



# COMPLIANCE & ETHICS REVIEW

UPMC Systemwide Annual Mandatory Training



# OBJECTIVES

- This review includes information on such topics as:
  - Compliance
  - Ethics
  - Reporting
  - Non-Retaliation

# ETHICS & COMPLIANCE PROGRAM

- Compliance, and Ethics are the key elements to an honest, responsible, and successful career at UPMC.
- UPMC has designed the UPMC Corporate Ethics and Compliance Program to educate employees about their ethical and legal responsibilities and provide a confidential means for employees to ask about work-related ethical issues and report instances of real or suspected misconduct.
- For more information, please review the [Corporate Ethics & Compliance Program](#).
- You may also review the [UPMC Ethics & Compliance Plan](#), which addresses each of the eight key elements of an effective compliance program.

## RESOURCES AVAILABLE TO YOU

- UPMC Code of Conduct: UPMC is focused on providing compassionate, high quality, cost-effective services in a safe, efficient and effective manner. Every day, the decisions and actions of UPMC personnel impact patients, communities, and the health care industry.
- Dignity and Respect: It is the responsibility of every staff member, physician, and faculty member to act honorably and appropriately, with honesty and integrity as a representative of UPMC.
- Making Excellence a Habit – UPMC Workplace Ethics Guide offers an explanation of values and principles that UPMC expects you to follow. This guide includes a tool to help you recognize and report unethical behavior and assist you in making ethical decisions.

# FEDERAL FALSE CLAIMS ACT

- Federal False Claims Act (FFCA) & PA Fraud and Abuse Control Act
  - Encompasses any false or fraudulent claim for government money.
  - Allows the government & individual citizens to file suit against the alleged wrongdoer on behalf of the U.S.
  - Intended to deter fraud and encourage citizens to identify and report suspected fraud.
  - Offers protection for Whistleblowers
  - Please review UPMC policy: [HS-EC1805 - False Claims Act](#)
  - Click [HERE](#) for more information specific to the PA Fraud and Abuse Control Act.

## EXAMPLES OF FALSE CLAIMS:

- Ongoing possession of an overpayment if an obligation to repay exists
- Billing for a test that was not performed
- Billing for a test that was not ordered (excludes reflex testing that is medically appropriate)
- Manufacturing a diagnosis when one has not been provided

# WHAT IS FRAUD AND ABUSE?

- Fraud:
- An intentional deception or misrepresentation that someone makes, knowing it is false (and) that it (the intentional deception) could result in the receipt of unauthorized benefits.

Abuse (waste):

Actions that are inconsistent with sound medical, business, or fiscal practices...that are not medically necessary.

**If you suspect fraud, please contact  
the Fraud Intelligence Team:  
[fraudteam@upmc.edu](mailto:fraudteam@upmc.edu)**

**You can remain anonymous by  
using the Compliance Helpline:  
1-877-98ETHIC  
(1-877-983-8442)**

# EXAMPLES OF FRAUD AND ABUSE

- Financial/Misuse of Company Assets
  - Falsifying time cards
  - False expense submissions
  - Misuse of parking privileges
  - Credit card/purchasing card misuse
- Theft
  - Theft of company or personal property
  - Identity theft
  - Insurance card theft or misuse, such as sharing
- Medical/Pharmacy
  - Using or stealing a patients prescription medication
  - Forging prescription pads/calling in fake prescriptions
  - Falsifying medical records, diagnosis codes or charges
  - Billing for services not rendered or that are not medically necessary



# CONFLICT OF INTEREST & KICKBACKS

- While acting on behalf of UPMC, your actions and decisions must be in the best interests of UPMC and not for the benefit of you or a family member.
- A kickback is an offer, such as a gift or a bribe, by an individual or company to induce another person to use their products and/or services.

## DO:

- Review all of the Conflict of Interest policies:  
[HS-EC1700, Conflict of Interest – General Obligations](#)  
[HS-EC1701, Conflict of Interest in Clinical Research](#)  
[HS-EC1702, Industry Relations](#)
- Disclose relationships, as defined in the [HS-EC1700 Conflict of Interest](#) policy, by completing a Conflict of Interest Disclosure form at least annually and more often as needed
- Contact the Conflicts of Interest office at [conflicts@upmc.edu](mailto:conflicts@upmc.edu) to inquire about conflicts, potential conflicts, perceived conflicts, and/or conflict management plans

## DON'T:

- Benefit personally from a purchase or sale of property by UPMC
- Derive personal gain from any transaction to which UPMC is a party
- Use confidential information obtained as a result of employment with UPMC for personal gain or to benefit others
- Accept gifts, entertainment or other favors from an outside company doing business or seeking to do business with UPMC

# FOREIGN CORRUPT PRACTICES ACT (FCPA)

- Foreign Corrupt Practices Act (FCPA) & Other Anti-Bribery Statutes
  - It is the policy of UPMC to adhere to ethical and legal standards when conducting business.
  - The FCPA forbids any person or entity acting on UPMC's behalf from offering or providing anything of value to specified foreign individuals and entities in order to obtain or retain business.
  - Domestic and foreign Anti-Bribery laws also exist that make it illegal to either give or receive a bribe of any kind.
  - It is important to understand and adhere to these standards at every level within UPMC.
  - Review UPMC policy: HS-EC1806, The Foreign Corrupt Practices Act (FCPA) and Other Anti-Bribery Statutes

# REPORTING A VIOLATION

- Do I have to report a possible confidentiality, fraud, or compliance violation?
  - Yes! Regardless of the reporting method, any potential or possible violation of UPMC policy must be addressed.
  - It is your responsibility to be alert to unethical behavior or possible violations of law, and communicate your concerns and observations in a manner consistent with the chain of command guidelines.
  - If you need assistance, you should first contact your manager or supervisor.
  - If you are not comfortable with, or are unable to follow the chain of command, the UPMC Compliance, Human Resources, and Legal departments are all available to assist you.

# REPORTING A VIOLATION

- UPMC fosters a culture of compliance and ethics.
  - UPMC employees have a responsibility to report, in good faith, instances of wrongdoing and, suspicious or fraudulent activity to the appropriate UPMC personnel or to a designated official or public body without fear of retaliation.
- UPMC Prohibits Retaliation against:
  - Anyone raising a concern or question in good faith about inappropriate or illegal behavior.
  - Anyone participating in an investigation or providing information related to an alleged violation.
- Whistleblower Protections
  - Retaliation is not tolerated at UPMC! All suspected or alleged instances of retaliation shall result in a complete investigation of the circumstances.
  - The Federal False Claims Act and the Pennsylvania Whistleblower Law address protections.
  - For further information on these laws and UPMC policy, please read:
    - [HS-EC1802, Reporting and Non-Retaliation](#)
    - [HS-EC1805, False Claims Act](#)
    - [HS-HR0705, Harassment-free Workplace](#)

# REPORTING OPTIONS

- UPMC Helpline: 1-877-98ETHIC (1-877-983-8442)
  - Calls are answered and routed by non-UPMC staff
  - Confidential - You may choose to remain anonymous
  - Available 24 hours a day, seven days a week
  - You can report any concerns or issues, whether they have occurred recently or in the past
- Office of Ethics and Compliance:
  - Phone: 412-647-5774 -OR- Email: [complianceaskus@upmc.edu](mailto:complianceaskus@upmc.edu)
  - List of entity [specific Compliance Officer Contact Information](#)
- Always remember that Life Solutions, UPMC employee assistance program, is always available to help you address personal or job-related concerns in a private and confidential environment. For more information, go to [LifeSolutions](#).

## POLICY AWARENESS REMINDER...

- It is your responsibility to comply with all UPMC policies.
- All UPMC policies can be found on Infonet.
- Check with your supervisor and/or department manager to determine if there are additional Compliance policies and/or procedures (not discussed in this training) that relate specifically to your job responsibilities.