

THE ADVISOR

MONTHLY COMPLIANCE COMMUNICATOR

[TMC celebrates 27 years in OSHA and HIPAA compliance](#)

Indian Trail, NC – May 10, 2023/EINPresswire.com – Total Medical Compliance (TMC), a leading healthcare compliance company focused on OSHA and HIPAA education and training, is celebrating its 27th year in business.

Since its founding in 1996, TMC has established itself as a trusted partner for healthcare professionals and business associates seeking compliance services. TMC is a family-owned business, has trained hundreds of thousands of individuals in compliance, specializes in OSHA and HIPAA healthcare compliance, and manages clients across the United States.

“We are thrilled to celebrate our 27th year in business and are committed to continuing our growth in existing and new markets, along with our ongoing dedication to our clients,” said Bill Fivek, President and CEO of Total Medical Compliance. “I’d like to thank our talented and hardworking employees who are committed to the success of our clients. I also want to thank our clients and business partners who continue to believe in our products, services, and people – we celebrate this occasion because of you.”

Newsletter Content

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TMC has trained healthcare professionals in a variety of industries including oncology, eye care, dentistry, medical spas, surgery centers, chiropractors, retirement communities, physical therapy, and many more. They also have business associate clients in IT, billing and coding, healthcare staffing, and medical supply companies, to name a few.

“Our focus remains on offering customized OSHA and HIPAA compliance and delivering expert service from beginning to end for our clients,” Fivek said. “We’re using this opportunity to look toward the future and other ways we can support our clients with our products and services.”

The company’s most recent products are their [online business associate HIPAA manual](#) and the [first North Carolina online dental radiation manual](#). These two products come after the launch of an upgraded, user-friendly online compliance manual platform.

[It's Your Call](#)

Question: We recently hired a new clinical worker who received the Hepatitis B vaccine series but can only provide documentation for the titer. Is the titer sufficient?



Safety Risks of Open-Toed Shoes in a Healthcare Setting

Wearing appropriate attire to work is crucial to the safety of employees. One specific area of concern is the type of footwear worn by staff in certain industries, including healthcare settings. While some staff may prefer the comfort and style of open-toed shoes or Crocs, there are several reasons why they are not safe, especially for healthcare employees.

Medical or dental offices can present a significant risk of bodily harm. With numerous hazards such as sharp objects, heavy equipment, and hazardous materials, wearing open-toed shoes leaves the foot exposed and increases the risk of injury. A simple accident such as a dropped object or a slip and fall can lead to significant injuries to the feet or toes.

Many offices that practice in healthcare require a sterile and clean environment to prevent the spread of infection. Open-toed shoes can potentially expose the feet to contaminants, which could lead to infections and other health issues. This is especially true for employees who work in areas where they encounter bodily fluids or other hazardous substances.

There are specific OSHA regulations regarding workplace attire and footwear that are applicable to the healthcare field. In some cases, these regulations require employees to wear closed-toe shoes for safety reasons. It is essential to ensure that all employees are compliant with these regulations to avoid any potential legal or liability issues.

To promote a safe and healthy work environment, it is important for employees to wear appropriate footwear that protects their feet. This means avoiding open-toe shoes in favor of closed-toe shoes that provide adequate support and protection.

Open-toed shoes add an unnecessary safety risk in healthcare settings due to the increased potential for injury, contamination, and noncompliance with regulations. It is important to ensure that all employees are aware of the risks and adhere to the appropriate dress code. By prioritizing safety in the workplace, you can create a healthier and more productive environment for all employees.

The Need for Healthcare Fraud and Abuse Training

Every year a minimum of \$4.3 trillion is spent on healthcare in the United States, of which an estimated \$60 billion is attributable to fraud and abuse. In order to combat this, HIPAA established the Healthcare Fraud and Abuse Control Program (HCFAC). Both federal and state laws exist to reduce healthcare fraud and abuse, and financial and/or criminal penalties can be imposed.

With unethical billing practices being number one in healthcare fraud and abuse, there are also other recognized areas that have resulted in diverse laws, codes, and standards. Thus, ongoing internal fraud audits along with healthcare fraud and abuse training for all staff is essential for healthcare facilities.

Understanding Federal Laws Aimed at Curbing Healthcare Fraud and Abuse

According to the DHHS' Office of the Inspector General (OIG), the following are the six key federal laws aimed at deterring healthcare fraud and abuse that you should know:

- The False Claims Act (FCA) – 31 U.S.C. § § 3729-3733 This federal law prohibits the submission of a false claim to the government in connection with a reimbursement. Some examples of false claims include billing for services that were not provided, double billing for goods or services, and “upcoding” or billing under a code that offers more reimbursement than is appropriate.
- The Anti-Kickback Statute (AKS) – 42 U.S.C. § 1320a-7b(b). The federal AKS prohibits the offer, payment, or receipt of anything of value to induce (or in return for) the referral of a patient or service that is reimbursable under any federal healthcare program. “Safe harbors” may be deemed as an exception to the AKS if specific legal parameters are met.
- The Physician Self-Referral Law (or the Stark Law) – 42 U.S.C. § 1395nn. This federal law prohibits self-referral arrangements, when a physician refers patients to entities in which the physician or their family members has a financial relationship, unless it meets the criteria and exceptions laid out under the law. These exceptions need to be met before the referral occurs. More information about the law and the ‘financial relationship’ terminology is taught in our updated [healthcare fraud and abuse course](#).

- The Exclusion Authorities (also called Exclusion Statute) – 42 U.S.C. § 1320a-7. The DHSS' OIG is legally required to exclude from participation in all federal healthcare programs (such as Medicare) individuals and entities convicted of a variety of specified types of criminal offenses. The OIG has the discretion to exclude from participation individuals and entities on diverse other grounds. In addition, this law specifies that healthcare facilities and medical providers are responsible for not employing or contracting with excluded individuals and entities.
- The Civil Monetary Penalties Law – 42 U.S.C. § 1320a-7a. The OIG may seek civil monetary penalties and sometimes exclusion for a variety of conduct. Amounts are based on the type of violation at issue.
- Criminal Health Care Fraud Statute – 18 U.S.C. 1347. This statute makes it a federal crime to defraud or fraudulently obtain money from a health care benefit program.

Policies and Documentation of Employee Fraud and Abuse Training

A violation of state law pertaining to healthcare fraud and abuse can result in federal legal action. Employee fraud and abuse training needs to include a focus on current state laws as well as federal laws. If a complaint is filed to a governmental entity of suspected fraud or abuse by that facility or its employees, maintaining documentation of continuous fraud and abuse training with detailed descriptions of the training program may result in a lessened penalty if a related governmental investigation occurs resulting in a violation.

Visit our [Healthcare Fraud and Abuse product page](#) to learn more about our training program, and to register your staff for the course.

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Instructions

Print and post newsletter in office for staff review. Each member should sign this form when completed. Keep on file as proof of training on these topics.

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Need to contact us? Scan the QR code for all the ways to get in touch!