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OIG: There's Room for Exceptions on Management Certifications

By Nina Youngstrom

The HHS Office of Inspector General doesn't necessarily consider it a red flag if managers at organizations under a corporate integrity agreement (CIA) submit compliance certifications with exceptions. In fact, it can be a sign of a healthy compliance program.

"I am always a little surprised to see the number of management certifications that cross my desk that don't include any exceptions," said OIG Senior Counsel Felicia Heimer. Management certifications are statements that managers sign taking responsibility for compliance with federal health care requirements and the CIA in the areas they supervise, and OIG recommends them for voluntary compliance programs as well.^[1]

"As indicated in the CIA, this process should include specific directions to employees regarding the reports that must be reviewed by employees, the assessments they must complete, and the sub-certifications they must obtain prior to making those certifications. Because OIG expects that this process will be comprehensive, it is only natural to presume that in this highly regulated health care industry, issues will be identified during this certification process that might preclude an employee from certifying absolute compliance with Federal health care program requirements or CIA requirements," Heimer said. For example, the organization may uncover possible improper billing during an audit or confirm a probable violation of law during an investigation.

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