

<b>KS Plan Administrators</b>	<b>SUBJECT: Internal Instigations of Alleged Violations</b>	<b>POLICY NO: CP 7 PAGE 1 of 3</b>
<b>Reference: Prescription Drug Benefit Manual, Ch. 9- Compliance Guidelines</b>	<b>DATE: October 2012 REVISION:</b>	
<b>DISTRIBUTION: All Departments</b>	<b>FUNCTIONAL AREAS: All Departments</b>	
<b>SUPERCEDES POLICY: N/A</b>	<b>REFERENCE/ATTACHMENT:</b>	
<b>PREPARED BY: Johnathan Randle</b>	<b>DATE APPROVED: October 11, 2012</b>	

## **I. Goal**

To ensure that all reports of suspected violations of the compliance program or federal program requirements are appropriately and promptly investigated and remedied.

## **II. Policy**

KS Plan Administrators, LLC recognizes that violations of its Compliance Program, violations of applicable federal or state law, or other types of misconduct threaten its status as a reliable, honest, and trustworthy organization capable of participating in federal and private programs. Consequently, upon report or reasonable indication of suspected noncompliance, the Compliance Officer along with management will initiate prompt steps to investigate the conduct in question to determine whether a material violation of applicable law or the requirements of the compliance program has occurred, and if so, take steps to correct the problem.

KSPA will establish and implement procedures and a system for promptly responding to compliance issues as they are raised, investigating potential compliance problems as identified in the course of self-evaluations and audits, correcting such problems promptly and thoroughly to reduce the potential for recurrence and ensure ongoing compliance with CMS requirements.

- If KSPA discovers evidence of misconduct related to the payment or delivery of prescription drug items or services under the contract, KSPA will conduct a timely reasonable inquiry into that conduct.
- KSPA will conduct appropriate corrective actions (for example, repayment of overpayments and disciplinary actions against responsible individuals in response to the potential violation reference above.
- KSPA has procedures to voluntarily self-report potential fraud and misconduct related to the program to CMS, or its designee.

<b>KS Plan Administrators</b>	<b>Compliance Manual</b>	<b>POLICY NO: PAGE 2 of 3</b>
<b>SUBJECT: Non-Retaliation</b>		<b>DATE: October 2012 REVISED:</b>

As appropriate, such steps to investigate misconduct will include the following:

<b>Procedure / Guidelines for Compliance</b>		<b>Responsible Party</b>
1.	All reports of any alleged misconduct that may rise to the level of fraud and abuse will immediately be communicated to the Compliance Officer. Reporting may be anonymous. Reports may be made without fear of retaliation. response, confidentiality, and progress reports.	ALL KSPA Employees' Supervisors, Managers,
2.	Such reports will be investigated as soon as reasonably possible, but no later than two weeks following the receipt of the report, information, or complaint regarding the potential noncompliance. The Compliance Officer will begin the investigation and obtain the support and direction of Compliance Committee/management as necessary and appropriate.	Compliance Committee and Management
3.	Depending upon the nature of the alleged violations, an internal investigation will include interviews and a review of relevant documents.	Compliance Committee and Management
4.	For violations that are severe upon initial review, the Compliance Officer will engage outside counsel, auditors, or other experts to assist in the investigation.	Compliance Committee and Management
5.	All employees are required to cooperate fully in all compliance investigations. Failure to cooperate in an investigation may lead to disciplinary action. Intimidation or retaliation against any employee who cooperates in a compliance investigation is strictly prohibited and will lead to disciplinary action up to and including termination.	Compliance Committee and Management
6.	Records of the investigation will contain documentation of the alleged violation, a description of the investigative process, copies of interview notes and key documents, a log of the witnesses interviewed and the documents reviewed the results of the investigation, e.g., any disciplinary action taken, and the corrective action implemented.	Compliance Committee and Management
7.	The Compliance Officer will take appropriate steps to secure or prevent the destruction of documents or other	Compliance Committee

<b>KS Plan Administrators</b>	<b>Compliance Manual</b>	<b>POLICY NO: PAGE 3 of 3</b>
<b>SUBJECT: Non-Retaliation</b>		<b>DATE: October 2012 REVISED:</b>

	evidence relevant to the investigation.	and Management
8.	If an investigation of an alleged violation is undertaken and the Compliance Officer believes the integrity of the investigation may be at stake because of the presence of employees under investigation, those subjects will be removed from their current work activity until the investigation is completed.	Compliance Committee and Management
9.	A corrective action plan will be created if any fraud and abuse or material violation of this program is found to have occurred.	Compliance Committee and Management
10.	Any violations, which are found to have occurred, will be reported to the suspected individuals.	Compliance Committee and Management
11.	Any discipline that the Compliance Officer, and when appropriate the compliance committee and/or the board, determines is necessary will be implemented.	Compliance Committee and Management
12.	If any overpayment or underpayment was involved, a report will be sent to the appropriate personnel/agency pursuant to government and other applicable guidelines.	Compliance Committee and Management
13.	When appropriate and in consultation with legal counsel, an immediate referral should be made to criminal and/or civil law enforcement authorities.	Compliance Committee and Management