



All Providers

Reminder:

Mandatory Compliance Program Certification Requirement under 18 NYCRR §521.3(b)

THIS IS A REMINDER FROM THE NEW YORK STATE OFFICE OF THE MEDICAID INSPECTOR GENERAL (“OMIG”) FOR ALL MEDICAID REQUIRED PROVIDERS WHO ARE SUBJECT TO THE NYS SOCIAL SERVICES LAW SECTION 363-d MANDATORY COMPLIANCE PROGRAM REQUIREMENT.

Medicaid providers are required to implement and maintain a compliance program as described in [NYS Social Services Law Section 363-d](#) and [18 NYCRR Part 521](#). Any required provider must also certify annually that its compliance program meets the statutory and regulatory requirements. The certification must occur in December of each year.

At the time of certification, it is the responsibility of required providers to determine if:

- a. it has a compliance plan that meets the requirements of SSL § 363-d and 18 NYCRR § 521.3 (c);
- and -
- b. its compliance program is effective.

OMIG reminds all those who are required to have a compliance program that they must complete the certification on OMIG’s website (www.omig.ny.gov) by December 31, 2014.

On December 1, 2014, OMIG will make the NYS Social Service Law Compliance Program Certification Form (Certification Form) for 2014 available on its website. The Certification Form for 2013 will remain active on OMIG’s website until December 1, 2014 for newly enrolling Medicaid providers.

A webinar, entitled “OMIG Webinar # 23 - OMIG’s Compliance Certification Process: December Annual and Enrolling Providers” is available on OMIG’s website under the Resources tab - Webinars. Webinar #23 explains: who are required to adopt, implement and maintain an effective compliance program; what is required of mandatory compliance programs; what the certification obligation requires; and the form that must be used to certify starting on December 1, 2014.

In addition to the Webinar, the Compliance tab on OMIG’s website provides tools and resources to help Medicaid providers determine if they are required to adopt, implement and maintain a compliance



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program under NYS Social Services Law Section 363-d and 18 NYCRR Part 521. The Compliance tab also provides resources that explain what is required of compliance programs.

Medicaid providers have an independent obligation to be aware of existing statutory and regulatory requirements of the Medicaid program. Additionally, OMIG recommends regular visits to its website to review the information and resources that are published under the Compliance Tab on OMIG's home page. The Compliance Library under the Compliance Tab provides copies of current forms, publications and other resources that could prove helpful in conducting a self-assessment and completing the certification form in December.

OMIG also recommends that required providers sign up for e-mail notices from OMIG by subscribing to OMIG's listserv. Anyone can become a subscriber at no cost by signing up on OMIG's home page. The listserv is a great way to keep informed of the introduction of new compliance tools and information on compliance. As additional compliance-related resources are posted by OMIG, those on OMIG's listserv will receive notices of their publication.

If you have any questions regarding New York State's mandatory compliance obligation for Medicaid providers, please contact the OMIG's Bureau of Compliance at (518) 408-0401 or by using the Bureau of Compliance's dedicated e-mail address compliance@omig.ny.gov.