

Report on Medicare Compliance Volume 29, Number 41. November 16, 2020 COVID-19 Changes Content, Process of Risk Assessments; Expect to Update Them More Often

By Nina Youngstrom

Updating their risk assessments and internal work plans may be a surreal experience for compliance officers this time around, as they account for the magnitude and complexity of COVID-19. Some of the risks are unique, and work plans will require continual adjustments, a compliance officer said.

“COVID-19 has brought a litany of risks to our organizations,” said Betsy Wade, chief compliance and ethics officer at Signature HealthCARE, at a Nov. 12 webinar sponsored by the Health Care Compliance Association.^[1] “We have to modify work plans to address emerging risks. Acting quickly can help us mitigate risks going forward because the pandemic is ongoing and the risk assessment should be evaluated frequently.”

The HHS Office of Inspector General (OIG) already has 43 COVID-19-related items on its Work Plan, and they’re all over the map, a sign of how many risks the pandemic poses to organizations and how urgently they need to adapt their risk assessments to it, Wade said. OIG and the Health Resources and Services Administration^[2] are auditing compliance with the attestation and requirements for accepting Provider Relief Fund money.

“Since the beginning of March, I have worked every day and every weekend,” Wade remarked. “My focus solely has been on changes in local, state and federal laws and regulations and how they are affecting us. We are in 10 states, and it’s a lot to keep up with.” Complicating matters, the waivers and flexibilities aren’t always consistent between CMS and the states or among the states. In that circumstance, Signature, which has long-term care facilities, home health agencies, telehealth and other services, has different policies. “We would go with the state that issued the guidance or with CMS, whichever was stricter,” she explained. “It does create challenges for us because we end up having policies that are different.” For example, CMS and states have put out various visitation requirements at skilled nursing facilities, and they have been modified over time. “It’s a perfect example of how stuff has changed every day,” she noted. Signature has grids and software to try to keep track of everything.

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