

FOCUS ARRANGEMENTS DATABASE

THE STARK & ANTI-KICKBACK MANAGEMENT TOOL

HEALTH
ETHICS
TRUST

No set of issues poses a greater threat to healthcare organizations than those associated with contracting with actual and potential sources of referral. Not only is enforcement in this area increasing, but compliance officers are often kept out of the loop when it comes to physician contracting.

Healthcare IT systems are seldom designed to provide the kind of oversight to contracts with sources of referral needed to detect and prevent Stark and Anti-Kickback issues. Why? These challenges are unique to healthcare and can not easily be addressed by contract management tools imported from other industries.

Health Ethics Trust has created a tool to enable compliance officers to provide *comprehensive* oversight to contractual relationships with actual and potential sources of referral. The **Focus Arrangements Database (FAD)**, can prevent future Stark and Anti-Kickback violations while detecting any that may currently be in place.

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Why Your Organization Needs FAD?

Healthcare IT systems do not provide the kind of oversight to contracts with sources of referral needed to detect and prevent Stark and Anti-Kickback issues.

Why?

These challenges are unique to healthcare and are not easily addressed by contract management tools imported from other industries.

If the FAD system is used consistently, your organization will not have undetected Stark and Kickback problems.

FAD is not a rehash of the Stark and Anti-Kickback rules. It is a professionally designed database management system with full documentation and tech support.

FAD can be used by any compliance professional to provide complete oversight to contracting with (and payments to) actual and potential sources of referral and it allows the user to review signed original documents related to arrangements.

FAD allows compliance professionals to create a wide range of reports on Stark and Anti-Kickback issues.

Features of FAD

Identifies employees, companies, vendors and owners of entities with which your system does covered (by Stark and Anti-Kickback) business. Captures detailed information, including loans (recruitment loans) to covered individuals and entities. Tracks training on Stark and Anti-Kickback issues for covered persons and entities.

Identifies *contracts* including directorships, on-call, recruitment contracts, physician services agreements, property contracts (including leases), and other contracts and arrangements with actual and potential sources of referral.

Identifies and tracks referral relationships, changes in referral patterns, conflicts of interests and other Stark and Anti-Kickback sensitive relationships.

Tracks contracts by features implicating the Stark or Anti-Kickback statutes including FMV determinations, key facts about the FMV determinations, and their source. Actual contracts, FMV determinations, and related documents can be entered and accessed including original documents.

Tracks individuals and entities via multiple identifiers such as SSN, Tax ID, employee number, and addresses and numbers of related entities. Includes owners/key practice members, phone numbers, pagers and fax numbers, family relationships with and among employees-vendors-contactors, and other attributes that allow Stark and Anti-Kickback detection and tracking.

How is HET's Tool Better?

HET and its parent organization (the Council of Ethical Organizations) have 30 years of compliance experience. Over the past decade, we have worked for several organizations caught with their fingers in the Stark/Kickback cookie jar. Not only are settlements large, the resulting CIAs are strict and require significant revision to organizational systems.

Simply, the purpose of FAD is to track all new and existing arrangements with actual and potential sources of referral - Focus Arrangements - to ensure that each Arrangement is consistent with the Anti-Kickback Statute and Stark Laws.

While FAD was designed for use of compliance professionals, any member of the organization may use it to reduce Stark and Anti-Kickback risks and to increase contract management efficiency.

FAD easily installs on any computer with a current version of Microsoft Office and does not require systems changes or modifications. The core package also includes *policies and procedures* to be implemented alongside FAD to ensure Stark and Anti-Kickback compliance. Installation and start-up support are included in the basic package and on-going support and updates are available for an annual maintenance fee.

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