

**COMPLIANCE AND BUSINESS INTEGRITY (CBI) ANNUAL REPORT
REPORT CONTROL NUMBER (RCN) 10-913, PROGRAM ASSESSMENTS**

- 1. REASON FOR ISSUE.** This Veterans Health Administration (VHA) Handbook is issued to provide procedures for creating, modifying, and submitting the Compliance and Business Integrity (CBI) Annual Report, Program Assessments, for each fiscal year.
- 2. SUMMARY OF MAJOR CHANGES.** This is a new VHA Handbook outlining the processes for the CBI Annual Report, Report Control Number (RCN) 10-913, Program Assessments.
- 3. RELATED DIRECTIVE.** VHA Directive 1030.
- 4. RESPONSIBLE OFFICE.** The Compliance and Business Integrity Office is responsible for the contents of this Handbook. Questions may be referred to (202) 501-1831.
- 5. RECISSIONS.** VHA Directive 2005-030 is rescinded.
- 6. RECERTIFICATION.** This VHA Handbook is scheduled for recertification on or before the last working day of March 2012.

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**COMPLIANCE AND BUSINESS INTEGRITY (CBI) ANNUAL REPORT
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1. PURPOSE

This Veterans Health Administration (VHA) Handbook is issued to provide procedures for creating, modifying, and submitting the Compliance and Business Integrity (CBI) Annual Report, Program Assessments, for each fiscal year. The CBI Annual Report, Report Control Number (RCN) is RCN 10-913, Program Assessments.

2. BACKGROUND

a. VHA is committed to the goal of being recognized in the health care industry as achieving the highest standards of business integrity, particularly in its practices of collecting funds from third-party health benefit plans and co-payments from certain veterans. The CBI Program provides VHA leadership with reasonable assurance as to whether operational systems exist to achieve this high standard of business integrity.

b. VHA Directive 1030, Compliance and Business Integrity CBI Program, and associated Handbooks, require that VA medical center CBI Officers (CBIOs) “provide a report, at least annually, to the Veterans Integrated Service Network (VISN) CBIOs,” and that the VISN CBIO “provide a report, at least annually, to the VHA Chief Officer, CBI.”

c. The CBI Annual Report, Program Assessments, assists the national CBI Program in monitoring and trending field CBI efforts and evaluating their effectiveness. The CBI Annual Report, Program Assessments, is an essential component of the national CBI’s assessment of whether operational systems exist to achieve high standards of business integrity.

d. The CBI Annual Report, Program Assessments, is established to meet several major objectives in the compliance and business integrity effort:

(1) To provide a standardized and consistent report, in both format and substance, to facilitate alignment of VA medical center and VISN CBI programs with the national program, as required by VHA Directive 1030, and associated Handbooks.

(2) To provide VHA leadership at the VA medical center, VISN, and VA Central Office levels with information regarding the state of facility compliance programs.

(3) To provide standard and consistent information to the Compliance Advisory Board (CAB) and the CAB Certification Subcommittee for their use in reporting to the Executive Committee of the National Leadership Board (NLB).

(4) To provide a standardized database of CBI Program elements to facilitate the evaluation and assessment of the effectiveness of CBI programs, and assessment of those program elements that make the most difference in compliance outcomes.

(5) To promote excellence in the compliance arena by highlighting best practices, supporting program effectiveness, and providing a vehicle for marketing effective compliance strategies in VHA.

e. The CBI Annual Report, Program Assessments, identifies a minimum set of program elements that are expected to be present in all facility-level CBI Programs. These mandatory elements must be clearly identified on the CBI Annual Report, Program Assessments, each fiscal year (see App. A).

3. SCOPE

VA medical center CBIOs must complete the annual report with defined mandatory program elements documenting CBI activity and accomplishments at their VA medical center for the previous fiscal year. The report must be submitted through the VISN CBIO to the VA Central Office Chief Officer, CBI.

4. RESPONSIBILITIES OF THE CHIEF COMPLIANCE AND BUSINESS INTEGRITY OFFICER (CBIO)

The Chief CBIO is responsible for:

- a. Identifying key program elements of a CBI Program to be reported for each fiscal year.
- b. Identifying the specific program elements in the CBI Annual Report, Program Assessments, which will be considered mandatory.
- c. Creating and distributing a standard format for the CBI Annual Report, Program Assessments. This report format will be modified and published annually.
- d. Receiving and analyzing completed CBI Annual Reports from each CBIO.
- e. Identifying key strengths and weaknesses in the compliance effort and promoting improved practices.
- f. Identifying best practices in the compliance arena and promoting their use throughout the VHA system.
- g. Reporting the results and analysis of the CBI Annual Report, Program Assessments, to the CAB, VISN, and VA medical facility leadership.

5. COMPLIANCE ADVISORY BOARD (CAB)

The CAB is responsible for:

- a. Receiving the results of the CBI Annual Report, Program Assessments, from the Chief Officer, CBI.

- b. Proposing further action as appropriate.
- c. Identifying and analyzing trends in the compliance effort and advising the VHA CBI on further action.
- d. Communicating the results and proposed improvements to the Office of the Under Secretary for Health (10), as well as the NLB.

6. RESPONSIBILITIES OF THE VETERANS INTEGRATED SERVICE NETWORK (VISN) CBIO

The VISN CBIO is responsible for:

- a. Assisting VA medical center CBIOs in completing the annual report and ensuring the completeness and accuracy of information set forth in VA medical centers' Annual Reports.
- b. Communicating VISN reports and analysis to the VISN Director and the VISN Compliance Committee.
- c. Advising the VA medical center CBIOs to implement best practices within their facilities to achieve an effective CBI Program within the VISN as a whole.
- d. Aligning the overall VISN CBI Program with the national program,
- e. Receiving feedback from the Chief Officer, CBI and communicating that feedback to the VA medical center CBIOs.
- f. Analyzing reports and providing trended data to the VISN Compliance Committee.

7. RESPONSIBILITIES OF THE FACILITY CBIO

The facility CBIO is responsible for:

- a. Completing and submitting the CBI Annual Report, Program Assessments, through the VISN CBIO each year, on a schedule as established by the Chief CBI Officer.
- b. Reporting results of the CBI Annual Report, Program Assessments, to the VA medical center Director and the VA medical center Compliance Committee.

8. REFERENCES

- a. VHA Directive 1030, Compliance and Business Integrity (CBI) Program, and associated Handbooks.
- b. Department of Health and Human Services (HHS) Office of Inspector General (OIG) Compliance Program Guidance for Hospitals, 63 Federal Register (FR) 8987 (February 23, 1998).

- c. HHS OIG Supplemental Compliance Program Guidance for Hospitals, 70 FR 4858 (January 31, 2005).
- d. HHS OIG Compliance Program Guidance for Third-Party Medical Billing Companies, 63 FR 70138 (December 18, 1998).
- e. HHS OIG Compliance Program Guidance for Nursing Facilities, 65 FR 14289 (March 16, 2000).
- f. HHS OIG Compliance Program Guidance for Individual and Small Group Physician Practices, 65 FR 59434 (October 5, 2000).
- g. HHS OIG Provider Self-Disclosure Protocol, 63 FR 58399 (October 30, 1998).
- h. HHS OIG Compliance Program Guidance for Pharmaceutical Manufacturers, 68 FR 23731 (May 5, 2003).
- i. United States Sentencing Commission, Sentencing Guidelines, Chapter 8, Sentencing of Organizations at <http://www.usc.gov/2004guid/CHAP8.pdf>
- j. Title 18 United States Code, Chapter 11, Provisions in the Federal Criminal Code Applying to Federal Employees.
- k. Title 5 Code of Federal Regulations (CFR) Part 2635, Standards of Ethical Conduct for Executive Branch Employees.
- l. Title 38 CFR Part 0, Subpart B, Standards of Conduct for VA Employees.
- m. Office of Management and Budget, Circular A-123.

CRITERIA FOR COMPLIANCE AND BUSINESS INTEGRITY (CBI) ANNUAL REPORT, REPORT CONTROL NUMBER (RCN) 10-913, PROGRAM ASSESSMENTS

1. The Compliance and Business Integrity (CBI) Annual Report, Report Control Number (RCN) 10-913, Program Assessments, is divided into two parts, both parts are mandatory.

a. Part I contains standard information which does not vary from year to year.

b. Part II contains variable information which may change from year to year. The Veterans Health Administration (VHA) CBI Officer will notify each facility, by March 31 every calendar year, of the questions in Part II which must be answered. These questions can be found at: <http://vaww.vhaco.va.gov/cbi/olcbiannualreportrcn10913.htm>. The web site can also be accessed directly from the CBI home page at: <http://vaww.vhaco.va.gov/cbi/>

2. Program elements designated as mandatory in Part II of the CBI Annual Report, Program Assessments, document must be implemented at each Department of Veterans Affairs (VA) medical center not later than the end of the fiscal year in which they are identified. If a facility has not implemented a mandatory element by the close of any fiscal year, the medical center CBI Officer must attach a CBI Action Plan to the CBI Annual Report, Program Assessments, showing how the mandatory element in the subsequent fiscal year will be implemented, and include a timeline for completion.

3. The CBI Annual Report, Program Assessments, must have a consistent format as defined by the Chief CBI Officer. The format is available at: <http://vaww.vhaco.va.gov/cbi/olcbiannualreportrcn10913.htm>. It can be accessed directly from the CBI home page at: <http://vaww.vhaco.va.gov/cbi/>. It must be submitted by October 31 every year.

3. Mandatory elements in Part II are defined as those program elements:

a. Which are contained in Veterans Health Administration (VHA) Directives and Handbooks.

b. Which are specifically referenced in VHA Directive 1030, Compliance and Business Integrity Program (and associated Handbooks), specifically program elements which are contained in the Department of Health and Human Services (HHS) Office of Inspector General (OIG) Compliance Program Guidance for Hospitals, 63 FR 8987 (February 23, 1998), as supplemented at 70 FR 4858 (January 31, 2005).

c. Which are determined by the Chief CBI Officer, to be so fundamentally important to program integrity as to be deemed essential for program effectiveness. **NOTE:** *In making such determinations, the Chief CBI Officer, considers the documents referenced in paragraph 8 of this Handbook.*

d. Which are identified by industry standard consensus resources as essential elements of an effective compliance or business integrity program. Industry-standard consensus resources include, but are not limited to, the publications of the Health Care Compliance Association, the Health Ethics Trust, the Ethics Resource Center, the Ethics Officers Association, the American Health Lawyers Association, and the Journal of Health Care Compliance.

e. Which are identified, using the CBI Annual Reports, Program Assessments, or otherwise, as common to CBI programs, which have a demonstrable high level of effectiveness.