



CORPORATE COMPLIANCE

Employee Handbook



JANUARY 1, 2020

Corporate Compliance Program

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CORPORATE COMPLIANCE HOTLINE 802-447-2719

Corporate Compliance Plan and Integrity Program

Code of Ethics

Dear Employee:

Our corporate compliance plan has been developed to provide our employees with an overview of our facility's code of ethics. It is always our goal to act with the highest ethical standards and integrity.

Our corporate compliance plan and integrity program, along with our facility's operational policies and procedures provide our employees, Veterans/Members, consultants, contractors, vendors, etc., with a clear understanding of the professional, legal and personal expectations of the goals we strive to achieve on an ongoing basis.

As an employee of our facility, you have the responsibility to read our compliance plan and code of ethics carefully and completely. Appropriate in-service training programs are conducted upon your initial employment and periodically throughout your employment to assure that you are familiar with and follow our compliance program and code of ethics.

Should you have any questions concerning your responsibility in complying with our facility's compliance plan or code of ethics, please speak with your supervisor or with our facility's Corporate Compliance Officer.

Sincerely,

Melissa A. Jackson, MBA, FACHCA
Chief Executive Officer

Corporate Compliance Program Plan

Providing Quality Care and Services

Our facility is committed to providing quality care and services to our Veterans/Members. We will:

- Treat all Veterans/Members with dignity, respect and courtesy in a manner that respects each Veteran's/Member's background, culture, religion, and heritage.
- Provide medical care, treatments, and services within our capability to our Veterans/Members without regard to race, color, creed, national origin, age, sex, gender, religion, disability, marital status, financial status, or other classification protected by law.
- Listen to and do our best to understand the needs of our Veterans/Members, families and visitors and act promptly to resolve grievances or complaints.
- Encourage Veterans/Members to participate in decisions regarding their medical care and treatments, and in the development of their plan of care.
- Ensure that clinical duties are performed in accordance with current acceptable professional standards of practice.
- Ensure that staff attend and participate in training programs that address resident care issues in an environment that supports teamwork and quality of care.
- Conduct appropriate background checks and verify credentials, licenses, certifications, etc., as well as qualifications of health care professional providing care or services to Veterans/Members of our facility.
- Provide Veterans/Members with an opportunity to choose medical care, services, pharmacies, equipment, etc., from available sources within our community or service area.
- Transfer Veterans/Members in accordance with established policy that provides for continuing care based upon the Veteran's/Member's assessed needs at the time of the transfer.
- Adhere to the Veteran's/Member's Bill of Rights as set forth in the Medicare and Medicaid Conditions of Participation where applicable as well as other applicable laws or regulations governing resident rights.

Compliance with Laws, Regulations and Guidelines

Our facility will provide healthcare services and conduct our business affairs in compliance with applicable laws, regulations and professional standards. We will:

- Refrain from engaging in illegal business practices, including bribery, kickbacks or payoffs intended to induce resident referrals, admissions, favorable terms or treatment, or for the purchase of goods or services.

- Refrain from entering into employment or other agreements with an individual or firm that has been excluded from participation in federal or state reimbursement programs or per the State of Vermont Suspension and Debarment Policy and Procedure.
- Market and advertise truthfully and accurately.
- Comply with current laws, rules, regulations and guidelines that apply to our facility and the types of services provided.
- Conduct business relationships and enter into transactions with physicians, providers, consultants, clinical practitioners and vendors and entities/agencies in a manner which, at a minimum, meet the following criteria:
 - Specifically defines the transaction and the respective parties' duties and obligations; and
 - In the case of purchase or sale of real or personal property, goods or services, the real or personal property, goods and/or services are specifically identified in the agreement; and
 - Amounts paid or received by the facility shall be consistent with fair market value; and
 - Transactions shall be commercially reasonable and conducted at arms-length.
 - Shall be compliant with State of Vermont Bulletin No. 3.5 "Procurement and Contracting Procedures"
- Conduct financial matters in a manner consistent with generally accepted accounting principles and in accordance with guidelines established by current Medicare and Medicaid Cost Reporting and Consolidated Billing requirements.
- Comply with current OSHA, CDC and Risk Management reporting policies and requirements.

Safeguarding Assets, Property and Information

Our facility will use its resources wisely and will be accountable for their proper use. We will:

- Maintain, preserve and be responsible for our facility's assets, property, facilities, equipment and supplies, as well as employee and resident property, which is our legal responsibility.
- Report work-time records accurately and use worktime responsibly.
- Ensure that facility property is disposed of appropriately and in accordance with established State of Vermont policies.
- Use E-Mail and Internet, as well as other electronic communications responsibly.
- Release facility financial and other related information only in accordance with current law and State and facility policies governing the release of information.
- Introduce computer programs, software, or files into our computer system only when authorized by the Agency of Digital Services, Chief Executive Officer or governing board.
- Safeguard passwords and security codes to protect both our facility and the user. The sharing of passwords or security codes is prohibited.

- Prohibit others from using a computer terminal after an employee is logged on or when the employee is entering his/her password or code.

Respecting and Protecting Confidentiality of Information

Our facility will respect and protect the use of and/or release of confidential information concerning our business, Veterans/Members, or employees. We will:

- Maintain confidentiality of our business information and release such information only to authorized individuals or agencies with a need-to-know or in accordance with current laws and regulations and State of Vermont polices governing the release of information to federal/state agencies as the result of our facility's participation in the Medicare or Medicaid Programs.
- Maintain confidentiality of information concerning our Veteran's/Member's medical treatment, finances, assessments, etc., by only using and sharing such information according to applicable laws, regulations, guidelines, and State of Vermont policies.
- Follow our facility's established policies and procedures with respect to the proper authorization and disclosure of confidential information.
- Limit restricted information to those who need to know.
- Respect the Veteran's/Member's privacy and information by discussing confidential information at appropriate times and in appropriate places.
- Prohibit the release of business/resident information without appropriate approval and only in accordance with facility and State of Vermont Personnel Policies and established procedures. This includes but is not limited to the release of computer data files, financial information or reports, resident lists, charges or fee structure, computer programs, or other organizational information.

Coding, Billing and Collection Practices

Our facility is committed to integrity in our coding, billing and collection practices. We will:

- Maintain honest and accurate records of services provided to each resident.
- Follow current coding principles and applicable billing laws, regulations and guidelines to facilitate the proper documentation, coding and billing of claims.
- Take necessary steps to prevent the submission of claims for payment and reimbursement of any kind that are fraudulent, abusive, inaccurate or medically unnecessary, including, but not limited to the following:
 - Knowingly billing for items or services that do not meet industry/facility standards/guidelines for medical necessity.
 - Knowingly submitting claims to third party payors for items or services not ordered or certified by the appropriate healthcare professional.

- Knowingly submitting false claims to Medicare Part A for Veterans/Members who are not eligible for such coverage.
- Knowingly providing misleading information about a Veteran's/Member's medical condition or upcoding the resident assessment (MDS) to obtain a higher level of reimbursement.
- Knowingly billing for items covered under the facility's basic per diem rate or reimbursed by a third-party payor.
- Unbundling claims (submission of bills in a fragmented fashion to maximize reimbursement if guidelines require the services be billed as one unit).
- Submitting duplicate bills (more than one claim for the same service).
- Forging a healthcare professional or beneficiaries' signature on documents used to verify that such services were ordered and/or provided.
- Knowingly falsifying information contained in and/or knowingly filing a fraudulent cost report.
- Failing to maintain documentation consistent with professional/industry standards that support the diagnosis, justifies treatment, and documents the course of treatment and results.
- Take immediate steps to correct billing errors, alert the payor of such discovery and promptly refund any over payments.
- Provide an effective process to resolve resident billing issues.
- Pursue collection of accounts in a professional manner and in accordance with facility policy.

Promoting Fair Employee Treatment

Our facility is committed to providing a work environment that promotes equal employment opportunities and compliance with all matters relating to employment issues. We will:

- Demonstrate appropriate respect and consideration for one another.
- Apply the State of Vermont Personnel Policies and Procedures and the Collective Bargaining Agreements fairly and equitably, consistent with applicable legal requirements.
- Hire, train, promote and compensate employees without regard to race, color, creed, national origin, age, sex, gender, marital status, religion, disability, or other classification protected by law.
- Maintain a work environment free from harassment, disruption, intimidation, or hostility.
- Encourage open expression of concerns and use of our problem-solving process without fear of retaliation.
- Protect an employee's job status, working conditions or employment relationship if he/she, in good faith, reports abuse, mistreatment, neglect or violations of our compliance program or established facility policies and procedures.

Conflicts of Interest

Our facility will conduct its business affairs with integrity, honesty, and fairness to avoid conflict between personal interests and the interest of our facility as outlined in State of Vermont Personnel Policies 5.2 (Conflicts of Interest Arising from Employment) and 5.6 (Employee Conduct). In addition to these State of Vermont Personnel Policies, VVH employees must comply with the following facility-specific requirements:

- Employees may not accept, either directly or indirectly, compensation, gifts, cash, services, or any items of value from physicians, vendors, clinical practitioners, consultants, Veterans/Members, their families, visitors, or others in exchange for favorable treatment, referral of Veterans/Members, items, or services.
- Employees must avoid accepting or providing benefits that could be construed as conflicting with our facility's legitimate business and personal interests, including without limitation, meals, gifts, refreshments, transportation, or entertainment provided or received in connection with your job or position.
- Employees and/or agents involved in the negotiation of contracts for our facility shall ensure that all statements, communications, and representations are accurate, complete, and truthful and comply with applicable laws and regulations.
- Employees may not ask for or provide, directly or indirectly, compensation or gifts of cash, services or any items of value to physicians, vendors, clinical practitioners, consultants, Veterans/Members, their families, visitors, or others in exchange for referrals or items or services provided by or at our facility.
- Employees in possession of, or who have access to, resident/provider information shall maintain such information to protect against improper access or use by individuals who do not have authority to access or use such information.
- Employees must avoid involvement, directly or indirectly, in outside commercial interests that could influence the actions of the employee in their official capacity. This may include, without limitation, endorsing products or services on behalf of our facility or Veterans/Members without explicit prior consent or approval from the facility or Veterans/Members.
- Employees must avoid any actions that involve, or that may reasonably be construed, as improperly influencing them or giving rise to an actual or potential conflict of interest with our facility or its business obligations, including without limitation, placement of business with a firm wherein the employee has a direct or indirect interest or employment or financial relationship with a competitor.
- The placing of facility business with any firm in which there is a family relationship must have written approval from the Office of Finance and Management.
- Token promotional items, such as key chains, pens, or pencils marked with the donor's name, are not considered inappropriate when given in individual or limited quantities.
- Food items presented to an entire neighborhood or department are not considered inappropriate.

Maintaining a Safe Environment

Our facility is committed to providing our Veterans/Members, their families, visitors, and staff with a safe and healthful environment. We will:

- Identify, correct, repair and/or report unsafe practices, conditions or potential hazards that may violate a rule, regulation or safety standard to appropriate facility personnel and/or government agencies as required by current law and regulations.
- Use care in the handling and disposal of medical waste or other potentially infectious materials.
- Take necessary steps to prevent and respond in a prompt and appropriate manner to any incidents of threats of violence, and immediately report such information to a supervisor and law enforcement agencies.
- Follow the manufacturer's guidelines when using equipment, property and medical products.
- Take necessary steps to identify and eliminate hazards to the health and safety of employees, Veterans/Members, and visitors.
- Take necessary steps to prevent and respond in a prompt and appropriate manner to any employee use, manufacture, distribution, dispensation, or possession of illegal drugs either on or off the job, use of non-prescribed controlled substances, or from reporting to work under the influence of alcohol or illegal drugs.

Compliance Concerns and Reporting Guidelines

It is the responsibility of all employees, contractors, physicians, Veterans/Members, family members, consultants, vendors, and anyone else acting on behalf of our organization to follow all laws, regulations and guidelines set forth by our facility and applicable government agencies. Should you believe a violation has occurred, or you suspect a violation:

- Report your concern to your supervisor or you may report such information directly to the Corporate Compliance Officer.
- If you wish to remain anonymous, file a written, typed or computerized report to our Corporate Compliance Officer. Anonymity/confidentiality is subject to the provisions and procedures of any applicable Collective Bargaining Agreement (CBA).
- Should you choose to identify yourself, your identity will be protected as permitted by the applicable CBA and/or applicable regulations/statutes.

The Corporate Compliance Officer will investigate all reported incidents.

Our facility is committed to ensuring that persons reporting violations can report such concerns without fear of retaliation. Our compliance officer or designees will investigate immediately any potential violations of our non-retaliation policy. Substantiated violations may result in disciplinary action, up to and including termination of employment; as outlined by the CBA and State of Vermont Personnel Policies.

Employee Rights and Obligations for Government Inquiries

Please Note: The Information Provided Below Does Not Apply to State and Federal Survey Visits, or internal investigations performed by the Department of Human Resources or VVH

- Employees should be aware that they may be contacted individually at home or at work by government investigators
- Employees have the right to refuse to talk to investigator or refuse to be interviewed unless they have an attorney to represent them. It is not an indication of guilt to request an attorney, but a commonsense decision to have the assistance of someone who understand the context of the government investigation and how to protect the individual rights. The Vermont Veterans Home will provide counsel to represent the employee in appropriate circumstances.
- Employees have the right to refuse to speak to investigators. Employees are advised that making a false statement to a government investigator may subject the employee to criminal sanctions.
- Once an employee is aware of an ongoing government investigation no documents in any way related to the investigation will be destroyed or discarded. Doing so may subject the employee to criminal sanctions.
- After an investigation has begun, employees should not speculate about the nature of the investigation or create written or electronic documents related to the investigation.
- If contacted by government investigators, employees should notify the Chief Executive Officer Chief Operating Officer or Compliance Officer.
- Employees are not to offer or grant access to the facility's documents. All requests for documentation will be handled by the CEO, COO, DHR, or Attorney General's Office.

Employee Attestation Statement

I have reviewed and received a copy of the facility's Corporate Compliance Plan and Code of Ethics as a part of my compliance training. I understand, acknowledge, and accept its contents as they relate to my job position. I have also had the opportunity to ask questions and discuss any aspects of the facility's compliance program.

Further, I have no knowledge of any transactions or events that appear to violate the facility's compliance program or code of ethics. I acknowledge my affirmative obligation to adhere to the principles and standards of the facility's compliance program, code of ethics, established policies and procedures, and my responsibility to report any violations or suspected violations of such data.

I understand that I have the right to remain anonymous in any report filed with the compliance officer, subject to the provisions of the CBA and/or any applicable law. I also recognize that in the event an investigation by federal or state authorities is conducted, those organizations may require me to serve as a witness and that, in this case, I may no longer maintain anonymity.

I understand that the facility has a policy of non-retaliation against persons reporting compliance program violations or suspected violations.

I understand that if I am directly implicated in a compliance investigation, and if my presence threatens the conduct of an investigation, the facility is obligated to remove me from my position pending the outcome of such investigation, subject to the provisions and procedures of any applicable CBA and State policies.

I understand that if I am named to any list of individuals excluded from participation in federal or state reimbursement programs, my employment with this facility may be terminated after compliance with the provisions and procedures for such actions as outlined in any applicable CBA and State policies.

Employee's Printed Name: _____

Signature of Employee: _____

Date: _____

Printed Name of Witness: _____

Signature of Witness: _____

Date: _____