

UNIVERSITY OF WASHINGTON
SCHOOL OF DENTISTRY

COMPLIANCE PROGRAM

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**Compliance Program
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COMPLIANCE PROGRAM

The UW School of Dentistry is committed to conducting its business in compliance with the law. The School can meet this commitment only through the efforts of our department leaders and chairs, administrators, managers and their designees, faculty, staff and students. We must continue to earn the trust and respect of patients and others by conducting our daily affairs with honesty, integrity, and in compliance with the letter and spirit of all applicable laws. Although honesty and integrity are individual attributes, and each individual is ultimately responsible for his or her own conduct, the School is committed to maintaining a working environment that promotes these ideals and permits our employees to demonstrate the highest professional standards in performing their daily tasks.

Introduction

The School has developed a Compliance Program as a comprehensive statement of the responsibilities and obligations of all employees, students and professionals, to understand and adhere to applicable federal and state laws, and to fulfill the program requirements of federal and state health plans. Compliance practices and procedures of the School will be developed and kept current with applicable laws and regulations.

Basic Principles

- **Integrity:** The School honors integrity as a fundamental value and demonstrates the highest levels of professional conduct in all its dealings. Each individual associated with School must perform his/her personal duties in accordance with these values.
- **Compliance with Legal Standards:** The School follows all applicable federal and state laws and regulations. Each person associated with the School is charged with the responsibility to learn and understand the legal standards which relate to his/her duties and to follow them accordingly.
- **Accurate Billing and Records:** The School is committed to maintaining accurate documentation and billing records that reflect services provided. Errors will be assessed and corrected appropriately.

Compliance Program Structure

- **Participation:** It is the responsibility of each faculty member, staff, student and independent contractor to abide by applicable laws and regulations and support the School's compliance efforts.
- **Responsible Officer:** The School has designated the Compliance Director as the individual within the School responsible for overall implementation and operation of the Compliance Program.
- **Compliance Committee:** The School's Compliance and Training Committee is responsible for compliance oversight and advises and assists the Compliance Director with implementation and operation of the Compliance Program.
- **Oversight:** The Compliance Director will report at least biannually to the Compliance and Training Committee on the status of compliance within the School.
- **Employee and Vendor Screening:** The School shall not contract with, employ or extend privileges to any individual or entity that is excluded from participation or is otherwise ineligible to participate in federal health care programs.
- **Education:** The School will provide ongoing, effective education and training programs for all faculty, staff and students on Organizational Professionalism and the Compliance Program.
- **Auditing and Monitoring:** The School will establish procedures for monitoring the effectiveness of the Compliance Program.
- **Risk Assessment:** The School will conduct ongoing risk assessments and take appropriate steps to reduce the risk of law violation identified through the assessment process.
- **Enforcement and Prevention:** Individuals violating the standards of this Compliance Program will be subject to progressive discipline, up to and including termination, if warranted. Sanctions will be applied in accordance with relevant staff personnel policies, School policies/procedures and/or faculty code as appropriate.
- **Organizational Response:** The School will respond to potential violations of the Compliance Program and/or applicable federal and state laws/regulations reported by staff, students, faculty members or others that have questions or concerns regarding School activity.

Conclusion

The Compliance Program has been created to foster the School of Dentistry's commitment to maintaining a working environment that promotes honesty and integrity and permits our employees, students and faculty to demonstrate the highest professional standards in performing their daily tasks.

Joel H. Berg, DDS, MS
Dean, School of Dentistry

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Employee Participation and Reporting

Approval/Effective Date: 2/27/2008

Last Reviewed: 3/20/2015

Policy: It is the responsibility of every individual to abide by applicable laws and regulations and support the UW School of Dentistry's compliance efforts. All staff, students and faculty members are required to promptly report their good faith belief of any potential violation of the Compliance Program or applicable law. The School will provide anonymity to the individuals who report concerns to the greatest extent possible under the circumstances. There will be no retaliation in the terms and conditions of employment as a result of such reporting.

Purpose: The purpose of this policy is to define the individual staff, student and faculty member responsibilities for assuring ethical business practices and supporting the Compliance Program.

Procedures:

Individuals will report their good faith belief of violations of the Compliance Program or applicable laws and regulations via one of the following methods:

- Written or oral report to a supervisor or anyone in a School leadership role
- Contact the Compliance Director at (206) 543-5331 or dcomply@uw.edu or Box 356365
- Call the School's anonymous Compliance Hotline at (206) 685-5254

All staff, student and faculty member reports of potential violations will be reviewed at the level determined appropriate. School leaders will ensure that the Compliance Director is immediately informed of any reported concern. Any retaliation for good faith reporting is strictly prohibited.

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Responsible Officer

Approval/Effective Date: 2/27/2008

Last Reviewed: 4/14/2015

Policy: The UW School of Dentistry has designated the Compliance Director as the individual within the School responsible for overall implementation and operation of the Compliance Program. The Compliance Director officially reports to the Associate Dean of Information Management and Quality Improvement.

Purpose: The purpose of this policy is to assign and communicate the responsibility for implementation and operation of the School's Compliance Program.

Procedures:

The Compliance Director will be responsible for ensuring that:

1. Practices and procedures are reviewed and updated as necessary.
2. Staff, faculty and vendor screening mechanisms are in place and are operating properly.
3. Independent contractors and agents who furnish services to the School are aware of the requirements of the Compliance Program.
4. Staff, students and faculty are receiving adequate education and training and that such education and training is documented.
5. Internal compliance reviews and monitoring activities are conducted.
6. Staff, student and faculty complaints and other concerns regarding compliance are acknowledged and promptly investigated.
7. Adequate steps are taken to correct any identified problems and prevent the reoccurrence of such problems.
8. External sources of compliance issues are monitored and utilized as prompts for examining School activities.

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Compliance and Training Committee

Approval/Effective Date: 2/27/2008

Last Reviewed: 4/17/2015

Policy: The UW School of Dentistry Compliance and Training Committee advises the Dean and assists the Compliance Director with implementation and operation of the Compliance Program.

Purpose: The purpose of this policy is to assign and communicate the responsibilities of the Compliance and Training Committee.

Procedures:

The Compliance Director presents reports to the Compliance and Training Committee on a regular basis, including audit results, event reporting data, status of projects and requests for recommendations or support.

SCHOOL OF DENTISTRY COMPLIANCE AND TRAINING COMMITTEE

Members: Members are appointed by the Dean and include faculty, students, staff, Health Sciences Administration and Attorney General's Office representation. **Meetings:** At minimum, the Committee will meet monthly.

Role: The primary role of the Compliance and Training Committee is to make recommendations on School of Dentistry risk posture, policies, training requirements and consequences for non-compliance. The Committee also participates in compliance work plan development and monitors overall status of school-wide compliance.

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Workforce Screening

Approval/Effective Date: 07/22/2009

Last Reviewed: 04/15/2015

Policy: The UW School of Dentistry shall not contract with, employ or extend privileges to any prospective employee, dentist or health professional excluded from participation or otherwise ineligible to participate in federal health care programs.

If an individual whom the School currently employs or credentials becomes excluded from participation in federal health care programs, the School must immediately remove the individual from direct or indirect responsibility for or involvement in any federally-funded health care program. The individual may be terminated, consistent with the terms and conditions of employment.

The School will make reasonable inquiry into other criminal offenses of prospective workforce members.

Purpose: The purpose of this policy is to ensure that individuals acting on behalf of the School do not have a history of engaging in illegal or improper activities.

Procedures:

1. The Office of Medical Staff Appointments verifies the non-excluded status of dentists and other health professionals with medical staff appointments by accessing the National Practitioner Data Bank (NPDB).
2. Upon employment, School of Dentistry Administrators or their designees verify the non-excluded status of prospective employees by accessing the Department of Health and Human Services Office of Inspector General (OIG) List of Excluded Individuals/Entities on the OIG website (<http://oig.hhs.gov/exclusions/index.asp>) and the Federal Government's System for Award Management (SAM) website (<https://www.sam.gov/portal/public/SAM/>).

School Administrators or their designees also verify the non-excluded status of graduate students upon matriculation and on an annual basis by accessing the OIG and SAM websites described above.

3. The Office of Student Life and Admissions verifies the non-excluded status of all pre-doctoral dentistry students upon matriculation and on an annual basis by accessing the Department of Health and Human Services Office of Inspector General (OIG)

List of Excluded Individuals/Entities on the OIG website (<http://oig.hhs.gov/exclusions/index.asp>) and the Federal Government's System for Award Management (SAM) website (<https://www.sam.gov/portal/public/SAM/>).

4. UW Medicine Human Resources verifies the non-excluded status of all University of Washington employees on a monthly basis by accessing the Department of Health and Human Services Office of Inspector General (OIG) List of Excluded Individuals/Entities on the OIG website (<http://oig.hhs.gov/exclusions/index.asp>) and the Federal Government's System for Award Management (SAM) website (<https://www.sam.gov/portal/public/SAM/>).
5. Should an employee, dentist or other health professional appear on the OIG List of Excluded Individuals/Entities, the SAM website, or the NPDB, the School may not employ or extend privileges to that individual until the issues are resolved and it is clear that the individual is not excluded from participation in federal health care programs.
6. Current employees, dentists or other health professionals whose names appear on the OIG List of Excluded Individuals/Entities, the SAM website, or the NPDB will be removed from direct or indirect responsibility for or involvement in any federally-funded health care program.
7. Conviction/criminal history information will be obtained for all prospective employees and faculty, in accordance with Washington State law and University policy.

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Vendor Screening

Approval/Effective Date: 07/9/2008

Last Reviewed: 04/27/2015

Policy: The UW School of Dentistry shall not contract with any individual or entity excluded from participation or otherwise ineligible to participate in federal health care programs.

Additionally, if an individual or entity with whom the School currently contracts becomes excluded from participation in federal health care programs, the School shall immediately cease contracting with that excluded individual or entity.

Purpose: The purpose of this policy is to ensure that the School does not receive supplies or services from an individual or entity that has a history of engaging in illegal or improper activities. This policy also seeks to ensure the School does not enter into illegal or improper contract agreements.

Procedures:

1. This policy applies to the following categories of vendors:
 - Suppliers
 - Independent contractors
 - Agency contract staff
 - Consultants

2. The School's Department Administrators and Program Directors or their designees are responsible for ensuring that the non-excluded status of prospective vendors and contractors is determined through accessing the Department of Health and Human Services Office of Inspector General (OIG) List of Excluded Individuals/Entities on the OIG website (<http://oig.hhs.gov/exclusions/index.asp>) and the Federal Government's System for Award Management (SAM) website (<https://www.sam.gov/portal/public/SAM/>) when making purchases using their procurement Visa card (Procard) or under the direct buy limit of \$10,000.

The UW Procurement Department will be responsible for checking the non-excluded status of vendors on all requisitions.

3. Should a vendor or contractor appear on the OIG List of Excluded Individuals/Entities or the SAM website, the School shall not contract with that individual or entity until the issues are resolved and it is clear that the individual or entity is not excluded from participation in federal health care programs.
4. The School's contracts with vendors and contractors will include language that obligates vendors and contractors to conform to the principles and standards of its compliance program. The following language is to be included in all contracts with individuals or entities:

Federal Exclusion Clause

Vendor represents and warrants that it is not excluded from participation, and is not otherwise ineligible to participate, in a "federal health care program" as defined in 42 U.S.C. § 1320a-7b(f) or in any other government payment program. In the event Vendor is excluded from participation, or becomes otherwise ineligible to participate in any such program during the Term, Vendor will notify the School of Dentistry in writing within three (3) days after such event, and upon the occurrence of such event, whether or not such notice is given to the School of Dentistry, the School of Dentistry reserves the right to immediately cease contracting with that excluded individual or entity.

If Vendor is an Employment Agency, Vendor represents and warrants that its employees are not excluded from participation in a "federal health care program" as defined in 42 U.S.C. § 1320a-7b(f).

Corporate Compliance Plan Clause

The University of Washington, School of Dentistry's Compliance Program is designed to ensure that the School of Dentistry complies with federal, state, and local laws and regulations. It focuses on the promotion of good corporate citizenship, including a commitment to uphold the highest standard of professional and legal business practices and the prevention of misconduct. Vendor agrees to conduct all business transactions that occur pursuant to this Agreement in accordance with all applicable laws, regulations, and the School of Dentistry compliance policies, and ensure that Vendor officers, employees and agents do the same. Any major compliance violations would be considered a material breach of this contract.

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Education and Training

Approval/Effective Date: 3/26/2012

Last Reviewed: 04/27/2015

Policy: University of Washington School of Dentistry faculty, staff and students will be provided with regular, effective education on the School of Dentistry Compliance Program and will be trained to understand their responsibility for maintaining compliance with all applicable laws and regulations. Each faculty member, staff or student will receive appropriate training for his or her role in the organization. All training materials will be developed and/or selected and approved by the School of Dentistry Compliance Director. Documentation of compliance training provided to each individual will be maintained.

Purpose: The purpose of this policy is to ensure that all University of Washington School of Dentistry faculty, staff and students understand the ethical and legal standards under which the School of Dentistry operates and to which they must adhere.

Procedures:

1. New Faculty, Staff and Student Training

- a. *General Compliance Training* will be provided to all new faculty members, staff and students through an online module or paper packet within 30 days of hire/matriculation date.
- b. *The "Integrity at Work" Handbook* will be provided to all new faculty members, staff and students by their department administrator or designee.
 - i) Each individual must receive a copy of the handbook and return a signed acknowledgment card within 30 days of hire/matriculation date.
 - ii) The signed acknowledgment card is maintained in the department's personnel file for the individual.
- c. *Job-specific Compliance Training* will be provided to employees as necessary to educate them on additional risk issues applicable to their role in the organization.
 - i) Job-specific training must be completed within 90 days of the employee's hire date.
 - ii) If an existing employee's job functions change due to a position change or transfer within the School of Dentistry, updated job-specific training (as applicable) must be completed within 60 days of the new position start date.

- iii) Managers/supervisors are responsible for identifying and facilitating job-specific compliance training requirements in conjunction with the Compliance Director.

2. Annual Training

- a. *General Refresher Training*

Each faculty member, staff and student will receive annual refresher training on the School of Dentistry Compliance Program as well as other General Compliance and HIPAA topics.

- b. *Annual Job-Specific Compliance Training*

In addition to general refresher training, employees involved in the billing process or in business activities which may be subject to fraud and abuse risks will be provided with training as necessary to maintain their knowledge of current rules in order to facilitate continued compliance with the applicable laws and regulations.

- c. Training materials designed to meet the above annual training requirements will be developed and/or selected and approved by the Compliance Director.

3. Documentation

- a. Documentation of training will consist of date, time, individual name and name of the training session attended or completed.
- b. Documentation of completed training will be kept in individual personnel files or tracked by the School of Dentistry Compliance Department.
- c. Copies of all training materials will be maintained by the School of Dentistry Compliance Department.

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Auditing and Monitoring

Approval/Effective Date: 2/9/2009

Last Reviewed: 4/27/2015

Policy: The University of Washington School of Dentistry will conduct audits to monitor the effectiveness of the Compliance Program. Audits will include reviews to verify Compliance Program policies are being followed, as well as reviews of School of Dentistry documentation, billing and coding to verify compliant billing practices.

The School of Dentistry will devote such resources as are reasonably necessary to ensure that the audits are (1) adequately staffed; (2) performed by persons with appropriate knowledge and experience to conduct the audits; (3) utilizing tools and protocols which are periodically updated to reflect changes in applicable laws and regulations. Monitoring activities will include compliance audits and program reviews:

Compliance Audits; The University of Washington School of Dentistry will conduct periodic compliance audits by auditors who have expertise in federal and state healthcare statutes, regulations, and Federal health care program requirements.

Program Reviews; The University of Washington School of Dentistry will annually assess whether or not Compliance Program elements have been satisfied.

Purpose: The purpose of this policy is to ensure the effectiveness of the Compliance Program by establishing audit procedures.

Procedures:

1. The Compliance Director is responsible for maintaining the comprehensive Compliance Audit Plan for the School of Dentistry, to include audits/reviews conducted by the Compliance Director or designee, outside consultants and individual departments. The Compliance Director will oversee audits conducted by Departments.
2. The Compliance Director will verify completion of audits/reviews on the Compliance Audit Plan and any corrective action measures arising from them.
3. Compliance staff will compile quarterly reports to include, but not limited to, summary of errors, error rates, review outcomes and departmental/clinic statistics. Auditors/reviewers and the Compliance Director will meet with the appropriate department/clinic management (and others as requested) to review and discuss the departmental/clinic quarterly results

prior to finalizing the summary report. In advance of the meeting, a copy of the results will be distributed to the attendees. The purpose of the meeting is twofold:

- Give the department/clinic the opportunity to provide explanation or additional documentation to clarify any concerns that have been identified in the audit.
 - Create a departmental corrective action plan to address any adverse findings. This plan will identify the deliverables and the due date and individual responsible for each. If the plan requires additional time to produce, the meeting participants will agree on a due date for the department to submit the corrective action plan to the Compliance Director.
4. The Compliance Director will distribute the final quarterly departmental/clinic summary reports, including any necessary corrective action plan(s). At a minimum, the final summary reports will be sent to the following individuals:
 - Manager of the department/clinic audited/reviewed
 - Department administrator
 - Department chair
 - Associate and Assistant Deans of Clinical Services
 5. The Compliance Director will monitor for completion of the departmental corrective action plan. Once the corrective action plan is completed, the Compliance Director or designee will perform a follow-up audit to ensure the effectiveness of actions taken.
 6. In all cases, Departments will initiate resolution actions within 14 days of receiving adverse finding information.
 7. The Compliance Director will maintain a tracking system wherein corrective action plans and follow-up verification are monitored for completion.
 8. The Compliance Director will routinely report to the Compliance and Training Committee on the results of audits and the status of corrective actions.

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Risk Assessment

Approval/Effective Date: 4/6/2009

Last Reviewed: 4/27/2015

Policy: The University of Washington School of Dentistry will conduct ongoing risk assessments and take appropriate steps to reduce the risk of law violation identified through the assessment process.

Purpose: The purpose of this policy is to set forth the procedures that will be followed to ensure that the School of Dentistry Compliance Program and operational practices are evaluated and modified as necessary in response to the risk for potential legal violations.

Procedures:

1. The Compliance Director monitors changes in laws and regulations through regular review of governmental websites, newsletters and other communication channels.
2. The Compliance Director monitors areas of risk identified by the Federal government through regular review of enforcement activities, the annual OIG Work Plan, OIG Compliance Guidance, advisory bulletins, fraud alerts, and the information sources listed in item #1.
3. When an issue that has the potential to affect the School of Dentistry is identified, the Compliance Director prepares an assessment of the nature and seriousness of potential violations of law and the likelihood that such violations may occur based on the nature of School of Dentistry business or prior history of the organization.
4. Risk assessments are reviewed and discussed at the Compliance and Training Committee meetings, where any necessary response actions are approved, prioritized and added to the Compliance Work Plan.
5. Risk assessments are documented in the Compliance and Training Committee meeting minutes.

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Enforcement and Prevention

Approval/Effective Date: 5/12/2010

Last Reviewed: 4/27/2015

Policy: The University of Washington School of Dentistry will respond to all reports of conduct and or activity which may be contrary to applicable Federal and state laws or regulations.

Purpose: The purpose of this policy is to set forth the procedures that will be used by University of Washington School of Dentistry to respond to reports that departments or individuals are engaging in activity which may be contrary to applicable Federal and state laws or regulations.

Procedures:

Upon receipt of a complaint or other information which suggests the existence of a serious pattern of conduct in violation of compliance policies or applicable laws or regulations, an investigation under the direction and control of the Compliance Director will be commenced. The Associate Dean of Information Management and Quality Improvement and Executive Director of Health Sciences (when appropriate) will be notified immediately. The investigation will begin as soon as reasonably possible.

The Compliance Director will determine the most appropriate method of investigation under the specific circumstances of each reported or suspected violation. In undertaking this investigation, the Compliance Director may solicit the support of external auditors and counsel and internal and external resources with knowledge of the applicable laws and regulations. These persons will function under the direction of the Compliance Director and will be required to submit relevant evidence, notes, findings and conclusions to the Compliance Director. The Compliance Director will maintain documentation of all investigative actions, details and findings.

The purpose of the investigation will be to identify those situations in which the laws, rules and standards of Federal and state programs may not have been followed; to identify individuals who may have knowingly or inadvertently caused claims to be submitted or processed in a manner which violated Federal or state laws, rules, or standards; to facilitate the correction of any practices not in compliance with Federal or state laws, rules and standards; to implement those procedures necessary to ensure future compliance; to protect the University of Washington School of Dentistry in the event of civil or criminal enforcement actions, and to preserve and protect the assets of the University of Washington School of Dentistry.

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Organizational Response

Approval/Effective Date: 8/9/2011

Last Reviewed: 4/27/2015

Policy: Violations of the Compliance Program or any applicable Federal or State laws or regulations uncovered as a result of an investigation or any other means will be addressed as appropriate to the situation. University of Washington School of Dentistry will take reasonable steps to prevent inappropriate activity from recurring.

Purpose: The purpose of this policy is to set forth the procedures that will be used by the University of Washington School of Dentistry to respond to violations of the Compliance Program or any applicable Federal and State laws or regulations.

Procedures:

If, through an investigation or by any other means, the School of Dentistry uncovers inappropriate activity on the part of any faculty member, staff, student or business unit, it will undertake the following steps as it deems warranted by the severity and extent of the suspected violation.

Evaluation of Extent and Severity: In determining the appropriate action steps, the School of Dentistry will base its decision in part on an evaluation of the size and scope of the potential violation. In addition, the School will take into account if billing or other problems appear to be the result of conduct which is intentional, willful, or carried out with reckless disregard for the law.

Discipline: University of Washington School of Dentistry will initiate appropriate disciplinary action against any faculty, student or staff member who has failed to comply with the School of Dentistry's Compliance Program policies, procedures, and standards of conduct. Sanctions will be applied in accordance with relevant staff personnel policies, faculty bylaws and/or faculty code, and student policies and/or student code as appropriate to the situation. Sanctions will be consistently and fairly applied. Such discipline may result in termination in certain situations. This applies to all faculty, students and staff of the School of Dentistry, regardless of position.

Claims Submission: The School of Dentistry will correct any defective claim submission processes as quickly as possible. In the event continued billing could result in improper payments, the School of Dentistry will immediately stop all billing related to the problem until such time as the offending practices are corrected.

Improper Payments: If the billing or other problem results in improper payments, the School of Dentistry will calculate and repay to the appropriate governmental entity duplicate payments or improper payments resulting from the act or omission.

Notification: The School of Dentistry will notify the following agencies, depending on the extent and severity of the suspected violation:

When only Medicaid is involved, Washington Health Care Authority will be notified. In the event that both Medicare and Medicaid claims are involved, the University of Washington School of Dentistry will notify the programs through the local United States Attorney's Office or the local office of the United States Department of Health and Human Services Office of the Inspector General Division, as counsel for the University of Washington School of Dentistry deems appropriate.

Education and Training: As appropriate, the School of Dentistry will promptly undertake an education program to prevent future related problems.