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Owner	Sheryl Knapp: Compliance & Privacy Manager
Area	Compliance & Privacy
References	§460.71

Code of Conduct Policy

Purpose:

The purpose of this policy is to ensure all Comprehensive Senior Care Corporation staff abide by the Code of Conduct. The reputation of Comprehensive Senior Care Corporation is determined based on the performance of each individual employee. To protect our reputation, grow our business and to treat our participants with the respect that they deserve, Comprehensive Senior Care Corporation employees are expected to adhere to the highest professional standards. Comprehensive Senior Care Corporation expects all employees to maintain a professional relationship with our participants. All employees are expected to comply with all applicable laws and regulations, professional and ethical standards and the policies outlined in the Comprehensive Senior Care Corporation Employee Handbook. Any employee who is uncertain how a law, regulation, standard or policy might apply to a situation should ask for clarification from his or her supervisor.

Policy:

It is the policy of Comprehensive Senior Care Corporation that all staff will abide by the Code of Conduct.

Procedure:

1. All Comprehensive Senior Care Corporation staff will be educated on the Code of Conduct upon hire.
2. All Comprehensive Senior Care Corporation staff will sign the acknowledgement of the Code of Conduct and it will be retained in his/her human resource file.
3. Employees who are found not to be in compliance with the Comprehensive Senior Care Corporation Code of Conduct will be subject to disciplinary action.
4. The Code of Conduct will be reviewed annually and updated accordingly.

Comprehensive Senior Care Corporation Code of Conduct

Important Phone Numbers

Compliance Hot line: (877) 233 - 4357

Comprehensive Senior Care Corporation Human Resources: 269-888-6119

CORE VALUES SPEECH

COMPASSION

- Strong desire to serve those in need
- Selfless

Our main principle of leadership is to serve first...to serve those for whom we are entrusted to care and to serve those who touch the lives of our participants every day. We enrich the lives of those who are suffering with debilitating illness and those in need. We embrace our participants with a compassionate model of care that provides a place to belong, a purpose for being, and respite from the daily discomforts of chronic illness. Through partnership, we support the caregivers of our participants so that they are able to once again enjoy being sons and daughters rather than the constant caregivers for their parents. For example...

- Joan – providing a social experience and a place to belong that allowed a woman to develop new and meaningful friendships. Creating opportunities through which she stopped being stuck at home 24 hours a day and started to once again take pride in how she looked and anticipated seeing her new found friends several times a week despite her chronic medical needs. Allowing her caregiver to enjoy being her daughter once again.

When interacting with other team members we commit to demonstrate consideration and kindness while maintaining control of our emotions. We behave in a courteous manor towards one another and commit to avoiding gossip and using hurtful words. We operate under the attitude that everyone's actions are well meaning and that they have good intentions.

INTEGRITY

- Honest
- Candid
- Diverse

We demonstrate integrity daily through a sincere and heartfelt desire to serve those who are at risk of losing their independence. We accomplish this through candid conversations that seek to assist those we serve to live a life of self-defined quality despite the limitations of chronic illness. We operate as good stewards of public funding as well as advocates for those we serve. We believe candor is kindness in

managing participant expectations as well as leading our staff toward service excellence. For example...

- Clarice – supporting a woman to live in her own home despite the obstacles. Advocating for her legal right to remain independent and autonomous in spite of the odds her illness and family put in her way.

We deal truthfully with other team members and take responsibility for addressing our mistakes as soon as possible. We commit to remaining honest, sincere, and candid at all times while working with one another. Comprehensive Senior Care Corporation is committed to sharing values of diversity and inclusion in order to achieve and sustain excellence. We value cultural, ethnic, gender, and other individual differences in people; thereby, creating an environment of learning about, valuing, encouraging, and supporting differences.

TEAMWORK

- Humble
- Accountable
- Inclusive

We have a culture of open communication and honesty in which we push each other to be humble and committed to a spirit of collaboration. Each Comprehensive Senior Care Corporation employee takes the well-being of our participants personally, contributes daily to the good of the organization, and respects the contributions of coworkers. We are not afraid to admit our mistakes and weaknesses because we enthusiastically encourage each other to grow and learn. Together we accomplish more than we would as individuals because we willingly confront adversity and empower each other to succeed. For example...

- Cisco – supporting a man whose physical and medical condition required 24 hour nursing home care in a way that allowed him to discover marriage unexpectedly and return to living in his own home with the support of a loving wife and caregiver. Through Comprehensive Senior Care Corporation support and services, he was able to live the rest of his life in his own home and with the care of his wife.

We honor the contributions of others while committing to remain cooperative and willing to step outside of our assigned roles when available in order to help other team members. We firmly believe that we can best promote excellence by recruiting and retaining a diverse group of staff and by creating an environment of respect and inclusion that is supportive of their success.

EXCELLENCE

- Quality care
- Outstanding customer service

We provide excellent service and believe mediocrity is not an option. We are relentless in our pursuit of excellence. We employ evidence-based best practices in delivering and integrating comprehensive health care in order to provide independence and autonomy to individuals who would otherwise have limited options. Our staff to imagine and employ creative solutions to obstacles that others find impossible to

overcome. We provide hope for situations that others see as hopeless.

- Mark – assisting a man to understand and accept a difficult diagnosis and prognosis. Empowering him to make choices that allowed him to live out the rest of his life in quality by his terms and provide support and services that allowed him to accept the crisis of his brother's unexpected death.

All Comprehensive Senior Care Corporation staff share a common goal of achieving excellence in all areas of the organization and we challenge each other for continuous improvement and support each other to be the absolute best we can be. We are enthusiastic about our work, and speak positively about our jobs, each other, the work environment, and the quality of the services we provide.

Definitions

- Abuse: means provider practices that are inconsistent with sound fiscal, business, or clinical practices, and result in an unnecessary cost to the Medicaid program, or in reimbursement for services that are not medically necessary or that fail to meet professionally recognized standards of care. It also includes beneficiary practices that result in unnecessary cost to the Medicaid program.
- Fraud (per CMS): means an intentional deception or misrepresentation made by a person with the knowledge that the deception could result in some unauthorized benefit to himself or some other person. It includes any act that constitutes fraud under applicable Federal or State law including but not limited to the Federal False Claims Act and the Michigan False Claims Act.
- Fraud (per Michigan Medicaid): Michigan law permits a finding of Medicaid fraud based upon "constructive knowledge." This means that if the course of conduct reflects a systematic or persistent tendency to cause inaccuracies" then it may be fraud, rather than simply a good faith error or mistake.
- Waste: means overutilization of services, or other practices that result in unnecessary costs. Generally not considered caused by criminally negligent actions but rather the misuse of resources.

Reporting Violations

Every staff (staff is defined as all contracted providers that provide services to Comprehensive Senior Care Corporation) in the organization has the responsibility not only to comply with the laws and regulations but to ensure that others do as well. Any staff or agent who has firsthand knowledge of activities or omissions that may violate applicable laws and regulations is required to report such wrongdoing. Reporting suspected violations is mandatory, not optional. Staff will be informed that in some instances, failure to report a suspected violation may be the basis for disciplinary action against the staff. Corporate Compliance violations may be reported to the Corporate Compliance and Privacy Officer through either the hotline (877) 233 - 4357, email (Compliance@seniorcarepartnersmi.org), in person, or in writing. All reports of wrongdoing shall be investigated to the extent necessary to determine their validity. No staff or agent making such a report in good faith shall be retaliated against by Comprehensive Senior Care Corporation, staff, or agents and will be protected by the Michigan Whistleblower's Protection Act. Discipline for engaging in acts that violate applicable laws and

regulations, making knowingly false reports, or discipline for any other performance – related reason unconnected to reporting potential violations is not retaliation.

Resources for Guidance

Staff or agents may seek clarification to the Compliance Program, organizational policies, or questions to the Corporate Compliance and Privacy Officer through either the hotline, e-mail, in person, or in writing.

Confidentiality

All staff or agents making reports are encouraged to disclose their identity, recognizing that anonymity may hamper complete and timely investigation. Nonetheless, anonymous reports are better than no report at all, and no report shall be refused or treated less seriously because the reporter wishes to remain anonymous. Confidentiality and anonymity of the reporter/complainant and the content of the report will be preserved to the extent permitted by law and by the circumstances. Information about reports, investigations, or follow-up actions shall not be disclosed to anyone other than those individuals charged with responsibility in investigation and remedial action as well as legal counsel.

Examples of Fraud, Waste and Abuse That Should Be Reported

Examples of fraud, waste and abuse activities that should be reported include, but are not limited to, the following;

- **Financial**
 - Forgery or alteration of documents related to Comprehensive Senior Care Corporation services and/or expenditures (checks, contracts, purchase orders, invoices, etc.);
 - Misrepresentation of information on documents (financial records and medical records);
 - Theft, unauthorized removal, or willful destruction of Comprehensive Senior Care Corporation records or property;
 - Misappropriation of Comprehensive Senior Care Corporation funds or equipment, supplies or other assets purchased with Medicaid and/or Medicare funds; and
 - Embezzlement or theft
- **Beneficiaries/Consumers:**
 - Changing, forging or altering medical records;
 - Changing referral forms;
 - Letting someone else use their Medicaid or Medicare card to obtain Comprehensive Senior Care Corporation covered services;
 - Misrepresentation of eligibility status;
 - Identity theft;

- Prescription diversion and inappropriate use;
- Resale of medications on the black market;
- Prescription stockpiling;
- **Provider**
 - Lying about credentials such as a college degree;
 - Billing for services that were not provided;
 - Billing a balance that is not allowed;
 - Double billing or up coding;
 - Underutilization – not ordering or providing services that are medically necessary;
 - Overutilization – ordering or providing services in excess of what is medically necessary;
 - Falsifying information (not consistent with the consumer's condition or medical record) submitted through a prior authorization or other service utilization oversight mechanism in order to justify coverage;
 - Forging a signature on a contract or other document;
 - Pre- or post-dating a contract or other document;
 - Intentionally submitting a false claim; Changing, forging or altering medical records;
 - Kickbacks, inducements and/or other illegal remunerations; and
 - Illegal use of drug samples

Internal Investigation

All reports of wrongdoing, however received, shall be investigated and documented according to the Corporate Compliance Investigation Procedure. No one involved in the process of receiving and investigating reports shall communicate any information about a report or investigation, including the fact that a report has been received or an investigation is ongoing, to anyone within Comprehensive Senior Care Corporation who is not involved in the investigatory process or to anyone outside Comprehensive Senior Care Corporation without the prior approval of the Corporate Compliance and Privacy Officer. All staff and agents are expected to cooperate fully with investigation efforts.

Disciplinary Accountability and Consequences

Comprehensive Senior Care Corporation has formulated guidelines regarding the consequences and disciplinary action for staff who have failed to comply with Comprehensive Senior Care Corporation policies and procedures, Federal and State laws or this Corporate Compliance Plan. The disciplinary measures will vary depending upon the severity of the transgression. Sanctions could range from an oral warning to suspension, termination or financial penalties as appropriate.

Disciplinary actions will be taken in a fair, equitable, appropriate and consistent manner. All staff will be subject to the same disciplinary action for the commission of similar offenses.

Conflicts of Interest

In order to safeguard Comprehensive Senior Care Corporation's commitment to ethical and legal standards of conduct, Board Members, all officers, all senior management members, medical staff, and individuals with Board-designated powers and/or authority shall avoid any action that conflicts with the interests of the organization and refrain from being influenced by personal considerations in the performance of their duties. Unless properly disclosed and approved by Comprehensive Senior Care Corporation, it could be a conflict of interest to, but is not limited to:

- Have an interest in a publicly held company, vendor, customer or competitor of Comprehensive Senior Care Corporation;
- Work for, consult with or provide services to a competitor; and/or
- Use confidential information obtained for any person's personal gain or benefit.

Accordingly, staff/agents, officers, senior managers, and medical staff must disclose the existence and nature of any actual or potential conflict of interest on their Conflict of Interest Form or to the Corporate Compliance and Privacy Officer at the time of interview, orientation and annually thereafter and/or when a conflicting interest arises. All actual or potential conflicts of interest disclosed shall be reviewed by the Corporate Compliance and Privacy Officer, according to previously identified criteria, to determine whether there is a conflict of interest.

Substance Abuse

To protect staff/agents and participants, Comprehensive Senior Care Corporation is committed to an alcohol and drug-free environment. To this end, all prospective staffs/agents will be tested for drugs, and successful testing will be a requirement for employment per the Drug Free Workplace Policy. All staffs/agents must report for work free of the influence of alcohol and illegal drugs. Reporting to work under the influence of any illegal drugs or alcohol, having an illegal drug in one's system, or using, possessing, or distributing/ selling illegal drugs while on Comprehensive Senior Care Corporation's work time or property may result in immediate termination.

Harassment

Mutual respect among all staff members in the way we treat each other is expected. Each Comprehensive Senior Care Corporation staff/agent has the right to work in an environment free of harassment. Therefore, harassment of staff/agents in the work place by any person or in any form is prohibited by the Harassment Policy which includes sexual harassment; harassment based on sex, race, color religion, national origin, citizenship, disability, age sexual orientation, or any other protected category; or conduct such as ridicule or degrading comments to others which severely and adversely affect their work environment or interferes with their ability to perform their job. Alleged harassment should be reported to a member of the senior management team or to the Human Resources Manager.

Confidentiality

Comprehensive Senior Care Corporation is committed to protecting the privacy of its participants and

shall strictly govern the disclosure of any participant information to anyone other than a staff/agent or staff member involved in the care and treatment of that participant. Any staff/agent who engages in the unauthorized disclosure of any information concerning a participant may be subject to immediate termination. Staff/agents shall also comply with the Comprehensive Senior Care Corporation Confidentiality Policy as well as the HIPAA Privacy requirements and all applicable regulations.

To ensure that all participant information remains confidential, staff/agents are required to comply with the following guidelines:

- Staff/agents shall not discuss any participant in an external or internal environment where such information could be heard by unauthorized personnel or other participants/visitors.
- If asked about a participant by anyone other than staff/agents involved in the care or treatment of the participant, staff/agents will disclose no information unless first obtaining the written consent of the participant or the participant's representative/legal guardian.
- Medical staff members and staff/agents may not have access to the records of any participant unless they are involved in the care and treatment of the participant, or if a legal or administrative reason exists requiring them to have access to those documents.

Political Activities and Contributions

Comprehensive Senior Care Corporation funds or resources are not to be used to contribute to political campaigns or for gifts or payments to any political party or any of their affiliated organizations. Comprehensive Senior Care Corporation resources include financial and nonfinancial donations of funds, products, or services to any political cause. Staff/agents may make voluntary contributions provided they do not communicate that their contributions are from Comprehensive Senior Care Corporation.

At times, Comprehensive Senior Care Corporation may ask staff/agents to make personal contact with government officials or to write letters to present the organization's position on specific issues. In addition, it is part of the role of some Comprehensive Senior Care Corporation management to interface on a regular basis with government officials. Such activity is permissible provided that funds and resources are not contributed.

Marketing Practices

There are times when Comprehensive Senior Care Corporation directly markets services to potential PACE participants; however, the federal Anti-Kickback Statute of the Social Security Act makes it a felony, punishable by criminal penalties, to offer, pay, solicit, or receive "remuneration" as an inducement to generate business compensated by the Medicare or Medicaid programs.

Under no circumstances will Comprehensive Senior Care Corporation offer free items or services that are not related to medical or health care. Moreover, any free items offered must have no monetary value.

Comprehensive Senior Care Corporation staff/agents will not engage in any prohibitive marketing activities. These activities include: the giving of gifts or payments to induce enrollments, discrimination of any kind, unsolicited door-to-door marketing, and contracting outreach efforts to individuals or organizations whose sole responsibility involves direct contact with the elderly to solicit enrollment.

Charitable Contributions

All charitable contributions must be made for the benefit of Comprehensive Senior Care Corporation and for the purpose of advancing Comprehensive Senior Care Corporation's mission. The Associate Director of Marketing and Enrollment will oversee all charitable contributions to ensure that they are administered in accordance with the donor's intent. All checks and other documents must be made payable to Comprehensive Senior Care Corporation and given to the Finance Department to deposit into the appropriate account.

Contractual/Financial Arrangements with Health Care Professionals

Comprehensive Senior Care Corporation is committed to ensuring that all contractual and financial arrangements with health care professionals are structured in accordance with Federal and State laws and other regulations and are in the best interests of the organization and the participants it serves. In order to ethically and legally meet all standards regarding referrals and enrollments, Comprehensive Senior Care Corporation will strictly adhere to the following:

- Comprehensive Senior Care Corporation does not pay for referrals. Participant referrals and enrollments will be accepted based solely on the participant's clinical needs and our ability to render the needed services. We do not pay or offer to pay anyone for referrals or participants. Violation of this policy may have grave consequences for the organization and the individuals involved, including civil and criminal penalties, and possible exclusion from participation in federally funded healthcare programs.
- Comprehensive Senior Care Corporation does not accept payments for referrals. No Comprehensive Senior Care Corporation staff/agent or any other person acting on behalf of the organization is permitted to solicit or receive anything of value, directly or indirectly, in exchange for the referral of participants.

Receiving Business Courtesies and Gifts

No staff/agent or officer shall accept or solicit any gifts, gratuities, loans (in nature of a gratuity), or favors of any kind from any individual, firm, or corporation doing business with or seeking to do business with Comprehensive Senior Care Corporation or any of its affiliates, if the gift is offered or appears to be offered in exchange for any type of favorable treatment or advantage. Specifically, no gifts or favors shall be accepted if valued in excess of \$25, with a maximum of \$300 per year, or intended to affect the recipient's business decisions with Comprehensive Senior Care Corporation. Perishable or consumable gifts, except for items of minimal value such as flowers, cookies or candy from participants and/or family members given to a department or group are not subject to any specific limitation. Under no circumstances shall a Senior Care Partners P.A.C.E. staff receive monetary gifts from participants and/or family members. Participants wishing to make a gift must follow the protocol for charitable contributions. If there are concerns regarding any staff's acceptance of gifts, the Corporate Compliance and Privacy Officer, in coordination with the Corporate Compliance Committee, shall make the final decision.

There are some circumstances where staffs are invited to an event at a vendor's expense to receive information about new products or services. Prior to accepting any such invitation, approval must be received from the Director of Risk Management. Accepting personal gifts and/or entertainment can sometimes be construed as an attempt to influence judgment concerning patient care or performance of other duties at Comprehensive Senior Care Corporation It may also violate the anti-kickback statute or conflict of interest policy. To that end, not staff may accept any cash amount, or any single gift of more than \$25 value with the total not to exceed \$300 per year.

Attachments

[Code of Conduct Training](#)

Approval Signatures

Step Description	Approver	Date
ELT Approval	Alex Lueth: Director of Risk Management	03/2023
Manager Approval	Sheryl Knapp: Compliance & Privacy Manager	03/2023
Policy Owner	Sheryl Knapp: Compliance & Privacy Manager	03/2023