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OIG NEWS

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OIG Publishes Supplemental Voluntary Compliance Program Guidance for Hospitals

The Office of Inspector General (OIG) of the Department of Health and Human Services today issued the updated voluntary compliance program guidance for hospitals that was first issued in 1998 to promote compliance with the rules and regulations for participation in Medicare and other Federal health care programs. The document will be on display at the Federal Register today and published on January 31, 2005.

The document, entitled “OIG Supplemental Compliance Program Guidance for Hospitals,” is available on the OIG home page at <http://oig.hhs.gov/fraud/docs/complianceguidance/012705HospSupplementalGuidance.pdf>. It takes into account recent changes to hospital payment systems and evolving industry practices.

While the original guidance focused on how hospitals could design effective voluntary compliance programs, the supplemental guidance focuses on measuring and improving the effectiveness of existing compliance efforts and identifies additional fraud and abuse risk areas for hospitals.

Risk areas discussed in the supplement include: billing under the outpatient prospective payment system, the physician self-referral law, the Federal anti-kickback statute, relationships between hospitals and physicians, relationships between hospitals and other providers, joint ventures, practitioner recruitment, and the furnishing of substandard care. The guidance also identifies practical measures hospitals can use to gauge the effectiveness of their compliance programs.

The supplemental guidance was developed by OIG following two Federal Register notices soliciting public comment. The notices produced a large number of recommendations, primarily addressing fraud and abuse risk areas, and many were incorporated into the final version of the document.

Besides the hospital guidance, OIG has issued voluntary compliance program guidance for clinical laboratories; home health agencies; third-party medical billing companies; suppliers of durable medical equipment, prosthetics and orthotics; hospices; Medicare+Choice organizations; nursing homes; individual and small group physician practices; ambulance service providers, and pharmaceutical manufacturers. Guidance for recipients of National Institutes of Health research grants is in development.

Each guidance <http://www.oig.hhs.gov/fraud/complianceguidance.html> highlights risk areas particular to that industry sector and provides comprehensive guidance on establishing and operating an effective voluntary compliance program.

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