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Question: 1

When developing an effective compliance program for an organization, which one of the following obstacles presents the largest threat to its long-term success?

- A. Employees fear retaliation for reporting violations.
- B. There is a lack of buy-in from leadership.
- C. No established lines of communication exist for disseminating information throughout the organization.
- D. The organizational culture does not encourage accountability.

Answer: B

Explanation:

The largest threat to an organization's long-term success when developing and implementing an effective compliance program is a lack of buy-in from leadership. Without the support of leadership, employees within an organization are less likely to engage and take ownership of their roles as they relate to compliance. Fear of retaliation and an organizational culture that does not encourage accountability are obstacles to developing an effective compliance program; however, the threat posed by these two answer options is less significant than that resulting from the absence of buy-in from leadership.

Question: 2

Which one of the following laws applies to physician referrals?

- A. Stark Law
- B. EMTALA
- C. HIPAA
- D. False Claims Act

Answer: A

Explanation:

The Stark Law, also known as the Physician Self-Referral Law, states that a provider may not refer patients to certain designated health services if the provider (or the provider's immediately family) has a financial relationship with that entity. The Emergency Medical Treatment and Labor Act (EMTALA) is a law that requires hospitals to service all patients regardless of their ability to pay. The Health Insurance Portability and Accountability Act of 1996 (HIPAA) is a law that regulates the disclosure of protected health information (PHI). The False Claims Act relates to falsifying services, and it rewards whistleblowers for disclosing instances of fraud.

Question: 3

Which one of the following elements of a compliance program identifies deficiencies and prioritizes risks for an organization?

- A. Retrospective audit
- B. Continual evaluation
- C. Education
- D. Monitoring and auditing process

Answer: D

Explanation:

The monitoring and auditing process is one of the seven elements of a compliance program. Monitoring and auditing focus on identifying risk within an organization and establishing a plan to ensure that the risk is addressed as defined by preestablished policies and procedures. A retrospective audit is a component of the monitoring and auditing process that assesses risk at a particular point in time, but it is not one of the seven elements of a compliance program. Although education and continual evaluation are important elements of a compliance program, they are not directly associated with identifying deficiencies and prioritizing risks.

Question: 4

Two employees at an organization have been involved in an altercation. One of the employees used offensive and threatening language toward the other employee following a meeting to discuss delayed progress on an ongoing project. What is the best next step for the compliance professional?

- A. Collaborate with human resources to develop a performance improvement plan for both employees.
- B. Refer to the code of conduct to enforce appropriate discipline if the organization's conduct guidelines have been broken.
- C. Provide counseling to both employees, and develop an action plan to prevent future disagreements.
- D. Terminate the aggressor employee for behavior that does not align with the organization's mission, vision, and values.

Answer: B

Explanation:

The code of conduct is an important document within an organization that assists with decision making and outlines standards to be followed by all employees and third-party vendors. This includes professional standards and behaviors expected between employees. In this scenario, it is evident that an ethical guideline has been broken. The best next step is to refer to the code of conduct to determine the next steps for all employees involved. Termination of the aggressor employee for his or her behavior may be an appropriate next step following an investigation if it is found that the code of conduct has been broken and the severity of the encounter warrants termination. Performance improvement plans are typically used to address poor performance and would not be appropriate in this scenario. Employee

counseling is typically used to address initial behaviors prior to discipline, and its use depends on the severity of the encounter.

Question: 5

Which one of the following is NOT an aggravating factor in determining a culpability score?

- A. Repeat offense
- B. Willful ignorance
- C. Prompt reporting of a violation
- D. Hindering the government during an investigation

Answer: C

Explanation:

A culpability score determines the degree of blame assessed to an organization for sentencing purposes. The higher the culpability score, the higher the degree of blame. There are four aggravating factors associated with the culpability score: repeat offenses, willful ignorance, hindering the government during an investigation, and pervasive tolerance and/or awareness. Prompt reporting of a violation is a best practice and not an aggravating factor in determining a culpability score.

Question: 6

A provider conducts a follow-up visit for a patient to assess a chronic condition and bills for a comprehensive new-patient office visit. This is an example of:

- A. DRG creep.
- B. upcoding.
- C. phantom billing.
- D. unbundling.

Answer: B

Explanation:

Upcoding is billing for a higher level of service than provided to increase reimbursement. In this example, the provider conducted a brief follow-up visit for an established patient but instead billed for a comprehensive new-patient visit. DRG creep is similar to upcoding, but it relates to diagnosis-related groups (DRGs) rather than the Current Procedural Terminology (CPT) codes in upcoding. Phantom billing is billing for services that were never rendered. Unbundling involves using multiple CPT codes to reflect a multistep service or procedure completed, rather than the appropriate single code, in an effort to increase the reimbursement rate.

Question: 7

When an organization develops education for a compliance program and then provides the appropriate training, all employees should sign a(n) to confirm awareness and understanding of the standards of conduct and their roles as relates to compliance.

- A. attestation
- B. code of conduct contract
- C. job description
- D. performance review

Answer: A

Explanation:

Following training and education, all employees should sign and date an attestation confirming their knowledge of the standards of conduct for the organization. This attestation should be kept within the employee's file for future reference if needed. Job descriptions detail the responsibilities and expectations of an employee, but they do not confirm the employee's understanding of the required standards of conduct. Performance reviews may include expectations of the employee relating to the standards of conduct, such as demonstration of specific behaviors, but they do not include a signed document that demonstrates the employee's understanding of the standards.

Question: 8

The majority of organizations have the compliance officer report to the:

- A. chief executive officer (CEO).
- B. chief financial officer.
- C. board of directors.
- D. general counsel.

Answer: C

Explanation:

Most organizations have the compliance officer report to the board of directors. This ensures that the compliance professional has the appropriate access and authority to guide the organization effectively. Reporting to the chief executive officer (CEO) or general counsel is occasionally done in some organizations, but this is less common. Having the compliance officer report to the chief financial officer occurs within very few organizations because this hierarchy poses risks due to intertwining the finance and legal departments.

Question: 9

A compliance professional is sharing information about regulatory changes with all staff members. In order to ensure that the detailed information is appropriately interpreted, the compliance professional invites team members to role-play different scenarios. When referencing the three Cs of communication, this strategy aligns best with which component?

- A. Concise
- B. Clear
- C. Creative
- D. Contextual

Answer: C

Explanation:

The three Cs of communication are clear, concise, and creative. Involving staff members in a skit is a creative way to provide education to the organization-it is not a commonly pursued scenario, but it often encourages engagement and assists with interpretation.

Question: 10

All of the following are considered protected health information (PHI) EXCEPT:

- A. social security number.
- B. Internet Protocol address.
- C. device serial number.
- D. vital signs.

Answer: D

Explanation:

Social security numbers, Internet Protocol addresses, and device serial numbers are 3 of the 18 data points that, when linked with health or medical information, are considered protected health information (PHI) per HIPAA's Privacy Rule and allow a patient to be identified. Vital signs, although part of the medical record, do not provide information that would identify a patient.



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