page and keep for your records. When you print it off, you should also get a date from your printer for verification, but you might have to write the date in by hand. Save the print off in your records.

NOTE: If you use "SSN/TIN" for your search and your potential new hire has more than one legal name they are known by, then you will need to run each name individually that they are also legally known by. I do think that even though this is an extra step, it is the best and the safest.

The OIG website and the SAM website are both set up to check only a few names at a time. BCG Research has created a web based automated system that will check thousands of names within seconds and provided you with a PDF report for your records. This saves your facility valuable time and money. Please let us know if we can get you set up.

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How to Have a Successful Compliance Training

By Karen Steggerda

As a compliance consultant, I have traveled to several facilities over the years to present educational trainings to staff, upper management, and board members on the OIG Regulations of Compliance for Nursing Facilities. If you have not done your yearly training, now is a great time to start preparing for your facilities yearly training. National Corporate Compliance and Ethics Week is set for November 6-12th and November might be a great time to do your education. Here are some suggestions for presenting a successful compliance training.

1. Start planning the training a month or two ahead of time. Do not wait until the last minute to put something together. Create a successful training to demonstrate the importance of compliance.
2. Decide on the best way to reach your staff with this training. Location is very important and must be sizable to accommodate everyone who will be in attendance. It might be best to hold more than one training if there is to be a large crowd.
3. Timing of the compliance educational training is critical. Is it before a holiday? During the summer when a lot of people are on vacation? Is it schedule for a time convenient for a lot of staff to attend during the day? When scheduling your workshop, keep the timing in mind for what will work well for your staff.
4. Have someone from upper management encourage your staff to attend the meeting. Have the same person introduce the speaker or give a short speech on the importance of the training. This encourages the staff to participate in the training and discussion. It also shows that the upper management team is also a part of the training and that it is for everyone in the facility.
5. Video tape the training for all staff who are unable to be at the educational session and for the upcoming year's new hires.
6. Remember to have staff confirm that they were in attendance for the training. Keep records of the compliance training for a minimum of 5 years.
7. Review with your staff what the OIG Compliance Regulations are and add any new laws or regulations from the previous training
8. Remember that everyone's learning style is unique. Providing an online training can be just as successful as a guest speaker.
9. After the training, review the training with your staff in mini workshops or in discussion groups throughout the month. Encourage staff to talk with management and ask questions. This keeps the training in their minds and shows you are serious about the matter of compliance.
10. Be open to both positive and negative comments. You will hear both and it is important to let the staff discuss both sides of the coin.

Starting in September, I will have a new Compliance Educational Training available that focuses not only on the OIG Regulations, but a little overview on HIPAA, False Claims Act, Overview of the Final Rule for Overpayments and

QAPI. Please let me know if you are interested in setting a date for presentation.

Remember National Corporate Compliance and Ethics week is November 6-12th! The theme this year is Provide, Protect and Prevent.



What's New @BCGResearch

I am ordering "Provide Protect and Prevent" Silicone Bracelets for National Corporate Compliance and Ethics Week. I will be placing this order September 15th. If you are interested let me know. I will need to receive payment upfront and the number of bracelets you want. They are white with blue lettering. Great way to remind your staff the importance of staying in corporate compliance. Each bracelet is \$.50 plus shipping and handling.



**We are on Twitter with (almost) daily updates.
Check us out on Twitter: @BCGResearch**

When Social Media is Used to Degrade Residents

By: John O'Connor (McKnight's Long Term Care News)

There are three things I may never understand.

First, why does salt taste so good on watermelon?

Second, why does an expensive item seem to break whenever a few extra bucks come along?

Finally, why do so many nursing home employees feel the urge to post inappropriate resident photos and videos on social media outlets?

For more on this last item, I invite you to check these 44 examples of dubious postings, courtesy of *ProPublica*.

Here is a verbatim description of some, er, highlights:

- A nursing assistant photographed a resident's genitals and sent the picture to a friend, who uploaded it to Facebook.
- Two workers took photos and videos of nude or partially nude elderly residents and shared them on Snapchat.
- A nurse aide took photos of an incontinent resident's genitals covered in fecal matter and shared them with another staff member on Snapchat.
- A nursing assistant admitted taking video of a 93-year-old woman with Alzheimer's disease sitting on her bed in a bra with no underwear or pants.

Kinda makes you proud, doesn't it? At the very least, it would appear that quite a few workers in this field seem to have a fetish for geriatric nudity and toileting.

Look, I'm not a complete prude. My guess is that many if not most of these shared images were intended to make others laugh. But that hardly makes them OK. Those images are universally degrading. The employees responsible for their creation and distribution should have known better. Let's hope none of them are still working in this field. They clearly have troubling judgment issues.

As an employer, you have every right to be offended. And perhaps a bit afraid. For it would be quite easy for these various disgusting images to fuel survey citations, lawsuits, and perhaps even criminal charges against your facility.

Iowa Sen. Charles Grassley (R) recently sent a letter to social media companies asking what steps they are taking to curtail what amounts to the public shaming of residents. Facebook and Snapchat replied they are doing what they can to deal with such imagery. For now, that basically means terminating the accounts of alleged abusers. That's better than nothing, but not much.

To its credit, the American Health Care Association has been far more vigilant.

The association recently posted suggestions intended to help its more than 11,000 members better deal with this ugly side of social media. Its 13-page document urges providers to review social media policies, conduct related training and investigate possible abuses. It also offers specific ways operators can respond to possible scenarios.

The organization earlier created a best practices document.

These days, it is the rare employee who does not have a mobile phone capable of creating photos and videos. There may not be much you can do about that. But at the very least, you should do all you can to discourage workers from capturing residents in unflattering ways.

The more you can convince your staff that this sort of irresponsible behavior will not be tolerated, the better off everyone is likely to be.