

**RESPONDING TO DETECTED OFFENSES AND IMPLEMENTING
CORRECTIVE ACTION INITIATIVES**

Policy

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If it is determined after completed investigation that a violation of the Compliance Plan *may have occurred*, the matter shall be reviewed with legal counsel, who will advise the Corporate Officer regarding a more detailed investigation.

Procedure

In concert with legal counsel, ILA will launch an investigation into any detected possible breach of Corporate Compliance. This investigation may include, but is not limited to, the following:

1. Interviews with individuals having knowledge of the facts alleged;
2. A review of documents; and
3. Legal research and contact with governmental agencies for the purpose of clarification. If advice is sought from a governmental agency, the request and any written or oral response shall be fully documented.

Corrective Initiatives

1. Reporting

The Corporate Officer shall report to the Compliance Committee regarding each investigation conducted.

2. Rectification

A) If ILA identifies that an overpayment was received from any third party payer, the appropriate regulatory (funder) and/or prosecutorial (attorney general/police) authority will be appropriately notified with the advice and assistance of counsel. It is our policy to not retain any funds which are received as a result of overpayments. In instances where it appears an affirmative fraud may have occurred, appropriate amounts shall be returned after consultation and approval by involved regulatory representative of the OMIG and/or prosecutorial authorities. The overpayment shall be repaid to the affected payer. Systems shall also be put in place to prevent such overpayments in the future. If a disclosure to the OMIG is required, the Corporate Compliance Officer will do so upon written guidance from Agency Counsel.

B) If ILA determines that an agency resource has been utilized in an inappropriate manner by an employee/contractor or vendor, they may be required to refund/restore the resources. If appropriate, referral to Medicaid Inspector General will be made.

3. Record Keeping

Regardless of whether a report is made to a governmental agency, the Corporate Officer shall maintain a record of the investigation, including copies of all pertinent documentation. This record will be considered confidential and privileged and will not be released without the approval of the Chief Executive Officer or legal counsel.