

Advisory Opinion Program
POLICY: AC.ETH.01.03

DATE: July 1999

RESPONSIBLE TO: President/CEO

PURPOSE:

To ensure all Shepherd Center staff and affiliated staff are informed and understand the procedure for utilizing the Office of Inspector General's Advisory Opinion Program.

POLICY:

Under the current fraud and abuse laws there is an Advisory Opinion Program whereby healthcare providers may request, and the OIG must issue, advisory written opinions concerning the legality of conduct under the federal health care fraud and abuse sanctions. Shepherd Center and Affiliates may utilize the Advisory Opinion Program with the following procedures.

PROCEDURE:

1. To initiate the advisory opinion process a written request must be made to the Chief Compliance Officer that presents a complete description of the facts for which an advisory opinion is needed.
2. The Chief Compliance Officer in consultation with President /CEO and legal counsel if necessary, will decide if the request meets advisory opinion criteria, is currently in existence or is a prospective arrangement.
3. The Chief Compliance Officer and legal counsel will submit to the OIG a complete and clear description for an advisory opinion.
4. This request will include copies of all relevant documents such as contracts, leases, employment agreements and a narrative of all arrangements with any and all parties.
5. This request will include the identities of all involved parties.
6. The request must be certified by two persons.