

COMPLIANCE AND ETHICS COMMITTEE MEETING
Immediately following the Audit Committee Meeting
Wednesday, October 19, 2022

The Compliance and Ethics Committee Meeting of the North Broward Hospital District was held at the Broward Health Sports Medicine Building, 1601 South Andrews Avenue, Suite 100, Fort Lauderdale, FL 33316.

1. **NOTICE**

Official notice is attached to these minutes, titled EXHIBIT I. Agenda of this meeting is attached to the minutes, titled EXHIBIT II. Supporting documents, if applicable, are attached to these minutes, titled EXHIBIT III. These exhibits are presented for consideration of the Committee.

2. **CALL TO ORDER**

There being a quorum present, the meeting was called to order by Chair Nancy W. Stamper at 1:24 p.m.

3. **COMMITTEE MEMBERS**

Present:

- Commissioner Paul C. Tanner
- Commissioner Levi G. Williams, Jr. (via Teams & in-person @ 1:51 p.m.)
- Commissioner Christopher J. Pernicano
- Commissioner Stacy L. Angier
- Commissioner Ray T. Berry, Vice Chair
- Commissioner Nancy W. Stamper, Chair

Not Present: Commissioner Jonathan K. Hage

Additionally Present:

- Shane Strum, President, Chief Executive Officer
- Alan Whaley, EVP, Chief Operating Officer
- Alex Fernandez, SVP, Chief Financial Officer
- Linda Epstein, Corporate General Counsel

4. **PUBLIC COMMENTS**

Chair Stamper opened the floor for public comments, in which there were none.

5. **APPROVAL OF MINUTES DATED JULY 20, 2022**

Without objection, Chair Stamper approved the minutes, dated July 20, 2022.

Motion *carried* without dissent.

6. TOPIC OF DISCUSSION

6.1. Chief Compliance Officer Report (Presenter Deborah Hall, Interim Chief Compliance & Privacy Officer)

Ms. Hall reported the following updates:

- **Compliance & Privacy Staffing**
 - Compliance Positions
 - Compliance Analyst I; Pending Offer
 - Senior Compliance Specialist; Hired - Elaine Haim 10/3/22
 - Clinical Auditor / Investigation Specialist; Possible attrition
 - Privacy Positions:
 - Senior Compliance Specialist
 - Senior Privacy Specialist
 - Director, Privacy & Data Gathering; Pending Offer
 - Regional Compliance Officer (RCO's)
 - Review of infrastructure alignment to Hospital CEO's
 - Review of hours to plan – reporting structure and allocation Hospital vs. System

Additionally, Ms. Hall shared the following Policy Management Updates:

- Go-Live to SAI360 Policy Manager October 3, 2022
- Transitioned all policies and procedures by September 30, 2022.
- Links and training videos sent to all user community.
- All invoices & budget for policy management is within Compliance Department.
- Cost savings to SAI Global contract upon conversion for allocated hours. Noted that, early termination for Policy Stat agreement by calendar year end may yield cost savings of \$11K.
- Issues, questions, or training needed contact Jennifer D. Mosley, Policy Management Specialist.

*Commissioner Williams arrived in-person at 1:51 pm for remaining portion of the meeting.

Noted that ~3K policies were transitioned from *Policy Stat* to *SAI Global* software. Discussion ensued regarding Policy Management Reconciliation, to confirm that all policies transferred in their entirety and functionality (i.e., active links, etc.).

Commissioner Williams inquired regarding policy redundancy by and between hospitals and / or locations. Ms. Hall invited Ms. Mosley, to the podium to share Policy Management Reconciliation project scope, who stated that prior to migration a “Policy Clean-up”, wherein it was confirmed that all stakeholders were asked to review their policies to avoid redundancy. Noted, if an “overarching” policy was identified, respective policy was noted accordingly and / or a Standard Operating Procedure (“SOP”) implemented.

In addition, Mr. David Clark, SVP, Operations, provided background on the initial policy transition project scope who shared that there were “control gaps” identified and as such, resulted in standardization of policies across the system prior to final transition between platforms.

- **FY ‘22 Compliance Audit Workplan status:**

Active Completed (13):	
Audit Name	Status
Coding Audits FY 21 – All Facilities (3)	Reporting
ED Infusion Therapy – All Facilities (3)	Reporting
Emergency Medical Treatment & Labor Act (EMTALA) BHIP	Fieldwork
Hospital Consent Form Completion – All Facilities (4)	Fieldwork/Reporting
Physician Compensation	Fieldwork
Tracking Remuneration: Medical Directorship Audit	Fieldwork/Reporting
Tracking Remuneration – Cerner Contract	Not Completed

Closed Audits (10):
EMTALA – BHMC
EMTALA – BHCS
Coding FY21-Q1 – BHCS
Coding FY21-Q1 – BHN
Coding FY21-Q2 – BHIP
Coding FY21-Q2 – BHMC
Coding FY21-Q3 – BHN
ED Infusion Therapy – BHCS
Referral Source Arrangements & Tracking Remuneration
Covered Persons Screening

- **Open Incidents**

Ms. Hall reported cumulative Open Incidents which totaled 53. Noted a concerted effort to increase turnaround time.

- **Annual Conflict of Interest**

Ms. Hall advised that the Annual Conflict of Interest (COI) Assessment was launched on August 1, 2022, from SAI360. Noted deadline of September 30, 2022.

- ***Partners in C.A.R.E. (Compliance & Audit Resource Engagement)***

Shared the following *Partners in C.A.R.E.* recent initiatives:

- Sanction Screening Process Streamlining – Automation of the monthly process.

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- Annual Compliance Training for Medical Staff- in person & group - In collaboration with the Chief Medical Officer and Credentialing, worked to make the annual compliance training for medical staff easier for the physicians to complete. Noted positive feedback received from users as it is much easier to view (mobile or computer) and easier to track completion.
- Task Force for transport of Baker Act Patients; Coral Springs initiative – Broward Health Medical Center will be collaborating with the Risk Management Practice Council to engage in discussion regarding the safe transportation of patients under the Baker Act.
- Florida Medicaid Rule for Referring, Ordering, Prescribing, and Attending (ROPA) Providers - New Medicaid rule, made effective 10/1/2021, indicated that fee-for-service claims will be denied if referring, ordering, prescribing, and attending (ROPA) providers are not enrolled in Medicaid. Identified a list of providers that were not enrolled in Medicaid that would be affected by this new rule. Worked with stakeholders within the organization to identify if their enrollment status had changed and if any contractual requirements included enrollment in Medicaid.
- Participated in Back-to-School Drive volunteer event at Children's Diagnostic & Treatment Center (CDTC).
- **Policy Updates:**
 - Shared updated Privacy poster to promote the reporting of privacy-related incidents. Noted upcoming departmental privacy trainings to increase awareness.
 - HIPAA Breaches – Four (4) confirmed for the period of July 2022 – August 2022:
 - Broward Health Medical Center = Two (2);
 - Broward Health Imperial Point = One (1); and
 - Broward Health Physician Group = One (1).

*Note Agenda Items were presented out of sequence, as Item 6.3, Approval of Corporate Compliance and Ethics Department's Fiscal Year 2023 Compliance Work Plan was heard prior to Item 6.2, Approval of revision to Broward Health's Code of Conduct.

- 6.3. Approval of Corporate Compliance and Ethics Department's Fiscal Year 2023 Compliance Work Plan (Presenter – Deborah Hall, Interim Chief Compliance & Privacy Officer)

MOTION It was *moved* by Commissioner Angier, *seconded* by Commissioner Tanner, that:

The Compliance and Ethics Committee recommend that the Board of Commissioners of the North Broward Hospital District approve the Corporate Compliance and Ethics Department's Fiscal Year 2023 Compliance Work Plan, as presented.

Motion confirmed by roll call.

YES Commissioner Paul C. Tanner
YES Commissioner Christopher J. Pernicano
YES Commissioner Levi G. Williams, Jr.
YES Commissioner Stacy L. Angier
YES Commissioner Ray. T. Berry, Vice Chair
YES Commissioner Nancy W. Stamper, Chair

Motion *carried* 6/0.

- 6.2. Approval of revision to Broward Health's Code of Conduct (Presenter – Deborah Hall, Interim Chief Compliance & Privacy Officer)

Discussion ensued regarding the altered use of the District's Trademarked Chevron seen on cover page of the Broward Health's Code of Conduct to avoid brand representation. Ms. Hall confirmed that she would share final version with Commissioner Williams before finalizing.

MOTION It was *moved* by Commissioner Williams, *seconded* by Commissioner Berry, that:

The Compliance and Ethics Committee recommend that the Board of Commissioners of the North Broward Hospital District approve the revisions to Broward Health's Code of Conduct.

Motion confirmed by roll call.

YES Commissioner Paul C. Tanner
YES Commissioner Christopher J. Pernicano
YES Commissioner Levi G. Williams, Jr.
YES Commissioner Stacy L. Angier
YES Commissioner Ray. T. Berry, Vice Chair
YES Commissioner Nancy W. Stamper, Chair

Motion *carried* 6/0.

For further detail, related slides are available within the October 2022 Compliance and Ethics Committee Meeting book on the Board of Commissioners' webpage.

7. **ADJOURNMENT**

There being no further business on the agenda, the Chair adjourned the meeting at 2:31 p.m.

Respectfully submitted,
Commissioner Paul C. Tanner, Secretary/Treasurer