

## **Code of Conduct**

This Code of Conduct is part of Crouse Community Center's Corporate Compliance Program. It provides guidance to all employees, directors, agents and contractors, and assists us in maintaining appropriate ethical and legal standards. These obligations apply to our relationships with residents, affiliated physicians, third-party payors, vendors, consultants and each other. This Code of Conduct does not represent a change from Crouse Community Center's prior practices, but is a recordation and compilation of these practices. The Code of Conduct is available for review by residents and their families, physicians and independent contractors.

It is the intent of Crouse Community Center to comply in good faith and to the best of its ability and knowledge with all State and Federal laws. This Code of Conduct is not intended to be a comprehensive summary of facility standards, but instead to provide a framework for Crouse Community Center's Compliance Program policies and procedures. Many standards set forth in this Code of Conduct are expanded in detail in policies and procedures. Employees should familiarize themselves with Crouse Community Center's Compliance Program and policies and procedures applicable to their job function and seek guidance from their supervisor and /or Compliance Officer as needed. When an employee is unsure whether an activity or practice is illegal or inappropriate, the employee should not "guess" as to the correct answer. Employees should report any illegal and/or inappropriate activity or practice to the Corporate Compliance Director. Employees will not be penalized for asking compliance related questions. Crouse Community Center strives to create a culture in which every individual is comfortable asking questions about how to conform their job duties to the Compliance Program.

This Code of Conduct summarizes Crouse Community Center's commitment to meet ethical standards and to comply in good faith and to the best of its ability and knowledge with laws, statutes and regulations in the following areas:

1. Provision of quality health care services
2. Protection of resident rights
3. Integrity of billing and coding
4. Conforming business practices to laws and regulatory requirements
5. Cultivation of an ethical culture

### **1. Provision of Quality Health Care Services**

All employees shall:

- Use Professional skill and judgment when providing health care services.
- Provide high quality health care services in a responsible, reliable manner, in accordance with all applicable federal and state regulatory requirements and recognized standards of care.
- Provide health care services that are individualized for the specific needs of each resident and that attain and maintain each resident's highest practicable medical, mental and psychosocial needs, based on a

comprehensive and accurate assessment of the resident's functional capacity.

- Document the provision of health care services in a complete and accurate medical record.
- Maintain, dispense and transport all drugs and controlled substances in conformance with all applicable laws and regulations.
- Continually work to improve the quality of patient care.

## **2. Protection of Resident Rights**

All Employees shall:

- Promote the resident's right to a dignified existence that emphasizes freedom of choice, self-determination, and reasonable accommodation of individual needs.
- Provide treatment to residents without discrimination as to race, color, religion, sex, national origin, and disability, source of payment, sexual orientation, or age.
- Provide residents with considerate and respectful care in a clean and safe environment free of unnecessary restraints.
- Provide residents with information in order to make intelligent decisions. This includes information about Crouse Community Center and its policies, procedures and charges, and who will provide services on behalf of Crouse Community Center.
- Respect the right of all residents to make their own health care decisions if able. Family and/or durable power of attorney will be consulted on behalf of residents who are unable to make their own decisions.

## **3. Integrity of Billing and Coding**

All Employees involved with billing and/or coding shall:

- Bill only for necessary and appropriate items and services actually rendered, which are fully documented in the medical record. Employees will not knowingly engage in any form of up-coding of any service in violation of any law, rule or regulation.
- Take every reasonable precaution to ensure their billing and/or coding work is accurate, timely, and complies with 1) federal and state laws and regulations; 2) billing requirements imposed by federal and state programs and other third party payors; and 3) Crouse Community Center policies and procedures.
- Ensure no claims for payment or reimbursement of any kind that are false, fraudulent, inaccurate or fictitious are submitted. No falsification of medical, time or other records that are used in the billing process will be tolerated.
- Promptly investigate and correct billing issues (including making any required repayments) if errors are discovered.
- Maintain complete and thorough medical and billing records.

- Be knowledgeable of the billing policies and procedures established by government programs and private third party payors, and remain current on all applicable billing requirements by attending training seminars sponsored by Crouse Community Center, payors and/or professional organizations.

#### **4. Conforming Business Practices to Laws and Regulatory Requirements**

Crouse Community Center is committed to conducting its business affairs with integrity, honesty and fairness, and without conflict with personal interests. All Employees shall adhere to the following standards of conduct:

##### **A. Books and Records**

- All books, records and accounts, such as financial transactions, cost report, and documents used in the ordinary course of business, must accurately reflect transactions and payments.
- Absolutely no false or artificial entries or misstatements may be made.
- Crouse Community Center may not give or receive any payments (or anything else of value), or agree to a purchase price, with an intention or understanding that part of that payment will be used for any purpose other than what is listed in the document supporting the payment.
- All facts will be documented truthfully and accurately. Crouse Community Center does not conceal or fail to document any transactions.

##### **B. Gifts**

- Employees and directors may not accept or provide any benefits that could be viewed as a conflict between personal interests and Crouse Community Center business interests. Employees and directors may not accept gifts or benefits in exchange for referrals; or in exchange for the purchasing, leasing, ordering, arranging, or recommending an item or service. This includes accepting expensive meals, gifts, refreshments, transportation, or entertainment provided or received in connection with Crouse Community Center business activity. This policy applies to relationships with vendors, physicians, residents and their families, referral sources, and others. Occasional non-cash gifts that are limited to reasonable meal expenditures or entertainment or that are of nominal value, although not expressly prohibited, are discouraged. All gifts must be disclosed to the Administrator.

##### **C. Conflicts of Interest**

- No employee or director may enter into any joint venture, partnership or other risk sharing arrangement with a potential or

actual referral source unless the arrangement has been reviewed and approved by the Board of Directors.

- All employees, directors and contractors should avoid any activity that conflicts with the interests of Crouse Community Center and its patients. This includes involvement with outside commercial activities with potential customers, competitors or contractors or placing business with any entity in which there is a family relationship, ownership interest, or financial interest. All such interests or relationships must be disclosed to the Compliance Director.
- All employees and directors who are in positions to influence business decisions must submit an annual Conflicts of Interest Disclosure Statement, disclosing all business and familial interests that compete with or are associated with Crouse Community Center.

#### **D. Compliance with State and Federal Fraud and Abuse Laws**

It is against State and Federal law to pay or give anything of value to an individual, provider, or vendor to induce or reward referrals. All employees shall adhere to the following standards of conduct:

- The selection of physicians, subcontractors, suppliers, and vendors shall be made on the basis of objective criteria that include quality, technical excellence, price, delivery, timeliness, and service. Crouse Community Center will not pay incentives to employees, contractors, physicians, suppliers, vendors, or referring parties based on number of referrals. Financial relationships with entities that refer patients to Crouse Community Center will be based on the fair market value of the items or services provided and will not be in any related to the value or volume of referrals or contain an inducement to refer.
- Employees of Crouse Community Center who are in a position to make referrals must make such referrals based on the preferences of the individual seeking treatment/services or, if the individual does not express a preference for a particular provider, what is best for the individual.
- Crouse Community Center will not waive insurance co-payments or deductibles, or otherwise provide financial or non-cash benefits to individuals in order to induce such individuals to obtain health care services from Crouse Community Center.
- Crouse Community Center expects all contractors to be familiar with and comply with all applicable federal and state regulatory requirements and to conduct all business in an ethical manner.

#### **E. Confidentiality**

All employees shall:

- Ensure the confidentiality, integrity, and availability of all protected health information, electronic or otherwise (“PHI”) that Crouse Community Center creates, receives, maintains, or transmits; protect against any reasonably anticipated threats or hazards to the security or integrity of PHI; protect against any reasonably anticipated uses or disclosures of PHI that are not permitted by federal or state privacy law; and notify the Compliance Director immediately of any potential privacy or security breaches involving PHI.
- Protect residents’ rights to privacy and confidentiality of their medical records (including electronic records, internal/external door codes, computer user IDs and passwords), in accordance with HIPAA and its regulations, state law, accreditation standards, and Crouse Community Center’s policies and procedures.
- Refrain from engaging in unauthorized review or disclosure of medical record.
- Refrain from disclosing confidential or proprietary information of Crouse Community Center (such as resident lists, development plans, marketing strategies, business deals, and financial information), during or after employment.
- Refrain from inappropriate use of social media (i.e. Facebook, Twitter, Instagram)

#### **F. Employee Screening**

- Background checks will be performed on all employees as required by law.
- All potential employees will certify that they have not been convicted of any offense that would preclude employment in a nursing home facility and that they are not excluded from participation in Federal and State health care programs. All employees have an ongoing duty to notify Crouse Community Center if they become convicted or excluded.
- Crouse Community Center will not employ or continue to employ individuals who have been excluded from participation in Federal or State care programs, or convicted of crimes of neglect, violence, abuse, theft, dishonesty, financial misconduct, or other offenses relevant to the job for which they are applying.
- The OIG’s List of Excluded Individuals/Entities, the GSA’s list of barred contractors, and the New York Medicaid Sanctions List will be checked to verify that employees, vendors and contractors are not excluded from participating in the Federal and State health care programs.
- Crouse Community Center will require temporary employment agencies to ensure their temporary staff have undergone background checks that verify they have not been (1) convicted of an offence that would preclude them from employment in the facility; or (2) excluded from participation in Federal or State health care programs.

### **5. Cultivation of an Ethical Culture**

All Employees shall:

- Perform their duties in good faith and to the best of their ability.
- Refrain from illegal conduct in both personal and business matters.
- Comply with Nursing Home's records policies and procedures. Employees shall not alter or destroy Crouse Community Center documents in anticipation of or in response to a request for documents by a government agency or a court of competent jurisdiction.
- Participate in training regarding the Compliance Program and policies and procedures.
- Immediately report all suspected violations of the law, this Code of Conduct, the Compliance Program, or any Crouse Community Center policy or procedure, to the Compliance Officer or by using the hotline.
- Follow Crouse Community Center's policy and procedure regarding mandatory reporting of incidents and events to the proper authorities.
- Immediately notify their supervisor upon receipt of an inquiry, subpoena (other than for medical records or other routine licensing or tax matters) or other government request for information regarding Crouse Community Center.

## **Corporate Compliance Program Acknowledgement**

All employees, directors, contractors, volunteers, and other persons representing Crouse Community Center are required, as a condition of employment (or other identified relationship), to comply with the Compliance Program and Code of Conduct. This form acknowledges receipt of the Compliance Program and Code of Conduct and commitment to comply.

I acknowledge that I received a copy of the Compliance Program, including the Code of Conduct, and read it in its entirety. I was also given a meaningful opportunity to ask questions about the Compliance Program. I agree to comply with the Compliance Program, and to report any violations or suspected violations of the Compliance Program to my immediate supervisor, the Compliance Director, and /or via the hotline. I further agree that if I have questions about the Compliance Program at any time, I will seek guidance from the Compliance Program and policies and procedures; my immediate supervisor; and /or the Compliance Director, as appropriate. Except as written below or on the attached document, as of this date I have no knowledge of any transactions or events that appear to violate the Compliance Program. I understand that compliance with the Compliance Program is a condition of employment, and violation of the Compliance Program will result in discipline up to and including possible termination. I also acknowledge that the Compliance Program does not represent an employment agreement and that my employment is "at will". Compliance manuals are located on each unit and with each department head.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name & Title

\_\_\_\_\_  
Date:

Please check the most Appropriate:

- Employee
- Director
- Medical Staff
- Contractor (please identify: \_\_\_\_\_)
- Other (Please identify: \_\_\_\_\_)

This form will be collected following the New Employee Orientation or Compliance Training, and is required to be in your personnel file as a condition of employment. The Compliance Program Code of Conduct will be acknowledged on an annual basis.