



2020

ANNUAL

COMPLIANCE REPORT

ATSU | A.T. Still
University
FIRST IN WHOLE PERSON HEALTHCARE



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COMPLIANCE REPORT

The 2020 Annual Compliance Report, presented by the Office of Vice President & General Counsel (VPGC), provides a snapshot of compliance achievements in 2020 and opportunities going forward.

Each achievement was the result of collaborative effort. Our office acknowledges and appreciates the expertise and cooperation of individuals and departments across the University in tackling big questions, improving and designing effective processes, and being willing to implement and support change.

Each achievement was a learning experience, with complexities and challenges along the way. Compliance is about continuous improvement. Implementing new processes may uncover new gaps, and suggestions for improvement may surface over time. We rely on feedback and suggestions from the A.T. Still University (ATSU) community.

Don't miss Page 6 for inspiration and a call to contribute.

Contents

p. 2-5.....	2020 highlights
p. 6.....	2021 goals
p. 7.....	Culture of compliance
p. 7.....	Emerging compliance risks



2020 highlights

Record retention

ATSU records must be safeguarded for the duration prescribed by law and ATSU policy, after which they should be appropriately destroyed. Records include:

- Data protected by law
- Proprietary information
- Documents subject to legal/litigation holds
- Important historic documents

Achieved: A refreshed record retention policy and new comprehensive (37-page) record retention schedule were developed to provide detailed guidance to employees. Record retention representatives were trained to promote awareness and compliance with the new policy and schedule in their areas. See ATSU Policy No. 10-209: Record Retention.

Safety data sheet (SDS) management

Occupational Safety and Health Administration (OSHA) requires SDSs be readily available to every ATSU employee for chemical products in all campus locations. SDSs contain information on hazards, risks, first aid, and safe handling and storage of chemical products.

Achieved: A new University-wide SDS management plan was developed. Inventories by location for thousands of chemical products were completed. Training was provided for disposal of hazardous chemicals. Electronic SDSs for all chemical products were uploaded into new SDS management software. Rollout of the new plan included portal and web access to SDSs, OSHA-compliant signage, and instructional emails.

Telehealth risk assessment & guidance

The U.S. Department of Health & Human Services announced the Office for Civil Rights would not impose penalties for Health Insurance Portability and Accountability Act (HIPAA) noncompliance related to the good faith provision of telehealth services during COVID-19. However, to promote best practices, a risk assessment was performed for telehealth services offered by ATSU patient care centers.

Achieved: ATSU patient care centers providing telehealth services were provided with a sample welcome email for telehealth patients, script/guidelines for staff, and a telehealth visit workflow.

2020 highlights

HIPAA risk assessment

HIPAA Security Standards require regular, thorough assessments of potential risks and vulnerabilities to the confidentiality, integrity, and availability of electronic protected health information (PHI). HIPAA risk assessments occur biennially at ATSU.

Achieved: The biennial HIPAA risk assessment was conducted and risk profiles generated. Information security practices of six key ATSU business associates (entities that manage PHI for ATSU) were examined, as were ATSU security and operational practices. Recommendations were incorporated into a prioritized action plan, which will be implemented during 2021 and 2022.

Clery Act

The Clery Act is a federal regulation regarding campus safety standards and transparency. Penalties for noncompliance are high, both in terms of monetary fines and damage to reputation. ATSU's unique structure heightens Clery Act requirements.

Achieved: Annual Security Reports (ASRs) were updated to include new Title IX and nondiscrimination language and improved processes for timely warnings and emergency alerts. Five new locations (A.T. Still University-School of Osteopathic Medicine in Arizona community health centers) met Clery criteria for "separate campuses," increasing to 20 the total number of ASRs required to be published by ATSU. The Clery Compliance Committee and campus security authorities received Clery Act training. The online crime report form was improved.

DAAPP biennial review

Under the Drug Free Schools and Communities Act, ATSU has developed a Drug and Alcohol Abuse Prevention Program (DAAPP) for employees and students. The Department of Education requires a biennial review of the program to determine whether it is effective and sanctions are enforced consistently, and to identify gaps in the program and make recommendations for improvements.

Achieved: The DAAPP biennial review was conducted, including a review of policies, employee and student survey results, education and prevention programs, violations and sanctions, and suggestions for improvement. A DAAPP Biennial Review Report was provided to the president.

2020 highlights

Professional licensure disclosures

The U.S. Department of Education updated disclosure requirements related to professional licensure and certification for all programs, both online and residential.

Achieved: After ATSU deans confirmed all ATSU programs meet licensure requirements for all states, disclosure language on the ATSU website was strengthened to comply with new Department of Education regulations.

Consumer information

To comply with the Higher Education Act and other regulations, the ATSU website includes a “Student Consumer Information” webpage.

Achieved: The Student Consumer Information webpage was reviewed in 2020 for accuracy and completeness. The process for displaying textbook information for all programs was updated. See atsu.edu/student-consumer-information for more details.

Hazardous materials management

ATSU is responsible for safely using, storing, shipping, and disposing of hazardous materials. ATSU's Hazardous Materials Management Committee oversees such practices. ATSU must comply with hazardous materials regulations by OSHA, Environmental Protection Agency, Department of Transportation, and other federal and state agencies.

Achieved: To better describe the scope of the Hazardous Materials Management Committee, and provide guidance for best practices, the committee charter was revised with the assistance of an environmental safety consultant.

Workplace safety training

OSHA requires annual workplace safety training to help ensure a safe working environment.

Achieved: Training by a workplace safety expert was provided for Kirksville, Missouri, and Mesa, Arizona, employees in key departments.

Fifteen training topics included electrical safety, bloodborne pathogens, personal protective equipment, powered hand tools, hearing protection, scaffolding safety, and heat stress.

2020 highlights

Data privacy

ATSU seeks to responsibly manage and protect data as a valuable asset by collecting, using, processing, storing, and sharing confidential information in an ethical, transparent, and lawful manner. ATSU's cybersecurity framework and data privacy framework work together to secure institutional data and build trust with students, faculty, staff, patients, donors, and other third parties from whom data is collected.

Achieved: An ATSU strategic roadmap for data privacy maturity was developed with the assistance of a data privacy consultant. The activities in the roadmap extend over several years and correspond to the National Institute of Standards and Technology Privacy Framework.

The Information Security Council charter was revised to include data privacy in its scope and to better frame guiding principles and objectives.

Conflicts of interest

A conflict of interest exists in a situation where financial interests, personal relationships, or professional associates compromise an employee's objectivity, judgement, or integrity. The appearance of a conflict of interest is also detrimental to ATSU. Unlawful action or damage to reputation may result. Accreditors often look to see if ATSU has a strong conflict of interest policy and processes in place.

Achieved: ATSU Policy 10-212: Conflict of Interest was rewritten for clarity and stronger processes. All employees are responsible for disclosing or reporting potential conflicts of interest and possible action or management plans. Sanctions for noncompliance and a commitment to non-retaliation were included.

New employee orientation

To promote a culture of compliance, it is important to communicate compliance is everyone's responsibility.

Achieved: ATSU's compliance manager presented at all new employee orientations to emphasize the responsibility of all employees for compliance. ATSU's Code of Ethical Standards was highlighted. The benefits of working in a culture that values and promotes collaboration, inclusive problem-solving, and transparency were discussed.

2021 goals

for continuous compliance improvement

State regulations

Consider strategies for outside counsel to more efficiently address regulatory matters across all states.

Board training

Enhance Board of Trustees training and education for compliance issues.

HIPAA action plan

Implement security measures and reduce risks identified in the 2020 HIPAA prioritized action plan.

GDPR compliance

Position ATSU for compliance with the European Union General Data Protection Regulation (GDPR) and other data protection regulations.

Compliance matrix

Transition the maintenance of ATSU's compliance matrix to responsible employees. The matrix tracks compliance reporting deadlines.

Employee training

Training needs for Clery Act, HIPAA, OSHA, and Payment Card Industry Data Security Standard will be evaluated and addressed.

Culture of compliance

Everyone's role - everyone's responsibility

A culture of compliance supports ATSU 's mission and vision because it:

- Fosters openness, transparency, and problem solving.
- Listens to all voices and learns from the observations of newcomers as well as seasoned leaders.
- Relies on collaboration and effective communication to build better processes.
- Is flexible and embraces change.
- Acknowledges gaps and mistakes and is more concerned with improving process than assigning blame.
- Provides a safe environment for reports of illegal, unethical, or non-compliant behavior.
- Makes everyone accountable.
- Ensures non-retaliation for good faith reports.
- Relies on the active commitment of top leaders.
- Brings to the table ATSU subject matter experts.
- Values as compliance partners those with responsibility for operational everyday compliance.

Emerging compliance risks: A call

A strategic objective of ATSU's compliance program for 2021 is to identify a comprehensive list of professional organizations and helpful resources, which will position the University to be aware and proactive in addressing new laws and regulations and emerging compliance risks.

Readers of this Annual Compliance Report are encouraged to share with the Office of VPGC the names of resources and professional organizations used to keep abreast of new laws and regulations impacting their areas. At all times, please communicate with the Office of VGPC about compliance challenges.

Contact us

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