

Compliance Gazette

Special Edition

November 2024 · Issue 20

Please join us for UF/UF Health Compliance, Ethics, and Privacy Events

Brief History

“Compliance Awareness Week” was initiated in Charlotte, North Carolina in 2002, at the Carolinas HealthCare System. The first *official* “National Corporate Compliance and Ethics Week” was observed in 2005. It was launched by two professional organizations who co-sponsored the event, the Society of Corporate Compliance and Ethics (SCCE) and the Health Care Compliance Association (HCCA). Since then, it has been celebrated every year by many universities and healthcare systems nationwide.

A Collaboration

The UF Compliance and Ethics Office and UF Health Compliance & Privacy Services, as well as other compliance partners across the university, have collaborated in this a special edition of the Compliance Gazette to open the conversation on compliance, reinforce knowledge, and engage our readers in a few activities we hope you will enjoy during the month of November. *Compliance, Ethics, and Privacy month* is a great opportunity to raise awareness on relevant laws and regulations that impact us every day and to recognize some of our Compliance Superstars whose dedication helps reinforce our standards of conduct and the overall culture of compliance. This is also a good time to ask questions and check out some of the resources that UF and UF Health have to offer.

Note: If you are a UF employee, look for the [blue sections](#). If you are a UF Health/Shands employee, look for the [orange sections](#).

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UF Health Events

UF Health Compliance & Privacy Services is excited to announce that November is Compliance & Privacy Awareness Month at UF Health! Throughout the month, UF Health and UF College of Medicine employees are invited to join in the celebration by completing the Compliance & Privacy Awareness Survey, or attending our tabling events and interacting with us. Don't miss out on the fun and the chance to engage with our team! Please see additional details below:



Compliance & Privacy Awareness Survey

- November 1 – November 30
- Complete our survey through the link below or QR code:
https://ufl.qualtrics.com/jfe/form/SV_6rmPepXS2cO0Hj0



Tabling Events:

- Take our survey*
- Play fun games
- Win prizes
- Meet the team
- This notice showcases our local events, but our celebration is enterprise wide. We have events not only in Gainesville, but also in Jacksonville, Central Florida, and St. Johns. If you would like more information about those events, please contact UF Health Compliance & Privacy Services.
 - Compliance@shands.ufl.edu
 - Privacy@shands.ufl.edu

List of Events

UF Health Shands		Date	Time
Professional Park	Conference Room B107	Monday, November 4	11:30am-2:30pm
HomeCare - Sweet Surprise		Tuesday, November 5	11:00am-12:00pm
Psychiatric Hospital	Conference Room 1301	Wednesday, November 6	2:00pm - 4:00pm
Professional Park	Employee Lobby (back entrance)	Thursday, November 7	11:30am-2:00pm
1329 Building	Lobby	Friday, November 8	9:00am-12:00pm
South Tower Cafe	Cancer Hospital: 3rd floor Cafe	Wednesday, November 13	11:00am-2:00pm
UF Health Ocala Neighborhood Hospital		Date	Time
Compliance & Privacy Sweet Surprise		Tuesday, November 19	10:00am-11:00am

Employee RECOGNITION

Through our superstar program, we recognize partners who have demonstrated a commitment to compliance and acting with integrity in all that they do. We are pleased to present our two new Compliance & Ethics Superstars!

COMPLIANCE Superstars



Over the years, we've enjoyed working with **Shailendra Singh**, Senior Director of Environmental Health & Safety (EH&S) on multiple levels. We are especially thankful for his responsiveness to requests and willingness to participate in our projects, such as the Compliance Gazette and our training tutorials. We also appreciate his attention to detail in EH&S's annual report and willingness to go the extra step to ensure things are turned in timely.



Danae Perry, Assistant Director for Youth Programs with the Center for Precollegiate Education and Training (CPET), leads dynamic youth programming year-round exposing many families to the Gator Nation. No matter the time-of-day, Danae is responsive and constantly working with compliance partners throughout campus. This was especially true this summer when Danae complied with multiple compliance groups providing crucial time sensitive information. Danae, thank you for the tremendous effort you put into youth programming!

If you know someone you would like to nominate as a future Compliance Superstar, please feel free to submit your nomination using our [Compliance and Ethics Superstar Nomination Form](#).



UF Health Shands 4 West Unit

UF Health Privacy Wall of Fame

Maintaining patient privacy is a priority at UF Health, and all workforce members at UF Health play an integral role in safeguarding our patients' health information from unauthorized use and disclosure.

The Privacy Team is proud to announce the following departments/units did everything right and achieved a perfect score during a HIPAA Walkthrough Audit.

Please join us in congratulating these amazing teams!



UF Health Shands 5 East Unit



UF Health Shands Emergency Center - Kanapaha



UF Health Florida Recovery Center



UF Health Shands Emergency Center - Springhill



UF Health Psychiatric Hospital

By Rebecca DeCesare, PhD, Clery Compliance officer

Campus Security Authority Reports – or CSA Reports – are one of the most important pieces of a Clery Compliance program. While ensuring the accuracy of campus safety policies and applicable jurisdiction is imperative to ensuring that the how and the where of what is shared with the campus community is correct, what information is shared is the key to this compliance program that focuses on transparency and consumer protection.

So what is a CSA Report? Employees – including staff, some faculty, and student-employees – that have been designated as Campus Security Authorities (mandatory reporters) go through an annual training that instructs them on what they need to report, when, and how to report. These CSAs are from all parts of the university enterprise, typically in positions that have a high interaction with students or those who are likely to disclose victimization. There are notable exceptions, specifically those who are confidential based on certification or their role at the university. This provides our community members with options to report their victimization to someone who is legally obligated to report through the CSA Report form or to a confidential resource.

CSA Reports are important to inform the UF campus community about the dangerous and ongoing situations occurring, but they can also be used to provide campus partners with the ability to offer support to victims in real-time and to apply evidence-based practices to campus safety protocols.

Looking at CSA Reports through the lens of the 7 Elements of an Effective Compliance Program, they contribute to four of the seven elements:

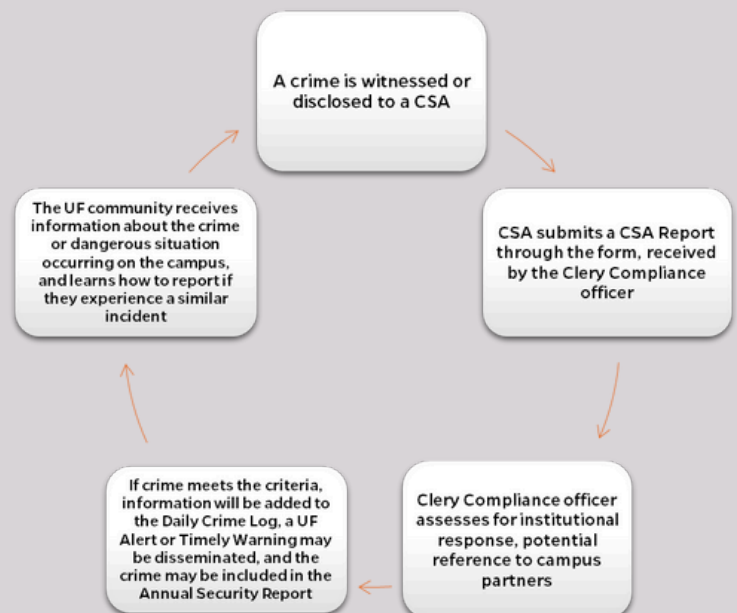
- *Conducting effective training and education:* While training is not required for CSAs, it is nearly impossible to convey the expectations of the role without annual training
- *Developing effective lines of communication:* Having the CSA Report form easily accessible and widely publicized allows for better and more effective reporting, which in turn means more accurate crime reporting
- *Conducting internal monitoring and auditing:* The information provided not only meets compliance requirements, but is seen by the Clery Compliance program as a way to check the “health” of the reporting system. Do mandatory reporters understand their role, know how to report, and are reports being submitted
- *Responding promptly to detected problems and undertaking corrective action:* CSA Reports inform UF Alerts, Timely Warnings, and the crime information shared to the campus community on an annual basis in the Annual Security Report. This information is also shared with public safety to inform their practices and response to crime

To better understand the lifecycle of a CSA Report, check out the graphic for more information. If you would like to learn more about UF’s Clery Compliance program, CSAs, and how to access the CSA Report Form: <https://clery.compliance.ufl.edu/>

Lifecycle of a CSA Report

Much like any reporting process, proper reporting and disclosure of incidents informs the process of how an institution responds and adjusts to reporting.

In an effort to improve the cycle of reporting, we are continually listening to the UF community to ensure that they have access to reporting options and are receiving appropriate support resources following a report. This allows the institution to not only comply with the processes as required by the Clery Act but to support a culture of transparency.



Fundamentals of an Effective Institutional Compliance Program

By Loren Israel, JD, Assistant Director of Compliance and Ethics

As you may know, higher education is a highly regulated field. In fact, one compliance organization identified almost three hundred federal laws and regulations institutions of higher education, like UF, must comply with. This number does not even take into account the many state laws and regulations as well as institutional regulations and policies governing our activities. In recent years, universities and colleges have started using institution-wide programs to guide their compliance efforts. These programs are designed to offer a structured and purposeful approach to compliance. While these programs are common in the corporate world, people are surprised to learn that the foundations for determining how effective these programs are stems from criminal law.

Prior to the mid-80s, there was not a lot of consistency when it came to the sentence an individual or organization might serve for violating the same federal crime. The United States Sentencing Commission's Guidelines Manual was created to fix this problem. Although the Guidelines Manual provides increased uniformity in sentencing, it allows for some flexibility based on specific circumstances that might exist. When it comes to organizations, operation of an effective compliance and ethics program suggests the organization should receive a decreased sentence.

The Guidelines Manual provides seven minimum requirements compliance and ethics programs must have to be considered effective. In the corporate world, this is known as the Seven Elements of an Effective Compliance Plan. First, the organization must create institutional practices, like policies and protocols, designed to prevent and detect criminal conduct. Second, the organization's governing authority (namely, its board and senior leadership) must be familiar with these institutional practices and exercise reasonable governance or control over them. Third, the organization must create procedures which prevent individuals who have engaged in illegal conduct from holding positions of substantial authority. Fourth, through trainings and other periodic institution-wide communications and programs, the organization must promote its commitment to compliance

and ethics to its leaders, employees, and agents. Fifth, the organization must use a variety of practices in its attempts to detect criminal conduct, including monitoring and auditing its activities, evaluating the effectiveness of its compliance program, and maintaining an anonymous hotline for reporting concerns. Sixth, the organization should use incentives to promote employees and agents to comply with the law as well as impose discipline when they fail to do so. Finally, if criminal conduct is detected within an organization, it must take appropriate steps to prevent similar conduct, including updating their compliance and ethics program in light of the criminal activity.

When advising its prosecutors what to look for when examining an organization's corporate compliance program, the U.S. Department of Justice added three fundamental questions. First, is the program well-designed? In other words, does the organization take compliance concerns seriously or is the program just a shell, without any real teeth. Second, does the program have the resources and authority it needs to function effectively? This question acknowledges that even the best designed programs can fail if they are significantly underfunded or weak. Finally, does the program work in practice; that is, when misconduct occurs, how is it discovered, how is it investigated, and what steps are taken to address the causes and prevent similar events in the future. These principles clearly resonate with the State University System of Florida. The public universities comprising the SUS, including UF, are required to have a university-wide compliance and ethics program. Mirroring the federal guidelines, these programs must coordinate and oversee activities that promote ethical conduct and maximize compliance with applicable laws, regulations, rules, policies, and procedures.

At UF, UF Compliance and Ethics serves as the university's compliance and ethics program. More information about the program can be found at our website: compliance.ufl.edu. You can also email us with any compliance- or ethics-related questions you might have at UF-Compliance@ufl.edu.

Think you know about UF's Conflicts of Interest Policy?

Test your knowledge:

<https://compliance.ufl.edu/integrity-toolbox/compliance-gazette/test-yourself/conflicts-of-interest/>

Test Your
Knowledge

Training Opportunities

UFCE Learn over Lunch – UF Health and Healthcare Compliance

Join us: Wednesday, November 6th at noon (via Zoom)

Presenter: Robert Michalski, VP and Chief Compliance & Privacy Officer at UF Health



Join us for an engaging “Learn over Lunch” webinar, Wednesday November 6th at 12pm, where Robert (Bob) Michalski, UF Health’s VP and Chief Compliance & Privacy Officer, will present an insightful overview of UF Health and healthcare compliance. Bob will touch on UF Health’s new structure including “Embracing Systemness”, our partnership with the U.S. Olympics/Paralympics, highlights of healthcare compliance and will discuss what makes an effective compliance program. Whether you’re new to compliance or looking for a refresher, this webinar will equip you with key basics of healthcare compliance. Don’t miss this opportunity to learn and grow with us!

Click [here](#) to register for the webinar.

Click [here](#) to learn more about the UFCE Learn over Lunch program and to view videos of past sessions.

Click [here](#) to send us an email and ask to be added to the UFCE Learn over Lunch listserv to get updates on upcoming sessions.

EH&S Injury Reporting

[Injury and Incident Reporting Tutorial \(4.23 min\)](#)

By Shailendra Singh and John Guerra



Research Compliance Training

Are you looking for research compliance training for your graduate class, seminar, department, or team? Research Integrity, Security and Compliance offers a variety of trainings and is happy to tailor a session for your group. Topics available include research misconduct, plagiarism and authorship, export control compliance, hosting international visitors, research conflict of interest and more. If you are interested in hosting a training, please email savannahcking@ufl.edu for more information.

UF Public Records

[Florida Sunshine Law: Open Meetings \(2.26 min\)](#)

By Amy Quillen

CFO Division

Register now for upcoming finance training courses to enhance your fiscal compliance knowledge!



Internal Controls at UF

October 28th, 1:30 pm - 4:30 pm (via Zoom)

[Register Here](#)

Procurement Policy - Procurement 101

November 7th, 8:30 am - 12:00 pm (via Zoom)

[Register Here](#)

The Color of Money

November 14th, 1:30 pm - 4:30 pm (via Zoom)

[Register Here](#)

To stay informed of all CFO Division news, including important compliance updates, subscribe to The Spreadsheet: CFO Division Monthly Newsletter: [Click here to subscribe!](#)

IT Security Training

THE DANGER OF **DEEPAKE** PHISHING

The Rising Threat of Deepfake Phishing (YouTube)

GONE IN 60 SECONDS

Gone in 60 Seconds (YouTube)

Where are the Compliance and Privacy Violations?



Find the compliance and privacy violation!

Test your knowledge and sharpen your skills by playing “Where are the Compliance and Privacy Violations?” Can you spot the hidden issues in everyday workplace scenarios and stay one step ahead of potential risks? Join the challenge and see if you can identify at least six (6) out of the seven (7) violations.

For questions contact Compliance & Privacy Services!
Compliance@shands.ufl.edu | Privacy@shands.ufl.edu

Answers to *Where are the Compliance and Privacy Violations?*

1. **PHI in trash can:** leaving Protected Health Information (PHI) visible is a violation of HIPAA. This should be shredded.
2. **Medical records on desk:** The HIPAA Security Rule requires PHI to be secured at all times. If paperwork is left unattended, it could be viewed by an unauthorized individual, be that a member of staff, patient, or visitor to the healthcare facility. If this happens, it would be considered an impermissible disclosure of PHI.
3. **Brad Pitt is a patient in room 203:** Protected Health Information (PHI) should not be posted or displayed. This is particularly important for high-profile patients as it could encourage “Snooping”.
4. **Gift from Vendor X:** In accordance with UF Health policy, UF Health employees cannot accept gifts from vendors. Doing so could be a violation of the anti-kickback statute. Employees should report gifts to a supervisor and/or Compliance Services.
5. **Opened computer while away for lunch:** leaving Protected Health Information (PHI) on your computer screen is a violation of HIPAA. Lock your screen when you are not at your desk to protect patient PHI from unauthorized disclosure.
6. **Visible password:** Allowing someone else to use your user ID and/or password to access patient PHI is a HIPAA violation. Keep usernames and passwords confidential and in a secure location.
7. **BONUS FIND:** Shred records by 10/1: Seeing that the calendar says November 15, this suggests noncompliance with retention policies. Retaining records beyond the required time span is a privacy risk.



Recipe for an Effective Compliance Program

Ingredients

- 2 lbs. of Tone at the Top
- 1 Chief Compliance Officer
- As many Participants as you can find (the more the better)
- 4 or 5 cups of Ethics
- A few scoops of Good Sense
- 1 quart of each of the 7 Effectiveness Ingredients (see the Fundamentals of an Effective Institutional Compliance Program article)

Mix all the above together in a large bowl and then sprinkle a healthy dose of Teamwork and you have a winner!

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