



## Home Health Foundation

### Corporate Compliance

#### Annual Required Education

- What is Compliance?
- Why do we have a Corporate Compliance Program?
- Who administers the Corporate Compliance Program?
- What are my responsibilities under the Corporate Responsibility/Standards of Conduct?
- What should I do if I suspect a violation of our Standards?
- What is the Compliance Hotline?

The Mission Statement of Home Health Foundation (HHF) provides for the organization's ethical standards.

HHF Mission Statement: Home Health Foundation is committed to creating and delivering innovative and responsive community health programs which provide effective and compassionate care.

Our commitment to excellence begins with our commitment to the highest ethical standards. No organization can achieve its mission without the commitment of each and every employee. It is through our employees that we succeed in reaching our goals. HHF provides general guidance and direction regarding ethical and legal business practices and behavior. It is the foundation of our Corporate Compliance Program. Every employee is expected to be familiar with, understand and follow the principles set forth in the Standards.

Since the importance of ethical and legal behavior cannot be understated, HHF requires annual compliance training for all staff members. In order to help in this training, HHF has developed this self-study course which reviews the general principles defined in the Standards. HHF has also crafted a Corporate Compliance tab on the employee Education [Website](#). The intended audience is general healthcare staff.



The information in this booklet should be reviewed with the Corporate Responsibility/Standards of Conduct. After reading through these documents, the self-study test should be taken, recording your answers on the answer sheet. You should give your test to your supervisor for review and to help you to correctly answer any question you may have missed. You should then sign the affidavit to document that you have read the Corporate Responsibility/Standards of Conduct. Your supervisor will keep your forms on file. Annually, and prior to your performance evaluation, you must complete your required compliance education.

### **What do we mean by compliance?**

Compliance means following a rule or request. In the healthcare setting, when we speak of compliance we mean following the rules, regulations, policies and laws created by the government, insurance companies and payers.

### **What do we mean by ethical behavior?**

We simply mean doing the right thing. Ethical conduct goes beyond what is allowed by laws and regulations. It takes into account the Core Values HHF has adopted.

### **What is HHF's philosophy regarding compliance and ethical behavior?**

HHF will fully comply with all applicable federal and state laws, regulations, standards and other compliance requirements at all levels of government and with state practice acts. We will not pursue any business opportunity that requires unethical or illegal activity.



### **How does HHF inform its employees of our commitment to ethical and legal conduct?**

HHF's Corporate Responsibility/Standards of Conduct describes our commitment to the highest ethical and legal standards and provides guidance to our staff regarding issues that may be faced. The Corporate Responsibility/Standards of Conduct is available on the Education Website.

### **What is the Corporate Compliance Program?**

The Corporate Compliance Program is our practical means of monitoring activities to make sure they follow our Corporate Responsibility/Standards of Conduct.

The Program includes the elements of an effective compliance program as defined by the U.S. Federal Sentencing Guidelines. The elements of our Compliance Program are:

1. Written standards of conduct and policies and procedures.
2. Designation of a Corporate Compliance Officer with direct access to the Board of Directors.
3. Education and training for all new hires, with annual training for all staff.
4. Processes to receive anonymous complaints and to allow complaints from staff without fear of retaliation, such as a hotline.
5. Systems to respond to allegations of wrongdoing and to enforce disciplinary action against employees who have violated the Corporate Responsibility/Standards of Conduct.

6. Audits to identify potential problem areas.
7. Effective means to take corrective action to remedy and weaknesses that may be found within our processes that could lead to violations of our Corporate Responsibility/Standards of Conduct.

### **Why do we have a Corporate Compliance Program?**

HHF has established our Corporate Compliance Program to assist our organization in promoting our commitment to the highest ethical and legal standards. The Corporate Compliance Program provides education related to our Corporate Responsibility/Standards of Conduct and other topics related to compliance as needed, conducts investigations into alleged wrongdoing, and performs monitoring activities, such as audits, to assess areas of risk within the organization. It is through this pro-active approach that we are able to maintain the highest ethical standards.

### **How do I know if a decision I make meets the requirements of our Corporate Responsibility/Standards of Conduct?**

It is sometimes difficult to determine what the right decision is. There could be two possible actions to take, both with their benefits and drawbacks. If you take a moment to consider your options and ask yourself a few questions it may make your decision easier.



1. Is there a law or regulation that governs this situation? (If there is, then the law should be followed at all times.)
2. Is there an internal policy or procedures that govern the situation? Would my action be consistent with HHF's Corporate Responsibility/Standards of Conduct?
3. How would my actions be seen by someone outside the organization?
4. Would I feel comfortable explaining my actions to my friends and family?
5. What would the most ethical person I know do?

### **What is the rationalization trap?**

Sometimes it is difficult to choose the "right" decision. Doing the right thing is not always easy. We have faced situations where we are tempted to take the easy way

out even if it is not the best way. Try to avoid these excuses for behavior that might not meet the requirements of our Standards.

- All the other hospitals are doing it this way
- No one will ever know
- I don't have time to do it the right way
- I saw my supervisor doing it the other day
- That policy isn't meant to apply to me
- After all I have given the organization, I deserve something in return

### **Who can help me when I am not sure if a situation meets the requirements of our Corporate Responsibility/Standards of Conduct?**

If you need help figuring out if there is a law, regulation, policy, procedure or standard that would affect a situation you are faced with, there are many resources available to you.

- Discuss the situation with your supervisor
- Contact the Compliance Officer
- Contact Human Resources
- Contact the Compliance Hotline (978-552-4300)

### **Who is the Corporate Compliance Officer?**

Donna Beaudin has been designated the Corporate Compliance Officer. Ms. Beaudin reports directly to the CEO/President and has access to the Board of Directors.

### **What is my responsibility when it comes to Compliance?**

EVERY employee is required to follow the Corporate Responsibility/Standards of Conduct. That means we all must obey all laws and regulations that govern our organization. We are also required to conduct our activities under the highest ethical standards. If you are aware of the violation of the Corporate Responsibility/Standards of Conduct, it is your OBLIGATION to report it. Violations of our Corporate Responsibility/Standards of Conduct are taken very seriously and may lead to disciplinary action up to and including termination.



## What types of laws and regulations are we generally talking about when we talk about Corporate Compliance?

The number of laws and regulations that apply to healthcare organizations are too numerous to count. Many of the laws and regulations that are usually thought of in terms of compliance are put forth by the federal government. Healthcare fraud has become the focus of many national investigations over the past few years. Frequently, the investigations focus on the intricate regulations related to filing claims for payment of services. There are other laws and regulations that may impact the general healthcare staff on a day-to-day basis.

## What is the False Claims Act?

The Federal Government enacted the False Claims Act (FCA) to prohibit the knowing submission of false or fraudulent claims to the federal government, including Medicare. Penalties for violating the FCA can be up to three times the amount of the payment received on the claim, plus additional amounts up to \$11,000 per false claim. False claims can also result in exclusion from the Medicare and/or Medicaid programs.



How does HHF prevent violations of the False Claims Act?

HHF has established policies and procedures that reinforce our commitment to the highest ethical standards when it comes to submitting claims for payment to any payer. These policies and procedures are available via the Chief Financial Officer. Consistent with the FCA, we encourage employees, vendors and contractors to report to us suspected improper conduct without fear of retaliation.

## What is healthcare fraud?

Generally, when you hear the term healthcare fraud it is referring to an intentional deception or misrepresentation that could knowingly result in benefit to the individual or the organization the individual represents. Some examples of fraud include:

- Billing for services or supplies that were not actually furnished
- Signing blank records
- Falsifying information on records
- Selling Medicare numbers



- Offering incentives to Medicare patients to receive services when the same incentives are not offered to non-Medicare patients
- Offering bribes, payment or incentives in exchange for healthcare referrals
- Misrepresenting services as covered and medically necessary when they are in fact not.
- Assigning diagnoses and procedures Standardss based upon coverage requirements and not based upon the actual services performed and the actual patient diagnosis

### **What is healthcare abuse?**

Abuse is very similar to fraud. In healthcare, abuse consists of practices that lead to unnecessary costs to healthcare payers. Abuse is different from fraud in that with abuse there is no evidence that the act was committed intentionally and knowingly. Some examples of abuse are:

- Charging excessively for services and supplies
- Providing medically unnecessary services or services that do not meet professional standards
- Billing Medicare based upon a higher fee schedule than other payers
- Billing Medicare as primary when it is really secondary

### **What are some of the actions all healthcare workers should take to prevent fraud or abuse?**

Much of the information that is entered into our computer systems ends up on the claims we submit for payment to the Medicare program. So, although you may not actually be the person who sends the claim out, the information you record may impact the information submitted for payment.

- Make sure that the charges entered are for services and supplies that were actually rendered to the patient you are charging. Make sure there is adequate documentation in the patient's medical record to support the charges
- Make sure that the information entered in the medical record and the computer is accurate and complete. All entries in the medical record must be signed

- If registering a patient, make sure you complete the Medicare Secondary Payer Questionnaire accurately and completely
- Do not charge patients differently based upon the type of insurance coverage they have
- Protect confidential healthcare information, including patient insurance numbers and Social Security numbers
- Do not enter into arrangement with physicians that will reward them financially for the number of referrals to HHF
- Do not disguise medically unnecessary services as medically necessary by inaccurate charging of the service provided, inaccurate documentation in the medical record, or inaccurate reporting of the patient diagnosis Standards
- Immediately report any instances of suspected fraud or abuse to your immediate supervisor, the Compliance Officer or the Compliance Hotline

### What is a conflict of interest?

A conflict of interest exists when your judgment could be affected because you have a personal interest, other than your compensation from HHF, in the outcome of a decision over which you have influence or control. When we say personal interest, we mean that you or a member of your family could obtain financial gain as a result of the decision. Our decisions on vendors we do business with must not be influenced by gifts from the vendor.



Under no circumstances, should an employee accept cash gifts or gift certificates from any company doing business with or seeking to do business with HHF.

A potential conflict of interest exists when you or a member of your family works for or has a financial relationship with:

- A company that does business with HHF
- A company that is seeking to do business with HHF
- A company that competes with HHF



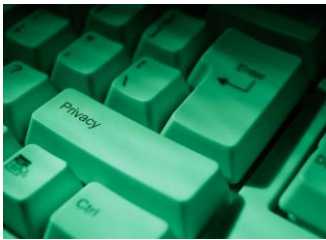
## What is my responsibility when it comes to reporting a potential conflict of interest?

If you think you have a conflict of interest based upon either your relationship with another company or the relationship of your family member with another company, complete the Conflict of Interest Disclosure Form.

- Employees and workforce members are required to complete the form annually with their annual performance review
- Conflict of Interest disclosures are discussed with the appropriate Executive Team Member

## What is HIPAA?

The Health Insurance Portability and Accountability Act is a federal law that addresses many different aspects of health care. For all healthcare professionals,



HIPAA sets out standards regarding protection of confidential patient data. Every day that you report to work you have access to confidential information regarding our patients. We are required to take every precaution to protect the confidentiality of patient data.

- Access patient information only to the extent that it is required in order to fulfill our job responsibilities
- Use only legitimate and authorized means to collect patient information and, whenever possible, obtain it directly from the patient
- Do not reveal any patient information unless it is as part of a legitimate business or patient care purpose
- Do not discuss health information about a patient with any person unless it is in connection with your work, permitted by law and authorized by HHF
- Be aware of your surroundings and guard against visitors and third parties needlessly overhearing patient health information
- Protect the confidentiality of our patient's medical records by accessing them only for legitimate patient care or business purposes
- Remember that employees who are treated in our facilities are our patients. Their records and health information are just as confidential as non-employees. Access their records only for legitimate business purposes.

## What do you mean when you refer to fair and equitable treatment of employees?

HHF recognizes that the most important asset the organization has is its employees. HHF will provide all employees non-discriminatory terms, conditions and privileges of employment in accordance with the law, regardless of race, color, religion, national origin, sex, sexual orientation, age, disability or any other factor protected by applicable law.

## What do I do if a government agency asks for information?

First of all, HHF will comply with all requests for information as required by law. All requests from any regulatory agency should be complied with accurately and timely and in accordance with the laws that govern such requests.

Requests from government agencies are sometimes of your normal job functions. For example, if you receive Medical Records, you may get requests from the program for patient records before a claim is paid. These types of requests are referred to as routine requests.



received as part  
work in  
Medicare  
These types  
Routine

requests should be handled as part of your normal job function, and, of course should be completed timely and accurately.

Non-routine requests might be notification of an investigation, a subpoena, an affidavit, a warrant or a request for a list of records. HHF will respond to these requests. As an employee of HHF, when you receive such a request, your first obligation is to notify Medical Records. Employees must not obstruct any investigation into the business or legal practices of HHF. HHF will always cooperate fully and completely with any valid and appropriate government inquiry concerning the business or legal practices of HHF.

## How do I report a suspected violation of our Corporate Responsibility/Standards of Conduct?

It is every employee's responsibility to be the eyes and ears of the Corporate Compliance Program. The organization's reputation depends upon you doing your part to report any questionable ethical actions or suspected violations of our Corporate Responsibility/Standards of Conduct. Reporting suspected violations in

good faith gives us the opportunity to investigate the matter and take corrective action, if warranted. Supervisors are encouraged to listen to their employees' concerns and to take the appropriate action. Your supervisor should be your first contact for reporting suspected violation. If you are not comfortable speaking with our supervisor or you don't feel that your supervisor took appropriate action, you may go to the next-level manager. If you are not comfortable discussing your concern with your next-level manager or you do not feel that the problem was dealt with appropriately, you may contact one of the following:

Human Resources  
Corporate Compliance Officer  
Compliance Hotline

### **What is the Compliance Hotline?**

The Compliance Hotline is another way to report suspected violations. It is available 24 hours a day, 7 days a week. You may report concerns to the Hotline using your name or anonymously. Anonymity is protected to the fullest extent possible.



### **Who should use the Compliance Hotline?**

The Compliance Hotline is not meant to replace your normal reporting mechanisms and it is not intended for the reporting of Human Resource issues. It should be used only in those situations where you are not comfortable reporting a concern to your supervisor or next-higher level manager or if you feel that appropriate steps have not been taken to address your concern. The Compliance Hotline number is: **978-552-4300**

Thank You.

