

## Eli's Hospice Insider

### READER QUESTION: Identify Compliance Hotspots in Exit Interviews

Don't forget to document action taken on fraud allegations.

Question: During exit interviews, we ask employees to tell us if they are leaving because they were asked to do something fraudulent. We have received several allegations that management has instructed these former employees to falsify documents or keep ineligible patients. We can't ever substantiate these claims and it seems like they are untrue. From a compliance standpoint, is there anything else we can do when faced with allegations like these?

Answer: When employees depart, it's a wonderful time to find out if there was something wrong that contributed to their leaving, said attorney **Mary Michal** with Reinhart Boerner VanDeuren in Madison, Wis. during the recent Eli-sponsored audioconference, "Staying Ahead of Compliance Problems: Ten Mistakes and How to Avoid Them."

However, you don't want to ask leading questions such as "Were you ever asked to do something fraudulent?" It's better to ask, "In all candor, why are you leaving?" Michal said. If the employee responds that he was asked to do something fraudulent, bring your compliance officer into the room right away to join the conversation. The compliance officer can dig into the issue and try to find out the specifics.

Don't miss your chance: It's often difficult to address fraud allegations once an employee leaves, Michal said. The employee may be scared or difficult to reach once they depart, so take the opportunity to get to the bottom of the issue while they are still in the office.

Make sure you do everything you can to follow up on fraud allegations -- especially if you've had several. In your situation, you may want to seek counsel or hire an outside individual to conduct the investigation because you've had so many former employees mention being asked to act fraudulently, Michal said.

Once the investigation is complete, be sure to close the loop by documenting either that the investigation found nothing to substantiate the allegations, or that you have addressed any issues discovered.