



International Standards for Ethical Treatment Providers

July 2017

1. Ethical Business Development & Marketing Practices

Category: Operational, Compliance

Standard

The Treatment Provider participates in ethical marketing and business development practices to prospective patients. The Treatment Provider must take preventative measures to ensure that the information advertised is in-line with the services and treatment provided and prohibits all forms of patient brokering (i.e., paying a commission, bonus, kickback, or bribe).

Interpretation

Programs must be transparent in marketing the respective services, staff, and facility that are offered and take all steps necessary to prevent the act of patient brokering; the referral of a patient is rewarded with some form of payment (monetary or other), which is strictly prohibited.

Components

Component 1.01.01

The Treatment Provider must have processes in place to review all recruiting and marketing information, including Treatment Provider website, prior to distribution to ensure that they are accurate, not misleading and reflect the capabilities and programs offered (i.e., facility offerings, staff/certified staff ratio, etc.).

Component 1.01.02

The Treatment Provider must have processes in place to outline the Treatment Provider's approach in handling and managing all social media communications.

Component 1.01.03

The Treatment Provider must have formal communication to employees regarding the "do's and don'ts" of personal social media communication.

Component 1.01.04

The Treatment Provider employee code of conduct must contain language specifically addressing the prohibition of patient brokering.

Component 1.01.05

Management must establish an Employee Handbook and Code of Conduct which defines the mission and values of the organization, how employees are supposed to approach problems, and the ethical values and standards applicable to management, employees, and third parties.

Component 1.01.06

Management must establish a process to ensure the Employee Handbook and Code of Conduct is accessible to all management, employees, and third parties.

Component 1.01.07

Management must establish a process to evaluate the performance of individuals against the established Code of Conduct.

Component 1.01.08

The Treatment Provider must have processes in place to prevent patient brokering and ensure that all patient referrals are documented to record where the patient obtained the referral. The Treatment Provider must have a documented processes assess whether the referral was obtained from a legitimate and appropriate source.

Component 1.01.09

The Treatment Provider must have processes and controls in place to monitor patient brokering, including detection of inappropriate disbursements (i.e., commissions, bonus, kickbacks, or bribes) to obtain new patients and detection of inappropriate collections for referring patients.

Component 1.01.10

The Treatment Provider is strictly prohibited from engaging in patient inducement activities which include but are not limited to the following:

- Plane tickets;
- Food cards;
- Bus passes;
- Cigarettes;
- Waiving of patient co-pays and deductibles or altering fee schedule to admit patients to expedite insurance collections; and
- Attempts to collect on deferred payments on services and items provided to patients (refer to examples above).

Component 1.01.11

The Treatment Provider must have defined processes in place to reevaluate patients for readmission. The patient evaluation must be documented and validated prior to re-admission.

Component 1.01.12

The Treatment Provider must have a documented policy defining criteria (i.e., number of readmissions, level of care, etc.) patient referral to another level of care.

Component 1.01.13

The Treatment Provider must have a defined process and policy in place to vet, establish and periodically assess the Treatment Provider's referral network and maintain a listing of approved referral agencies and treatment providers.

Component 1.01.14

The Treatment Provider must require that referring agency/program submit a follow-up report on the client's assessment and findings to the Treatment Provider, in cases where a patient is referred to another level of care.

Component 1.01.15

The Treatment Provider must maintain a drug-free workplace and perform random drug tests on employees. Any staff member suspected of being under the influence while working must be subject to an immediate drug test.

2. Policies and Procedures

Category: Operational, Compliance

Standard

The Treatment Provider establishes a set of policies governing all key processes that are effectively communicated to all members of the organization. A set of task level procedures are developed and maintained covering the step-by-step process for completing key activities within the parameters set by the governing policy.

Interpretation

This section outlines the specific requirements for policies and procedures for Treatment Providers that are accredited by the ICOTP.

Components

Component 02.01.01

The Treatment Provider must have a process for Management to review and approve all new and updated policies.

Component 02.01.02

Management must establish an annual review process to evaluate and update existing policies.

Component 02.01.03

The Treatment Provider must clearly define policy and procedure owners responsible for performing updates to ensure the policies and procedures are reflective of current practices.

Component 02.01.04

The Treatment Provider must ensure approved policies and procedures are made readily available to all employees.

Component 02.01.05

The introduction of new policies and changes to existing policies must be formally communicated to all affected employees.

Component 02.01.06

Management must have a current full set of procedures covering each major process undertaken by the Treatment Provider.

3. Qualifications, Requirements, & Licensing (Staff, Facility, Treatment Programs) and Internal Oversight

Category: Compliance

Standard

The Treatment Provider maintains qualified staff that are provided continual training and education. Additionally, the Treatment Provider maintains active certifications and licenses for the staff, program, and facilities.

Interpretation

The Treatment Providers are also responsible for maintaining a staff that has the experience and qualifications necessary to deliver satisfactory care to their patients for all treatment options. The Treatment Provider must also ensure that their staff has a staff that contains the requisite certifications given their treatment plans and the number of individuals in care. Staff members must have continuing education plans and the Provider must ensure that they receive the training required to keep them abreast of industry practices and in order to maintain any certifications they hold. The Treatment Provider's facilities also must be adequate to deliver the treatments to patients including obtaining the necessary licenses and certifications and ensuring that steps are taken to keep them current.

Components

Component 3.01.01

The Treatment Provider must maintain active operating licenses, certifications, and accreditations in accordance with the requirements set by federal, state, local and external agencies.

Component 3.01.02

The Treatment Provider must employ individuals with appropriate certifications and active licenses to provide care for each treatment offered as required by federal, state, local and external agencies.

Component 3.01.03

The Treatment Provider must have an established process to perform continued monitoring of all credentials, accreditations, and certifications held by staff and facilities to ensure an active and compliant status.

Component 3.01.04

The Treatment Provider must have a documented process to review results of audits performed by an external agency.

Component 3.01.05

The Treatment Provider must have a documented process to remediate action items identified by the audit performed by an external agency.

4. Related Party Management & Disclosures

Category: Compliance

Standard

The Treatment Provider identifies related parties (e.g., charitable foundations, independently owned laboratories, etc.) and discloses the details and nature of any transactions in order to ensure that they are completed at “arm’s length”.

Interpretation

Related parties include organizations that are under common management as the Treatment Provider or are related through an employee or member of the Board. All related parties must be systemically identified and transactions with any related parties must be specifically disclosed to management and the Board of Directors. For example if the managing director of the Treatment Provider also owned a testing facility which was used by the provider to perform all of its lab testing, that would be considered a related party transaction that must be disclosed. Related party transactions pose a high risk of fraud as individuals from the Treatment Provider can take advantage of their positions to exploit their power.

Components

Component 04.01.01

The Treatment Provider must establish a process to identify, report, and communicate to Management conflicts of interest between organization and vendors, as well as related parties. Management must have a documented process to assess the appropriateness of transactions occurring with related parties.

Component 04.01.02

The Treatment Provider must establish a process for employees, medical staff, and board members to disclose any potential conflicts of interest upon hire and annually thereafter.

Component 04.01.03

The Treatment Provider must establish a process on how the listing of conflicts of interest and related parties are maintained.

5. Financial Sustainability

Category: Strategic, Financial

Standard

The Treatment Provider demonstrates an ability to manage, monitor, and report financial conditions to measure financial sustainability. In addition, the Treatment Provider establishes a contingency plan to ensure patient care in the event of discontinued operations.

Interpretation

Treatment Providers must be able to demonstrate that they actively monitor their financial condition including using a third party to provide an audit/review of their financial statements verifying their completeness and accuracy. The Treatment Provider must evaluate their ability to continue operating given their financial situation (i.e. how long will they be able to meet their cash needs to pay expenses and debt payment obligation) and must have contingent plans to ensure that their patients are taken care of in the instance that they are forced to close their doors.

Components

Component 5.01.01

Management must prepare documentation of their financial condition in detail that is sufficient to monitor the ability of the Treatment Provider to meet it.

Component 5.01.02

The Treatment Provider must prepare and maintain an annual budget with considerations for estimated revenue and estimated costs. The budget must be updated with actual figures on a regular basis and forecasting must be documented. The annual budget must be approved by the Board of Directors and updated budget to actual documents must be presented to senior management for review.

Component 5.01.03

The Treatment Provider must have contingency treatment plans in place to place patients with partnering facilities to adequately continue their treatment.