Legal Affairs, Risk Management & Compliance

Why They are Important to You
AU Health System Legal Affairs

Serves AU Medical Center and Medical Associates

- Location: BA 8255 (8th floor of the Main Hospital)
- Phone: 721-5709

Lee Little, General Counsel
Clark Speese, Associate General Counsel
Stewart Fisher, Assistant General Counsel
Madeline Wills, Assistant General Counsel
Serves Augusta University

Location: AA-2003 (Administration Building)

Phone: 721-4018

- Chris Melcher, VP and General Counsel
- Greg Bryan, Senior Legal Advisor
- Anthony Hightower, Senior Legal Advisor
- Laverne Lewis Gaskins, Senior Legal Advisor
- Brett Montroy, Associate Legal Advisor
Compliance & Enterprise Risk Management

- Serves the University and the Health System
  - Location: Alumni Center (2nd Fl.) FI-2032 / Phone: 721-0900
- Jim Rush, Chief Integrity Officer
- Christine Adams, Enterprise Privacy Officer
- Walter Loring, AVP Environmental Health & Safety
- Janice Douglas, MA Coding, Charge Capture and Compliance
- Kim Templeton, Privacy/Compliance Analyst
- Angelica Hardison, Compliance Analyst
- Michele Reed, Title IX Coordinator
- Kay Allen, AU Athletics Compliance
- Orris Knight, DCOG Compliance
- Carmen Daniell, Administrative Assistant
Risk Management

Clark Speese: Medical Associates
Greg Bryan: AU

721-RISK (7475)
Phone and pager for Medical Center and Medical Associates

721-4018
Phone for the AU legal office (our voice mail has the cell phone for the attorney-on-call)
What do you do? Episode 1

You receive an email from the newspaper asking for copies of all your emails that mention one of your co-workers. The email refers to the “Open Records Act.”

What do you do?
What do you do? Episode 1

• Forward it to the Legal Office immediately.
• Both the university and the health system are subject to Georgia’s Open Records Act, and we must respond within three business days.
• Remember that your emails and records might become public!
What do you do? Episode 2

An adult trauma patient arrives at our hospital, accompanied by several people claiming to be friends and family. The patient is unconscious and unable to consent to treatment. Who can consent for the patient?
**What do you do? Episode 2**

1. If it’s an emergency, stabilizing treatment can be given without consent, though consent should be obtained if there is time to do so without endangering the patient’s health.

2. Does the patient have an advance directive?

3. Is the patient married? Common law marriage?

4. Does the patient have any adult children? What happens if a patient has more than one adult child?

5. Does the patient have a living parent? What happens if a patient has more than one living parent?

6. Does the patient have any siblings? What happens if a patient has more than one sibling?
What do you do? Episode 2

7. Does the patient have any grandparents?

8. Does the patient have any adult grandchildren?

9. Does the patient have an adult niece, nephew, aunt or uncle who is related in the first degree?

10. Does the patient have an “Adult Friend?”
   
   “An adult who has exhibited special care and concern for the patient, who is generally familiar with the patient’s health care views and desires, and who is willing and able to become involved in the patient’s health care decisions and to act in the patient’s best interest.”

   A Form is available for signature by the adult friend.
What do you do? Episode 3

The patient you are caring for has reached a point where there is nothing medically that can be done to improve her health. It appears to you that the treatments she is continuing to receive are painful.

The patient’s children have come to you for help. They say they do not understand why the physician continues to treat their mother when it is clear she is going to die soon. They beg you to help.

What do you do?
What do you do? Episode 3

• Share the family’s concerns with the physician
• Initiate an Ethics Consult
  ▪ Call Risk Management: 721-7475
While walking into temple, someone says to you...

“I heard Josh got kicked out of AU for failing English 101. Is that true? How is he doing?” You think to yourself, neither Josh nor his family said anything to me about sharing his grades.

What do you do? Episode 4

What do you say?
What do you do? Episode 4

- FERPA
- Unless you have specific permission from a student, all of their educational records should be kept confidential and only shared as part of your role at Augusta University.
What do you do? Episode 5

You are on your way to work. You see an elderly gentleman stumble as he is crossing Harper Street at the crosswalk under the Medical Office Building. He is having a difficult time walking and is severely short of breath.

What do you do?
What do you do? Episode 5

- Help him
- EMTALA
  - Help the person to the Emergency Department
  - Call Safety and Security (721-4787 or 721-2911)
What do you do? Episode 6

While walking into church a member of your congregation says to you...

“I heard Brother Joe was in a terrible motorcycle crash and was taken to Augusta University Medical Center. Is that true? How is he doing?”

You think to yourself, neither Brother Joe nor his family said anything to me about sharing his condition with the congregation.

What do you say?
What do you do? Episode 6

HIPAA

• Unless you have specific authorization, all medical information should be confidential and only shared as part of your role at Augusta University.

• Do not access Protected Health Information of any patient, including your own, unless it is required of your job. This includes celebrities.

• Our electronic medical record allows audits to be done to track who accesses patient records.
Your supervisor’s brother owns an office supply company. One day you review a file and learn that Augusta University purchases supplies from this same company and your supervisor personally gets a 5% commission on those sales.

What do you do?
What do you do? Episode 7

• Compliance/Conflicts of Interest
  ▪ Chief Integrity Officer, 721-0900
  ▪ Hotline: (800) 576-6623
  ▪ Senior Management
  ▪ Legal
What do you do? Episode 8

A staff member shares with you that one of her professors has been making unwanted sexual advances toward her and stares at her in ways that makes her feel uncomfortable. For the past month she has noticed him in places she has never seen him before, including the local coffee shop she works at part time on weekends.

What do you do?
What do you do? Episode 8

- If you sense the employee is about to disclose a sexual misconduct incident, inform them you are obligated to report the information to the Title IX Coordinator.
- If they wish to remain confidential refer them to the Faculty Employee Assistance Program (FEAP).
- If they want to learn more about reporting options, support services and interim measures; refer them to Title IX Coordinator.
- The most important thing is to listen, support and encourage them to bring the information forward so the University can assist them in all ways possible.
Other Legal Issues

• We assist units with any legal matters related to official business, including:
  ▪ Contracts
  ▪ Subpoenas
  ▪ Medicaid and Medicare Audit Letters
  ▪ Other governmental investigations or notices
  ▪ Adverse Events
  ▪ Compliance with laws and regulations
  ▪ Strategic legal support
When in doubt, call us!

721-5709 AUHS Legal Office
721-7475 (R-I-S-K) or Pager 7475
721-4018 AU Legal Office
721-0900 AU Compliance

Our normal office hours are:
Monday through Friday, 8:00 AM – 5:00 PM.

After-hours, weekends, and holidays, contact the on-call manager through the paging system.

*We are on-call 24 hours a day, seven days a week.*