

# COMPLIANCE *pulse*

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## WELCOME TO THE MAY EDITION OF THE VUMC COMPLIANCE PULSE

Every other month, the Office of Compliance & Corporate Integrity (OCCI) uses this platform to update you on important compliance topics and announcements. This month, we want to bring focus to the rules around our VUMC Patient Assistance Programs.

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### VUMC Patient Assistance Programs

Clinical programs at VUMC routinely provide various forms of patient assistance: one department gives out low-vision aids, another will sponsor all the slots at an overnight camp for pediatric burn survivors, another gives patients preoperative nutritional supplements that help promote recovery after surgery.

Some VUMC patient assistance programs apply to patients and families across the board, while others are need-based. But all these programs are intended to comply with one or more exceptions to federal laws that prohibit providers who serve federal health care programs from inducing patients, especially Medicare and Medicaid patients, to seek care with a specific hospital, health system or provider.

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### Consequences of Non-Compliance

Patient assistance, it turns out, can pose stiff criminal and civil penalties for individuals and health care facilities. Behind federal laws such as the Civil Monetary Penalties Law and the Anti-Kickback Statute are concerns that inducements for patients or referring providers could bias health care decisions and, left unchecked, even lead to rampant overuse of health care services that are federally reimbursed.

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## VUMC's Process for Review and Monitoring

In the interest of compliance, patient assistance — offers of goods or services for free or at less than market value — are subject to centralized review and monitoring at VUMC. All patient assistance, regardless of the source of funding, must be [registered here](#) (employee login required). For more information, consult the [Evaluation, Approval and Oversight of Patient Assistance Programs policy](#). (A number of related policies can be found in [PolicyTech](#) using the search term “patient assistance.”)

## Exceptions

There are a few legal exceptions under which patient assistance is intended to operate. Assistance valued at \$15 or less is apt to be OK, provided it never adds up to more than \$75 for any one patient in any 12-month period. Items given to promote access to care might be OK, as might items given to aid preventive care. Often, the exceptions are conditioned on the assistance not having been advertised.

## Never Permissible

Cash giveaways and cash equivalents such as gift cards or gas cards are never permissible to provide to patients under any circumstances.

## Additional Resources

- [Patient Assistance Registration Form](#)
- [VUMC Policy: Evaluation, Approval and Oversight of Patient Assistance Programs](#)
- [PolicyTech](#) (search key word “patient assistance”)

You can also visit the [OCCI website](#). Here, you will find helpful resources, including tip sheets, contact information, links to the VUMC Integrity Line, important policy information, and much more.