



Compliance Program

Illinois – Iowa – Minnesota - Wisconsin

AppleWhite Dental Partners provides access to high quality, compassionate dental care, insuring all patient rights are acknowledged, respected and the activities related to treatment fulfill the expectations outlined in this Compliance Program.

The AppleWhite Dental Partners Compliance Program has been structured to provide oversight and assistance for the successful compliance of all Federal, State, and industry regulations and standards in the delivery of quality dental care in all AppleWhite Dental Partner practice locations and corporate operations. The program is all inclusive to personnel, providers and partners.

Compliance Manager

AppleWhite Dental Partners will employ a Compliance Manager, dedicated to the oversight of the policies and procedures created to assess and monitor the practice standards and compliance with Federal, State and Industry regulations and requirements.

The Compliance Manager will work closely with the Management Team to confirm compliance and provide recommendations and solutions as new obligations arise and will collaborate with the Human Resource Department in the development and implementation of related training programs.

The Compliance Manager will work to identify potential patterns of risk and abuse of established policy and with consideration of future risk probability develop activities and processes to circumvent potential conflicts and consequences.

HIPAA

Protecting patient privacy is imperative to the mission of AppleWhite Dental Partners. While patient information is protected by federal laws and regulations of the Health Insurance Portability and Accountability Act (HIPAA), AppleWhite Dental Partners has taken steps to assure patient information is respected with privacy and security. All employees shall receive ongoing training on the importance of patient privacy and information security and organizational audits and assessments shall be completed regularly to self-evaluate the effectiveness of compliance policies and procedures.

OSHA/Infection Control

AppleWhite Dental Partners is dedicated to providing safe and healthy treatment and working environments for all patients, personnel, providers and partners and shall comply with Department of Labor's Occupational Safety and Health Act and the Infection Prevention & Control Guidelines and Recommendations provided by the Center for Disease Control and Prevention. Exposure to biological, chemical, environmental, physical and psychological workplace hazards are assessed annually and as changes or additions are made to work environments. All employees shall receive ongoing training on the recognition, control and prevention of hazards in the workplace.

Employee Participation

Each employee of AppleWhite Dental Partners will be trained upon hire in the expectations of compliance as they relate to HIPAA, OSHA/Infection Control, practice standards, reporting of fraudulent activity, inappropriate or abusive conduct. Continued training will be provided annually, and upon any time a change in expectation, processes or procedures. Re-training shall also occur when deemed necessary by the Management Team.

Reporting Concerns

AppleWhite Dental Partners will make available a pathway of reporting compliance related concerns for employees and patients and is dedicated to respond with an environment of support, recognition and rectification.

Provider Responsibility

All professionals providing patient care shall be licensed by the State in which the services are provided. Licensees shall abide by the authorizations, restrictions and eligibility requirements of the State in which the license is held and will follow the American Dental Association's Code of Professional Conduct, Principles of Ethics and Advisory Opinions.

Those providers choosing to participate in the programs funded by state funded programs of the Centers for Medicare and Medicaid shall additionally comply with the eligibility requirements of that State.

ILLINOIS

Any dentist licensed to practice in the State of Illinois is eligible to participate in the Illinois Medicaid Program upon completion of all enrollment applications and agreements. Those agreements are to be kept on file with the Illinois Department of Healthcare and Family Services. Out of state providers may apply for eligibility when currently licensed in their state of location.

The AppleWhite Dental Partners NPI and Illinois Tax ID will be used as billing identifiers.

IOWA

Any dentist licensed to practice in the State of Iowa is eligible to participate in the Iowa Medicaid Program upon completion of all enrollment applications and agreements. Dentists in other states are eligible as well providing they are licensed in their State of Practice and complete all enrollment applications and agreements. Provider enrollment in the Iowa Medicaid Program can be termed by either party at any time.

The AppleWhite Dental Partners NPI and Iowa Tax ID will be used as billing identifiers.

MINNESOTA

Any dentist licensed to practice in the State of Minnesota is eligible to participate with Minnesota Medicaid upon completion of all appropriate enrollment applications and agreements*. Out of State providers may also enroll with Minnesota Medicaid fulfilling licensing requirements for their State of Practice and upon completion of all appropriate enrollment and agreements*.

**"Rule 101 requires providers who want to be paid for other state-sponsored health care programs to participate in MHCP and accept, on a continuous basis, new patients (per CPT definition) who are MHCP recipients. Other state sponsored health care programs include:*

- State employee health insurance plans
- Workers' compensation insurance
- Public employee's insurance programs
- Insurance plans provided through Minnesota Comprehensive Health Association
- Health insurance plans offered to local statutory or home rule charter city, county and school districts"

Caseload restrictions are permitted with submission of proper documentation.

The AppleWhite Dental Partners NPI and Minnesota Tax ID will be used as billing identifiers.

WISCONSIN

Any dentist licensed to practice in the State of Wisconsin is eligible to participate with Wisconsin Medicaid upon completion of all appropriate enrollment applications and agreements*. Out of State providers may also enroll with Wisconsin Medicaid fulfilling licensing requirements for their State of Practice and upon completion of all appropriate enrollment and agreements*.

**To be reimbursed for services provided to members BadgerCare, BadgerCare Plus, or SeniorCare, providers are required to be enrolled in Wisconsin Medicaid as described in [DHS 105](#), Wis. Admin. Code.*

The AppleWhite Dental Partners NPI and Wisconsin Tax ID will be used as billing identifiers.

Patient Autonomy

All providers will be respectful of the patients to determine treatment and their right to confidentiality.

- Providers will inform patients, parents/guardians of all diagnosis, proposed treatment and any reasonable alternatives and allow participation in treatment decisions.
- Providers will maintain accurate records of all treatment and activities related to patient treatment in the patient record. This documentation will be available to another provider or the patient upon proper authorization of the patient, parent, or legal guardian and will be done so in a manner to protect the patient's welfare and privacy and in accordance with any applicable laws.

Nonmaleficence ("do no harm")

All providers will be required to keep current in the knowledge and skill necessary to provide safe and appropriate care.

- Limitations in skill and experience will be recognized and acknowledged with referral to an appropriate specialist or consulting provider.
- Providers will only assign auxiliary staff duties to which they are legally qualified to perform.
- Impairment of any kind which could result in the endangerment of patients or staff will result in the immediate limitation of practice until such a time as impairment is resolved.
- Patients will be immediately notified of any exposure to bloodborne pathogens during the course of treatment and will be extended post-exposure evaluation and treatment with a qualified health care practitioner.
- Providers will not discontinue treatment if it would endanger the patient's oral health and without providing the patient with adequate notice and opportunity to seek treatment with another provider.
- Providers will not pursue interpersonal relationships which could result in impaired judgement, or risk the confidence placed in them by their patients.

Beneficence ("do good")

All providers will provide competent and timely care of the conditions presented by the patient and with the patient's consent and/or approval.

- Providers will present themselves in a professional manner at all times and provide a respectful and collaborative work environment.
- Providers will follow the rules of ethics outlined by their profession.
- Providers will be required to be trained in the signs of abuse and neglect and report such case to the appropriate authorities.

Justice

All providers will treat patients in their care with fairness and honesty regardless race, color, national origin, age, disability or sex.

- Providers will not turn away patients with known bloodborne pathogens.
- Providers will make reasonable arrangements for the emergency care of their patients or record.
- Providers will report instances of gross or continual faulty treatment by other providers to the appropriate authorities.
- Providers will not accept or offer "rebates" or "split fees".

Truthfulness

All providers will refrain from presenting care to their patients in a false or misleading manner.

- Providers will not recommend the removal of restorative materials from non-allergic patients under the pretense of removing toxic substances.
- Providers will present all associated fees for providing treatment.
 - The fee for a patient without dental insurance will be considered the Full Fee.
 - Fees will not be increased because of a patient's participation in a dental benefit plan.
 - Providers will not accept payment of a third party as payment in full. Copayments will be charged to the patient to avoid representation of overbilling.
 - Treatment dates will not be altered to allow for coverage of patient's dental benefit plan.
 - Treatment will not be incorrectly billed to the third-party payer in order to receive higher payment.
 - Unnecessary services will not be recommended or performed.
- Providers will not present themselves for services outside their educational training and lawful licensure.

Patient Rights

AppleWhite Dental Partners recognizes dental care to be private and personal to each patient. All persons receiving care from AppleWhite Dental Partners will be treated with respect, dignity and with full acknowledgement of their patient rights.

- **Determination of Eligibility**

It is the responsibility of AppleWhite Dental Partners to verify Medicaid eligibility prior to providing diagnostic or treatment services. Ineligible patients will be offered services as a non-covered service or rescheduled to a time of eligibility without penalty.
- **Consent for Services**

All patients, parents/guardians will be educated about their individual dental health needs and all options for treatment. Treatment options will not be offered based upon insurance eligibility or the patients assumed ability to pay for non-covered services.
- **Provisions for Non-Covered Services**

All patients, parents/guardians will be informed of their financial responsibility for all charges related to non-covered services and will give written consent prior to these services being provided. Patients, parents/guardians cannot be held financially responsible for non-covered services without written consent. Consent may obtain via a signed written treatment plan.

Internal Record Review and Audit

AppleWhite Dental Partners will internally audit services provided by its qualified Medicaid Providers. Audits will evaluate the applications of current AppleWhite Dental Partner policies and protocols as well as professional best practices.

Internal audits will be completed manually by the Compliance Manager and/or by individuals trained in the audit process and capable of identifying potential risk and confident in reporting findings.

Audits for offices enrolled with Medicare and Medicaid will be conducted on a rotating basis based upon volume of participation and within a schedule of no less than every six months.

Provider audits will consist of a randomly selected date of service and will include a minimum of 10 patient records for each producing staff member working under the provider NPI. (Auxiliary staff providing billable services under the supervision of the dentist)

Additional records or increased frequency of audits may be initiated by the Management Team or the Compliance Manager at any time. The Compliance Manager may seek the opinion of any licensed professional member of the Peer Review Committee for clarification of clinical diagnosis or treatment history during the audit process.

An audit form will be used to create a consistent, fair and objective review of the criteria and practices reviewed during the audit. All documentation used to support audit findings will be maintained in unison of the requirements for patient record retention requirements of the State in which treatment occurred.

The following items shall be reviewed:

Financial Documentation

- Submitted claims are supported by the following:
 - Provided procedures are consistent with professionally recognized standards of care.
 - Necessity of the service.
 - Service is consistent with diagnosis.
- All third-party payers have been exhausted.
- Remittance of payment is posted accurately
- Eligible co-payments are collected.
- Adjustments are made accurately
- Appeals and billing corrections are documented and completed in a timely manner.

Clinical Documentation

- Date of encounter/treatment
- Complaint, symptoms, history, examination findings, diagnostic test results, assessment, clinical diagnosis, plan for care.
- Identity of Witnesses (auxiliary staff, patient guests)
- Specific performed treatments or procedures.
- Medications prescribed dispenses and/or administered.
- Supplies dispensed or used for treatment.
- Patient's disposition during treatment or progress upon completion.
- Changes in treatment or revision in diagnosis
- Any additional items to support services provided on Billing Claim Form.
- Signature of author and treating provider.

Internal Adjustment-Type Review

AppleWhite Dental Partners will internally review adjustments made following payment of billable claims and collection of fees.

The review of adjustments will be completed for each practice by the assigned Field Coordinator and/or Compliance Manager on a quarterly basis. Data for these audits will be collected via practice month-end reports.

Reports of all Insurance and Professional Courtesy adjustments will be reviewed and audit will be completed on those adjustments meeting the follow criteria:

- Medicaid Adjustments made over the amount of \$750.00* for any single patient on a single date of service.
- Multiple Medicaid Adjustments exceeding the amount of \$750.00* for a single patient on a single date of service.

- Professional Courtesy Adjustments exceeding the amount of \$250.00* for any single patient on a single date of service.
- Private Insurance Adjustments exceeding the amount of \$250.00* for any single patient on a single date of service.

*The amounts assigned for review are based on industry averages for coverage and may change at any time.

Peer Review

Peer Review is a necessary tool to assess and manage risk of potential Dental Board actions, legal disputes and to maintain and uphold the reputation of AppleWhite Dental Partners and its associated providers and employees. AppleWhite Dental Partners will form a Peer Review Committee of organized professionals to evaluate patterns of risk identified during the internal audit process or those communicated by management and staff.

Peer Review will be used to investigate potential negative activities observed and/or reported during internal audit and anonymous or direct reporting from AppleWhite Dental Partner employees, associates or patients and/or requests made by the Management Team.

Peer Review Committee Establishment

The Peer Review Committee will seat no less than 5 members. All members will be employees or practicing associates of AppleWhite Dental Partners with a minimum of 3 licensed, practicing general dentists and no more than 2 laypersons.

Members will serve a term of 3 years, with individual terms being staggered to ensure stability of the committee. Efforts will be made to discourage the service of consecutive terms.

The Peer Review Committee will elect a Chairperson to act as lead in communication as appropriate to the Compliance Manager, Human Resources and the Management Team.

Ad hoc members shall be used in cases requiring specialty opinion or in cases presenting conflict of interest to residing committee members. Ad hoc members shall respect the same qualifications as permanent members.

Members will remain discreet and judicious throughout all actions of the peer review process and within all representations of the Peer Review Committee.

Members must be impartial and fair and have no stake or interest in the outcome of those cases brought before and/or accepted for review by the committee. Those members who identify a conflict of interest during a case will be excused temporarily and an ad hoc member will be assigned as replacement.

Peer Review Committee Communication

The Peer Review Committee will meet on a quarterly schedule to review submitted referrals and discuss investigations and recommendations for mediation. Due to the logistical limitation of in-person meetings, the use of conference calls, skype, internet meetings and secure email will be utilized whenever feasible.

Case Referrals

Initial referral of cases for Peer Review shall be submitted in writing to the Compliance Manager via employee report, discovery through internal chart audits or at the request of Management.

The Compliance Manager will screen all referral submissions and gather the appropriate information required for full and fair evaluation which may include expansion and research of presented data, personal interviews and additional chart audits. All materials will be organized and then submitted to all members of the Peer Review Committee via written report.

Matters for Peer Review

Referrals to the Peer Review Committee will result from any report submitted in writing by any AppleWhite Dental Partner employee or patient of record.

Appropriate matters for peer review are as follows:

- Quality of Care – The skills used to provide safe and effective treatment.
- Appropriateness of Care – The necessity and consistency of diagnosis and treatment.
- Fee and/or Adjustment Disputes – The appropriate assessment of fees/adjustments/refunds for the services provided. Cases disputing only the fee amounts and without relation to the services provided are not reviewable by the Peer Review Committee.

Case Acceptance

The Peer Review Committee is not required to accept all referred cases for investigation and/or remediation. Review and the acceptance of cases will be based upon the relevant information provided in the referral and the majority opinion of the Peer Review Committee.

Cases previously reviewed by outside agencies will not be accepted for review unless it is for a purpose other than that of the earlier review.

Cases in current litigation will not be accepted, however, cases in which legal counsel has been advised but are without legal suit or action may be considered for acceptance with the understanding that the Peer Review Process holds no legal authority and does not share findings and/or evidence with outside parties. The Peer Review Committee may consult with an attorney at any time during the review process however, the attorney may not participate in any related mediation or review discussions.

The Committee will not be involved in the investigation or remediation of reports regarding personnel or employee matters, discrimination, harassment or employee conduct.

Case Investigation and Mediation

Upon acceptance of a case, the Peer Review Committee will meet to discuss investigation findings and to deliberate and direct any necessary disciplinary actions or recommend changes or additions to current processes and policies to detour reoccurrence or future negative activity.

The Peer Review Committee can at any time within an investigation request additional chart audits for additional review and/or comparison.

The Peer Review Committee may consult with Human Resources to confirm if previous disciplinary action has been taken in the past 12 months.

Upon review of a case and the determination of violations, abuses and/or mishandlings, the Peer Review Committee shall recommend a discipline path and work in conjunction with Human Resources on the documentation and delivery of disciplinary action.

Should the Peer Review Committee require as part of disciplinary action future monitoring or scheduled re-evaluation, the Chair of the Committee will be assigned oversight.

Disciplinary Action

Outlined below are the steps of AppleWhite Dental Partners progressive discipline policy and procedure. AppleWhite Dental Partners reserves the right to combine or skip steps in this process depending on the facts of each situation and the nature of the offense. The level of disciplinary intervention may also vary. Some of the factors that will be considered are whether the offense is repeated despite coaching, counseling and/or training; the employee's work record; and the impact the conduct and performance issues have on our organization.

The following outlines AppleWhite Dental Partners progressive discipline process:

- **Verbal warning:** A manager verbally counsels an employee about an issue of concern, and a written record of the discussion is placed in the employee's file for future reference.
- **Written warning:** Written warnings are used for behavior or violations that a manager considers serious or in situations when a verbal warning has not helped change unacceptable behavior. Written warnings are placed in an employee's personnel file. Employees should recognize the grave nature of the written warning.
- **Performance improvement plan:** Whenever an employee has been involved in a disciplinary situation that has not been readily resolved or when he/she has demonstrated an inability to perform assigned work responsibilities efficiently, the employee may be given a final warning or placed on a performance improvement plan (PIP). PIP status will last for a predetermined amount of time not to exceed 90 days. Within this time period, the employee must demonstrate a willingness and ability to meet and maintain the conduct and/or work requirements as specified by the supervisor and the organization. At the end of the performance improvement period, the performance improvement plan may be closed or, if established goals are not met, dismissal may occur.

AppleWhite Dental Partners reserves the right to determine the appropriate level of discipline for any inappropriate conduct, including oral and written warnings, suspension with or without pay, demotion and discharge. Employees are not eligible for salary increases, bonus awards, promotions or transfers during a performance improvement plan.

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