

OIG to Update Compliance Program Guidance Documents

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The HHS OIG [announced](#) it is modernizing the accessibility and usability of their publicly available resources. This includes their Compliance Program Guidance (CPG) documents that were first introduced in 1998 to encourage the development of voluntary compliance programs and for use of internal controls to monitor adherence to applicable statutes, regulations, and program requirements. The CPGs were tailored to various healthcare sectors, including: (1) hospitals, (2) home health agencies, (3) clinical laboratories, (4) third-party medical billing companies, (5) durable medical equipment, prosthetics, orthotics, and supply industry, (6) hospices, (7) Medicare Advantage plans, (8) nursing facilities, (9) ambulance suppliers, (10) physicians, and (11) pharmaceutical manufacturers. All these are available on the [OIG website](#).

At this time, the OIG is taking steps to improve and update existing CPGs that go back 25 years and to deliver new specific guidance that includes new health care entities that have emerged in the last two decades. They will no longer publish updated or new CPGs in the Federal Register; instead they will publish all new and updated guidance on their website. The OIG will begin with a new General CPG (GCPG) that applies to all individuals and entities involved in the health care industry. It will address topics such as: federal fraud and abuse laws, compliance program basics, operating effective compliance programs, and OIG processes and resources. They plan to update the GCPG periodically as changes in compliance practices or legal requirements warrant. Industry-specific CPGs (ICPGs) will be developed and periodically updated for different types of providers, suppliers, and others participating in Federal health care programs and be tailored for each to address compliance measures involving them. The OIG plans to begin publishing ICPGs in 2024, beginning with Medicare Advantage and nursing facilities. They will notify the public of all updated information on their website. All these documents are advisory and voluntary guidelines to assist health care organization and entities in development of effective compliance programs.

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About the Author

Richard P. Kusserow established Strategic Management Services, LLC, after retiring from being the DHHS Inspector General, and has assisted over 2,000 health care organizations and entities in developing, implementing and assessing compliance programs.