

# Mt. Macrina Manor Corporate Compliance



## **CODE OF ETHICAL CONDUCT**

APPROVE: 5/24/07

REVIEWED: 1/21/13

REVISED: 10/9/14, 4/9/15,  
4/23/15, 10/26/15, 8/25/16,  
10/18/16

# **CORPORATE COMPLIANCE CODE ETHICAL CONDUCT**

We, the Administration, along with the Board of Directors of Mt. Macrina Manor, are committed to providing the care and services necessary to attain and maintain each resident's highest practicable physical, mental, psychosocial well-being. We are also committed to upholding all legal and ethical standards as we conduct the business of Mt. Macrina Manor with residents, resident families, vendors, suppliers and other healthcare providers.

The purpose of the Code of Ethical Conduct is to educate our employees, independent contractors and volunteers about issues relating to compliance with Federal, state, and local laws and other regulatory agencies. It sets forth a Code of Ethical Conduct for personal and professional behavior expected while conducting business that relates to Mt. Macrina Manor. It also informs employees, contractors, suppliers, interns, companions, and volunteers about their obligations to report any information that they believe might be a violation of the accepted standards or laws. It also provides information about whistleblower protections provided under federal and state law that protect individuals who report fraud, waste and abuse in healthcare programs or reasonable suspicion of a crime against a resident or person receiving care at Mt. Macrina Manor.

As Administrator of Mt. Macrina Manor, I require that all employees, contractors, suppliers, and volunteers accept this Code of Ethical Conduct and pledge their full commitment to it. Our adherence to this Code of Ethical Conduct will allow our organization to "do what is right" as we continue our mission as a Catholic healthcare institution, offering long term care service with particular concern for the poor and those vulnerable due to age or physical infirmity.

Sincerely,

JoLynn Meyers  
Nursing Home Administrator  
Mt. Macrina Manor

# **CORPORATE COMPLIANCE CODE OF ETHICAL CONDUCT**

Mt. Macrina Manor is a Mission-driven organization which compels us to commit to our Corporate Compliance Program.

## **What is Corporate Compliance?**

At Mt. Macrina Manor, we define Corporate Compliance as our commitment to carrying out our Mission in a manner consistent with all of the laws, regulations and ethical standards that apply to our business operations. To help us accomplish this goal, all employees are required to maintain a high standard of ethical conduct at all times. You must obey the rules and laws that apply to your particular job duties and to our organization as a whole.

## **Where does Corporate Compliance come from?**

Corporate Compliance is a relatively new topic in health care. Beginning in 1996, several laws were enacted and several existing laws were utilized to curb the fraud and abuse occurring in the Medicare and Medicaid systems. Physicians, hospitals, nursing homes, and other health care providers were prosecuted for fraudulently billing Medicare for services that were never provided or were medically unnecessary.

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

A Corporate Compliance Program consists of a Code of Ethical Conduct, a written Compliance Plan and a set of policies and standards that all employees must observe in order to obey the rules and the laws which apply to Mt. Macrina Manor.

The goals of our Corporate Compliance Program are:

1. To Implement written policies, procedures and standards of conduct
2. To Designate a compliance officer and committee
3. To develop effective lines of communication
4. To educate staff on our policies by conducting effective training and education
5. To enforce standards through well publicized disciplinary guidelines
6. To prevent fraud and/or abuse of our services and/or supplies
7. To conduct internal monitoring and auditing
8. To respond promptly to detected offenses and develop corrective action

## **What is a Code of Ethical Conduct?**

The Code of Ethical Conduct explains the business rules to employees who are responsible for conducting business in an honest and ethical manner. It also provides a method for reporting violations or suspected violations of the rules and describes the disciplinary measures that will be taken.

## **What does Corporate Compliance Program require of me?**

The Corporate Compliance Program requires from each of us:

- To act and conduct business in an ethical manner consistent with our Mission.
- To ask questions when you have doubts about the ethical implications of a situation.
- In every event, you are encouraged not to guess, but to ask, if there is confusion, ambiguity, or a question related to a compliance issue.
- To report any violation or suspected violation: All employees shall promptly report any violation or suspected violation of a Corporate Compliance Program, including the Code of Ethical Conduct. Employees should not fear any threat or retaliation upon reporting what they believe, in good faith, is a possible violation.

## **How do I report violations?**

1. You may report a suspected violation directly to:  
Immediate supervisor or department director  
Your Administrator (extension 1109)  
The Director of Human Resources (extension 1134)
2. You may call the Compliance Hotline

**COMPLIANCE HOTLINE**  
**844-490-0002**

3. You may also report the suspected violation with one of the options listed below:

Website: [www.lighthouse-services.com/mtmacrinamanor](http://www.lighthouse-services.com/mtmacrinamanor)

E-mail: [reports@lighthouse-services.com](mailto:reports@lighthouse-services.com) (must include company name with report)

Fax: (215) 689-3885 (must include company name with report)

- Reports are confidential and can be anonymous if you choose.
- Follow up investigations are conducted.
- Replies will be made by the Corporate Compliance Officer to the employee.

4. You may report an issue directly to a Federal or state agency. Mt. Macrina Manor has a policy on non-retaliation for anyone reporting an issue directly to a Federal or state agency. Additionally, there are Federal and state “whistleblower” statutes intended to protect you from retaliation. Further, the Federal False Claims Act contains “qui tam” or “whistleblower” provisions which permit an individual with actual knowledge of the allegedly false claims to file a law suit on behalf on the U.S. government.
- Medicare fraud can be reported directly any anonymously to Medicare at 1-800-HHS- TIPS or 1-800-447-8477 or online at [HHSTips@oig.hhs.gov](mailto:HHSTips@oig.hhs.gov).
  - Medical Assistance (Medicaid) fraud may be reported to 1-866-DPW-TIPS or 1-866-379-8477.
  - PA Human Relations Commission – (412) 565-5711
5. Under Federal law, all employees of Mt. Macrina Manor have a responsibility to report reasonable suspicion that a crime has occurred against a resident or a person receiving care. This is to be reported to the Uniontown Police Department and the Pennsylvania Department of Health. You must make the report within two (2) hours after you first suspect that a crime has occurred if the suspected crime involves serious bodily injury to the individual or within 24 hours if there is no serious bodily injury involved. Mt. Macrina Manor cannot punish you or otherwise retaliate against you for reporting your reasonable suspicion of a crime against a resident or person receiving care from Mt. Macrina Manor. See the Bulletin Board posting and Mt. Macrina Manor’s policy on Reporting Reasonable Suspicion of a Crime (A-155).

**What happens when you do not follow our Code of Ethical Conduct and Corporate Compliance Program?**

Failure to comply can result in one or more of the following:

- Disciplinary action up to and including termination.
- Monetary fine to the individual and/or facility.
- Criminal charges and possible jail sentences to the individual of the facility.
- Exclusion from working in the healthcare field for the individual.
- Loss of Medicare/Medicaid reimbursement to the facility.

## **Do supervisors, directors, and administrators have additional compliance responsibilities?**

**Yes, including:**

- Promoting an environment that supports honesty, respect, responsibility, and integrity as well as Spirituality, Compassion, Quality, Dignity, Collaboration, Advocacy, and Stewardship.
- Demonstrating high legal and ethical standards related to all business conduct.
- Maintaining a work environment that facilitates open communication.
- Providing employees with appropriate compliance- related guidance.
- Never ignoring a questionable situation.
- Consulting with the MMM Corporate Compliance Officer to assist in resolution of legal or ethical issues.
- Evaluating employee compliance on yearly performance evaluations.

## **RULES OF CONDUCT**

### **1. Resident Rights**

The rights of our residents shall be respected. Every effort must be made to help those that we serve and their families understand and exercise their rights and responsibilities.

**Examples of this conduct are:**

- Residents are entitled to prompt and courteous responses.
- Residents have the right to be free from abuse.
- Residents may participate in and make their own health care decisions and may accept or refuse treatment.
- Residents must be treated with care, concern, and respect at all times.

### **2. Quality of Services**

We are dedicated to providing appropriate, high quality care to our residents in a skilled and compassionate manner.

**Examples of this conduct are:**

- We continuously assess the resident's needs and care plan appropriately.
- We advocate for our resident's right of choice and their participation in the care plan process.
- We accurately document all services provided in a clear, concise and readable manner.
- We provide only medically necessary services.
- We self audit to identify problems and implement plans of correction, as deemed necessary.

### **3. Resident Privacy**

We are dedicated to protecting the health and financial information of our residents.

#### **Examples of this conduct are:**

- We protect resident protected health information (PHI) by carefully keeping medical records including MARs (Medication Administration Records) and TARs (Treatment Administration Records) out of view from visitors and other residents.
- We only release protected health information (PHI) with a written consent of the resident or a Privacy Code.
- We keep our voices in soft tones when discussing a resident's PHI in a public area
- We verify the identity of the caller before we provide information over the telephone.
- We respond timely when the resident or family member (with proper authorization) request to view or receive copies of the medical record.

### **4. Document and Bill Accuracy**

We are committed to the integrity, accuracy, and reliability of the clinical records and business records we create and maintain. We are similarly committed to compliance with the Federal False Claims Act.

#### **Examples of this conduct are:**

- We accurately document all services provided in a clear, concise and readable manner.
- We code all activities of daily living (ADL)'s accurately, timely, and by the caregiver who provides care for the resident on that particular day.
- We do not alter records or remove portions of records.
- We make corrections or additions to records in accordance with the organization's policies.
- We accurately code the MDS (Minimum Data Set) and all bills.
- We fully disclose, document and correct all billing errors.
- We do not create false bills by:
  - Billing for services that were not rendered.
  - Misrepresentation of the service/supplies rendered.
  - Upcoding to more extensive service that was rendered, (such as billing for more time or units of service that provided.)
  - Submission of any false data on claims, such as date of service, provider or prescriber of service.
  - Duplicate billing for the same service.
  - Billing for services provided by unlicensed or unqualified persons.
  - Billing for used items as new.

## **5. Avoid Conflicts of Interest**

We avoid conflicts of interest that create even the appearance of influence in the decision-making process.

### **Examples of this conduct are:**

- We utilize fair business practices in obtaining all necessary goods and services at a reasonable cost.
- We avoid business situations and relationships that benefit the employee.
- We conduct business relations with contractors that are conducted at arm's length both in fact and in appearance.
- We follow our gifts policy and do not ask for or solicit tips, gifts or favors from residents, resident families or vendors/suppliers.
- We disclose all potential conflict of interest situations.
- We do not purchase items or services for personal use from Mt Macrina Manor or from a vendor/supplier under an existing contract with Mt. Macrina Manor.

We do not, as an organization or as individuals, give or receive incentives, kickbacks, gifts or anything of value in exchange for the referral of our residents or our business.

### **Examples of this conduct are:**

- We do not accept gifts, tips, entertainment or favors from any health care provider or vendor that does not meet our Gifts Policy.
- We give our residents freedom of choice to select their health care providers.
- We do not pay residents to come to our facilities, nor do we waive insurance co-payments or deductibles in return for admission to our facility.
- We refer our residents based on medical need and not for financial or personal gain.

## **6. Non-Profit/ Tax Exempt Status:**

We recognize that we must operate to serve the “public” rather than a “private” interest by making sure that the assets of the organization do not benefit any private individual.

### **Examples of this conduct are:**

- We do not take advantage of the organization's non-profit status by purchasing items tax free for personal use.
- We do not enter into arrangements that allow for compensation or benefits in excess of fair market value.
- We do not, as an organization or as representatives or the organization, engage in any political activities.

- We do not use working hours to perform paid outside activities.
- We do not use Mt. Macrina Manor's equipment, supplies or information in connection with paid outside activities.

## **7. Employee Rights**

Based on the Values of Compassion, Dignity, and Collaboration, we respect the rights of our employees and our co-workers to confidentiality, to a safe and healthful working environment and to a working environment which is free of intimidating, hostile, or harassing behavior.

### **Examples of this are:**

- We do not tolerate disrespectful treatment toward ourselves or others.
- We do not allow intimidating or harassing behavior to continue or go unreported.
- We ask the person to stop when unwelcome verbal, physical, or visual behavior from co-workers, residents, medical staff, or staff from our vendors or suppliers.
- We correct or report safety hazards that we observe.
- We believe and demonstrate through our actions that every employee has a right to a work environment free from harassment and/or discrimination.
- This includes harassment based on a person's race, color, religion, creed, ancestry, national origin, sex, age, disability, marital or veteran status, sexual orientation, and any other characteristic protected by Federal, state or local law.
- We treat confidential information about our employees and our co-workers with the same level of respect as we wish to receive in return.
- We avoid and discourage gossip about our residents, co-workers, management team, or organization.
- We do not possess, use or sell guns, other weapons, alcohol, or illegal drugs on Mt. Macrina Manor property.

**MACRINA MANOR  
CORPORATE COMPLIANCE  
CODE OF ETHICAL CONDUCT**

**Acknowledgement of Receipt and Compliance**

I, \_\_\_\_\_, do hereby acknowledge that I have received and read the  
(Please Print)  
Code of Ethical Conduct and agree to abide by it while I am an employee, contractor or other provider of Mt. Macrina Manor.

I also acknowledge that I have a duty to report any violation or suspected violation of the Code of Ethical Conduct or of the Corporate Compliance Plan. Failure to report a violation or a suspected violation or to follow the Code of Ethical Conduct will result in disciplinary action up to and including termination of employment, contract revocation, or revocation of privileges.



\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date