



EMPLOYEE AND VOLUNTEER COMPLIANCE HANDBOOK



APRIL 25, 2018

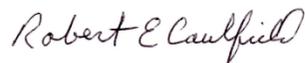
Letter of Commitment from President and CEO

Jefferson's Ferry is committed to conducting business with the highest degree of ethics, integrity, and compliance with laws and regulations. We strive to follow our compass of ethical and moral decision making in the manner in which we treat our residents, fellow employees, volunteers and vendors in how we conduct daily operations. To that effect, we have developed the *Employee and Volunteer Compliance Handbook* to support our employees in making the right decisions.

Our Code of Conduct provides employees with the procedures that govern our business and the tools necessary to make sound decisions. It is an extension of our values and is a foundation for our long-term success. Although the Code of Conduct does not address every possible situation it sets forth basic principles and standards which are expected of all employees.

All employees, volunteers, vendors and residents are expected to report suspected or known issues regarding corporate compliance, the employee code of conduct or confidentiality. There are numerous reporting channels listed in this *Handbook*.

Ethics, integrity and compliance are vital to the success of Jefferson's Ferry. Thank you for your continued support and dedication to Jefferson's Ferry.



Bob Caulfield
President and CEO

CORPORATE COMPLIANCE

DEFINITION:

Compliance can be described as conducting business and oneself in an ethical, moral, and legal manner, an aspect of quality improvement, and an insurance investment.

REQUIREMENTS OF OUR ORGANIZATION:

| | |
|--|------------------------------------|
| Designate a Compliance Officer | Develop policies and procedures |
| Develop open lines of communications | Provide training and education |
| Perform internal monitoring and auditing | Respond to detected deficiencies |
| Enforce disciplinary actions | Establish Whistleblower protection |

OUR COMPLIANCE PROGRAM CONTAINS:

| | |
|-------------------------------------|---------------------------------------|
| Code of Conduct | Federal / State False Claims Act |
| Compliance Officer responsibilities | Compliance Committee responsibilities |

WHAT TO REPORT TO OUR COMPLIANCE HOTLINE:

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|-----------------------------|-------------------------------|
| Breaches of confidentiality | Unethical relationships |
| Fraudulent or false actions | Improper billing practices |
| Unethical staff behavior | Unethical/ inappropriate care |
| Bribes or kickbacks | |

COMPLIANCE AND JOB PERFORMANCE:

Compliance is an element of job performance. Employees are expected to be up to date on policies and legal requirements that apply to their position. Failure to do so can result in disciplinary action or termination.

COMPLIANCE SUCCESS:

It requires that every employee be honest and aware of the consequences of a non-compliant act. To be vigilant of actions in the workplace and potential impropriety that may occur. Know whom to discuss your concerns with and the proper reporting mechanism. Know that there is non-retaliation for concerns reported in good faith.

FACTS: Compliance involves both the Federal and State governments. Penalties could be either Criminal, Civil, or Sanctions.

EIGHT ELEMENTS OF AN EFFECTIVE COMPLIANCE PROGRAM

1. **Written Compliance policies and procedures** distributed to promote the Organization's commitment to compliance. Prepared to effectuate the Organization's mission and goals and the outcomes the Board has directed;
2. **Designation of a Chief Compliance Officer** responsible for the day-to-day operation of the Compliance Program; this employee should report directly to the provider's Chief Executive Officer, and periodically report to the governing body (if such a body exists) on the activities of the compliance program;
3. **Training and education** of *all affected employees* and persons associated with the provider, including executives and governing body members, on compliance issues, expectations, and the operation of the compliance program; such training should occur periodically and should be made a part of the orientation of new employees and governing body members;
4. A Compliance program process that **maintains complaints** and has procedures to respond to allegations of improper or illegal activity. To include a communication process, such as a hotline, accessible to all employees, outside vendors, governing body members, patients or other users of the provider's services, for the reporting of compliance issues; the lines of communication should allow for anonymous and good faith reporting of potential compliance issues as they are identified;
5. A system to respond to such allegations with **disciplinary policies and standards** that are distributed to all employees, which are fairly, evenly, and firmly applied, and encourage good faith participation in the compliance process, including policies that articulate expectations for reporting compliance issues and assist in their resolution and outline sanctions for:
 - a. failing to report suspected problems;
 - b. engaging in non-compliant behavior;
 - c. encouraging, directing, facilitating or permitting active or passive non-compliant behavior
6. A system for **routine identification of compliance risk areas** specific to the particular provider, for self-evaluation of such risks areas, including but not limited to internal audits and as appropriate, external audits, and for evaluation of potential or actual non-compliance as a result of such self-evaluations and audits, credentialing of providers and persons associated with providers, reporting, governance, and quality of care to beneficiaries;
7. A system for responding to compliance issues as they are raised; for **investigating potential compliance problems**; responding to compliance problems as identified in the course of self-evaluations, external evaluations and audits, correcting such problems promptly and thoroughly and implementing procedures, policies and systems as necessary to reduce the potential for recurrence; identifying and reporting compliance issues to the Office of the Medicaid Inspector General; and refunding overpayments;
8. A policy of **non-intimidation, non-retribution and non-retaliation** where employees are protected under Federal Whistleblower Protection Act. Keeps employers and managers from harassing employees if they see and mention their concerns to either them or the Compliance Officer.

CORPORATE COMPLIANCE CONTACTS

Corporate Compliance concerns should be immediately reported to any of the following:

Michele Berti

Vice President of Human Resources
(631) 650-2602

Corporate Compliance Hotline

(631) 650-3197

Office of the Inspector General

(800) HHS-TIPS (447-8477) or (518) 408-0401

The complete Compliance Program is located in Administration and at the Compliance Officer's office.

STAFF CODE OF CONDUCT

The Staff Code of Conduct is not, and may not be construed as, a contract of employment or any other type of contract. Employment with JEFFERSON'S FERRY at all times is "at will," and either the employee or JEFFERSON'S FERRY has the right to terminate the employment relationship at any time.

CODE OF CONDUCT NO. 1

JEFFERSON'S FERRY'S employees and agents shall strive to deliver quality health care services that are necessary to attain or maintain the residents' physical, psychosocial and mental well being.

- JEFFERSON'S FERRY'S employees and agents shall respect a resident's dignity and will treat him or her with consideration, courtesy and respect.
- JEFFERSON'S FERRY shall only employ or work with persons with proper credentials, experience and expertise. Employees and agents are expected to have those credentials and experience, and should expect other agents to have them.
- It is everyone's job to maintain JEFFERSON'S FERRY'S integrity and reputation.
- Residents have the right to choose what is done to their body, and by whom. This includes the choice of health care providers.
- Residents have the right to know what they need to know to make intelligent decisions. That includes receiving information about JEFFERSON'S FERRY and its policies, procedures and charges, and who will provide services on behalf of JEFFERSON'S FERRY.
- JEFFERSON'S FERRY employees and agents will provide residents appropriate and sufficient treatment and services based upon an accurate comprehensive assessment and plan of care that address their clinical conditions.
- JEFFERSON'S FERRY will assure its employees and agents have sufficient education, licenses, background experience, on the job training and supervision to render services to its residents.
- No deficiency or error should be ignored or covered up. A problem should be brought to the attention of those who can properly assess and resolve the problem.
- Any incident of residents' mistreatment, neglect or abuse will be reported to JEFFERSON'S FERRY'S administrator and other officials as required by law.
- Employees and agents deserve clear instructions about what is expected of them.
- Our highest priority is the health and safety of our residents and ourselves. We shall strive to do our jobs so that no harm is caused to ourselves, our residents, or the public

CODE OF CONDUCT NO. 2

JEFFERSON'S FERRY'S employees and agents shall strive to assure that each resident is provided a dignified existence that promotes freedom of choice, self-determination and reasonable accommodation of individual needs.

- JEFFERSON'S FERRY'S employees and agents will assure that each resident is protected from verbal, mental or physical abuse, corporal punishment and involuntary seclusion.
- JEFFERSON'S FERRY'S employees and agents will assure that residents are protected against the inappropriate use of physical or chemical restraints.
- JEFFERSON'S FERRY'S employees and agents will ensure that residents have personal privacy and access to their personal records.
- JEFFERSON'S FERRY'S employees and agents shall safeguard each resident's financial affairs.

CODE OF CONDUCT NO. 3
JEFFERSON'S FERRY'S employees and agents shall comply with all applicable laws and regulations that affect its various businesses.

- JEFFERSON'S FERRY, by and through its employees and agents shall comply with all applicable laws, regulations, standards and other requirements imposed by any level of government. Without limiting the generality of that statement, JEFFERSON'S FERRY'S employees and agents shall comply with all requirements of the Medicare and Medicaid programs.
- JEFFERSON'S FERRY'S employees and agents will not pursue any business opportunity that requires engaging in unethical or illegal activity.
- Neither JEFFERSON'S FERRY, nor its employees or agents shall pay employees, physicians, or other health care professionals, directly or indirectly, in cash or by any other means, for referrals of residents. Every payment to a referral source must also be supported by proper documentation that the services contracted for were in fact provided.
- No employee or agent is authorized to enter into any joint venture, partnership or other risk sharing arrangement with any entity that is a potential or actual referral source unless the arrangement has been reviewed and approved by JEFFERSON'S FERRY'S Chief Executive Officer.
- Employees or agents who perform billing and/or coding of claims must take every reasonable precaution to ensure that their work is accurate, timely, and in compliance with federal and state laws and regulations and JEFFERSON'S FERRY'S policies.
- No claims for payment or reimbursement of any kind that are false, fraudulent, inaccurate or fictitious may be submitted. No falsification of medical, time or other records that are used for the basis of submitting claims will be tolerated.
- JEFFERSON'S FERRY will bill only for services that are medically indicated, ordered by the resident's physician, actually rendered and which are fully documented in residents' medical records. If the services must be coded, then only billing codes that accurately describe the services provided will be used.
- JEFFERSON'S FERRY'S employees and agents will only submit claims for covered items and services.
- JEFFERSON'S FERRY shall act promptly to investigate and correct the problem if errors in claims that have been submitted are discovered.
- JEFFERSON'S FERRY shall maintain complete and thorough medical and billing records.
- JEFFERSON'S FERRY'S employees and agents shall respect and protect the confidentiality of resident records and other personal information.
- All drugs or other controlled substances shall be maintained, dispensed and transported in conformance with all applicable laws and regulations.
- Employees and agents shall promptly report all suspected violations of the Code of Conduct, Compliance policies, operational policies, laws or regulations to their supervisors, the VP of Human Resources, the Compliance Officer, Employee Hotline or the Chief Executive Officer.

CODE OF CONDUCT NO. 4
JEFFERSON'S FERRY'S employees and agents shall engage in ethical business relationships.

- JEFFERSON'S FERRY seeks positive relationships with government programs and third party payers. Positive relationships require ongoing communication about resident progress and billing.
- Employees or agents shall not use or reveal any confidential information concerning JEFFERSON'S FERRY or use, for personal gain, confidential information obtained as an employee or agent of JEFFERSON'S FERRY.
- No employee or agent should subordinate his or her professional standards, judgment or objectivity to any individual. If significant differences of opinion in professional judgment occur, then they should be referred to management for resolution.
- Employees and agents should be honest and forthright in any representations made to residents, vendors, payers, other employees or agents, and the community.
- All reports or other information required to be provided to any federal, state or local government agency shall be accurate, complete, and filed on time.
- Employees and agents must perform their duties in a way that promotes the public's trust in JEFFERSON'S FERRY.
- The source or amount of payment does not determine the quality of care that we deliver.
- Employees and agents shall be honest in doing their jobs.
- If an employee or agent knows of or suspects a practice or incidents that may violate this Code of Conduct, JEFFERSON'S FERRY'S Compliance Policies, operational policies, any law or regulation, then he or she must report it to their supervisors, the VP of Human Resources, the Compliance Officer, the Employee Hotline or to the Chief Executive Officer.

CODE OF CONDUCT NO. 5
JEFFERSON'S FERRY'S employees and agents shall avoid either
conflict of interest or the appearance of an impropriety.

- Employees and agents should not have other jobs that interfere with their ability to perform their duties at JEFFERSON'S FERRY.
- Employees and agents should avoid any activity that conflicts with the interests of JEFFERSON'S FERRY or its residents. They should try to avoid even the appearance of an impropriety. If an employee or agent suspects that a conflict may exist or be created, then he or she should consult with their supervisor or the VP of Human Resources.
- Placing business with any firm in which there is a family relationship may constitute a conflict of interest. Advance disclosure and approval are required in such a situation.
- Employees and agents should not become involved, directly or indirectly, in outside commercial activities that could improperly influence their actions. For example, an employee or agent should not be an officer, director, manager or consultant of a potential competitor, customer, or supplier of JEFFERSON'S FERRY without first disclosing that relationship to JEFFERSON'S FERRY'S management.
- Employees and agents should not accept or provide benefits that could be seen as creating conflict between their personal interests and JEFFERSON'S FERRY'S legitimate business interests. This includes accepting meals, gifts, refreshments, transportation, or entertainment provided or received in connection with the job without approval of managers/supervisors. JEFFERSON'S FERRY has specific policies regarding gifts and gratuities. Employees who may be in a position to be offered any kind of gifts or gratuities should make certain they understand these policies in detail. The VP of Human Resources is always available to review and clarify these policies for employees.
- Gifts and benefits to clinicians or referral sources are generally not appropriate. No JEFFERSON'S FERRY employee should ever offer any benefit of any kind to any potential referral source without the express permission of the Chief Executive Officer. In general, such gifts will not be authorized.
- Employees and agents should report any potential conflicts of interest concerning themselves or their family members to the VP of Human Resources who will assist the employee in completing a Good Faith Disclosure Form that will allow the Compliance Officer/Compliance Committee to review the situation and determine if a conflict of interest exists and to determine what actions may be required to resolve it.

CODE OF CONDUCT NO. 6

JEFFERSON'S FERRY'S employees and agents shall protect JEFFERSON'S FERRY'S property and that of its residents, and respect the property rights of others with whom we do business.

- All employees and agents are personally responsible and accountable for the proper expenditure of JEFFERSON'S FERRY funds and for the proper use of company property.
- All employees and agents must obtain authorization prior to committing or spending JEFFERSON'S FERRY'S funds.
- Medical waste or other hazardous materials shall be disposed of properly.
- Employees and agents may not use JEFFERSON'S FERRY'S or a resident's resources for personal or improper purposes, or permit others to do so.
- Surplus, obsolete or junked property shall be disposed of in accordance with JEFFERSON'S FERRY'S procedures. Unauthorized disposal of property is a misuse of assets.
- Employees and agents have a duty to be productive during the time that is paid for by JEFFERSON'S FERRY.
- Employees and agents may only use computer systems, networks, and software consistent with JEFFERSON'S FERRY'S license(s) and/or rights. They shall take all reasonable steps to protect computer systems and software from unauthorized access or intrusion.
- Any improper financial gain to the employee through misconduct involving misuse of JEFFERSON'S FERRY'S or a resident's property is prohibited, including the outright theft of property or embezzlement of money.
- JEFFERSON'S FERRY'S confidential and proprietary information is valuable, and should be protected from unauthorized use or exploitation. Employees and agents are expected to respect the intellectual property rights of others with whom we do business.
- Drugs and other pharmaceuticals shall be safely stored, secured, inventoried, and missing supplies shall be reported promptly to supervisors.
- Employees and agents are expected to report any observed misuse of JEFFERSON'S FERRY'S or a resident's property to their supervisors, the VP of Human Resources, the Compliance Officer, Employee Hotline or the Chief Executive Officer.

CODE OF CONDUCT NO. 7
JEFFERSON'S FERRY'S employees and agents respect each other as human beings and health care professionals.

- All employees and agents shall show proper respect and consideration for each other, regardless of position or station. Discriminatory treatment, harassment, abuse, or intimidation will not be tolerated.
- Quality resident care can only be delivered through the use of qualified, competent staff. JEFFERSON'S FERRY will contribute to an employee's or agent's competence by making available continuing job-related education and training within the limits of its resources.
- Applicants and employees shall be afforded equal employment and advancement opportunities, pursuant to JEFFERSON'S FERRY'S policies.
- Employees and agents are expected to conform to the standards of their respective professions and exercise sound judgment in the performance of their duties. Any differences of opinion in professional judgment should be referred to appropriate management levels for resolution in accordance with standard grievance procedures.
- Work and safety rules were created to protect us all. Employees and agents are expected to comply with those rules.
- As defined further in its policies, JEFFERSON'S FERRY strives to maintain a working environment free from all forms of sexual harassment or intimidation. By way of example, unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature are serious violations of the standards of conduct and will not be condoned or permitted.
- JEFFERSON'S FERRY promotes a drug and alcohol free workplace in accordance with its policies.
- JEFFERSON'S FERRY shall not permit any action of retaliation or reprisal to be taken against an employee who reports a violation of law, regulation, standard, procedure, or policy.

Confidentiality and Non-Disclosure Agreement

Jefferson's Ferry's information systems contain confidential records pertaining to our business operations, our residents, business associates, health care professionals, and employees. Because this information is vital to the operation of our facility in providing quality care and services to our residents, it must be protected. As such, in accordance with current HIPAA regulations and facility policies governing the access, use, and disclosure of protected health or facility information, you have the responsibility to protect such data.

As an employee of this facility, you may have access to protected information. The purpose of this agreement is to provide you with information to assist you in understanding your duty and obligations relative to confidential information. *Your signature on this document indicates that the information contained herein has been explained to you, you received a copy of this document, and that you understand the rules set forth.* **YOU AGREE:**

1. To respect the privacy and confidentiality of any information you may have access to through our computer system or network and that you will access or use only that information necessary to perform your job.
2. To refrain from communicating information about a resident in a manner that would allow others to overhear such information or to discuss a resident's information with anyone not permitted access to such information in accordance with the facility's established policies or resident's wishes (e.g., friends, relatives, visitors, family members of residents, etc.).
3. To disclose confidential resident, business, financial or employee information **ONLY** to those authorized to receive it.
4. To safeguard and not disclose your password or user ID code or any other authorization you may have that allows your access to protected information. You accept responsibility for all entries and actions recorded using your password and user ID code.
5. Not to attempt to learn or use another employee's password and user ID code to log-on to our facility's computer system or network.
6. To immediately report to the HIPAA Compliance Officer any suspicions that your password and user ID code has been compromised.
7. Not to release or disclose the contents of any resident or facility record or report except to fulfill your work assignment.
8. Not to remove or copy any protected information or reports from their storage location except to fulfill your work assignment.
9. Not to sell, loan, alter or destroy any protected information or reports except as properly authorized within the scope of your job assignment.
10. Not to leave your computer terminal or workstation unattended without logging off or using your system's screen saver function before leaving your work area or securing hardcopy information so that it may not be disclosed to unauthorized persons.
11. Not to access or request any protected information that is not necessary to perform your assigned job function.
12. Not to permit others to access our facility's computer system or network using your password or ID code.
13. To permit your access to our facility's information systems to be monitored.
14. Not to download or make copies of any software or applications without proper authorization or license.
15. Not to access or download any pornography or other illegal materials or perform any illegal activity such as gambling while on the facility's computer system or network.
16. Not to use our facility's computer system or network to send/forward harassing, insulting, defamatory, obscene, offending or threatening messages.
17. To report any suspected or known unauthorized access, use, or disclosure of protected information.
18. To abide by the HIPAA policies and procedures set forth by the facility as well as current regulations governing privacy issues.
19. To restrict personal use of the facility's computer system or network to meal and break periods and to follow the facility's established policies governing such personal use.

I further understand that the duties and obligations set forth in this document will continue after the termination, expiration, and cancellation of this agreement to include my termination of employment. I also understand my password and user ID code can be temporarily or permanently revoked if I fail to abide by the rules set forth.

JEFFERSON'S FERRY

Anonymous Reporting Form

JEFFERSON'S FERRY continually strives to provide high quality care to our clients. **JEFFERSON'S FERRY** maintains high standards of integrity in our dealings with our client's families, as well as our own staff members and those with whom we do business. It is our philosophy that we provide all of our services in full compliance with all laws and regulations. This requires the highest standard of conduct from all of our staff members.

If there is reasonable doubt as to the appropriateness of an activity, staff members or any concerned customer or member of the public are encouraged to report such activity to the Compliance Officer, or to anyone in the **JEFFERSON'S FERRY** chain of command.

If for any reason such a direct report is not comfortable for the person who is concerned, **JEFFERSON'S FERRY** is providing this form for reporting to the Compliance Officer and other key managers. The contact information located on the bottom of this form may be left blank. If you wish to enter your contact information you may do so and the Compliance Officer will respond to and contact the reporter as requested.

Which service, person, area, or individual is the complaint about? Include: title and name of person in question; and the area that they work in (e.g. Management, Intake, Case Coordinator, Nursing, Finance, Office Support, Fiscal, Human Resources, and Compliance)

You are requesting clarity on a task, process, or policy, regulation, or law.

If a specific complaint is regarding how services are being provided and you believe that it is not being done as per regulation, policy or law.

Describe your concern and give example(s)

Have you already spoken to anyone about your complaint?

Yes No If yes, to whom? _____ (Name & Title)

JEFFERSON'S FERRY

Anonymous Reporting Form

THE BELOW INFORMATION IS NOT REQUIRED:

Additional information might be needed in order to complete an investigation and be able to ensure the most appropriate outcome. Insufficient information may result in an inability to address your concern in its entirety.

Title: _____

First Name: _____

Last Name: _____

Address: _____

City: _____

State: _____

Zip Code: _____

Daytime Phone Number: _____

Cell Phone Number: _____

What are the best hours to contact you? _____

PLACE THIS FORM IN A SEALED ENVELOPE AND ADDRESS TO:

COMPLIANCE OFFICER



Acknowledgement of Training and Receipt *Employee and Volunteer Compliance Handbook*

I acknowledge that I have received and reviewed Jefferson's Ferry's Employee and Volunteer Compliance Handbook, that I have received training on policies and procedures regarding *Compliance, Staff Code of Conduct* and *Confidentiality and Non-Disclosure*. I understand that I have a responsibility not to engage in behaviors that would be in violation of these policies including, but not limited to, fraudulent or unethical behavior, bribes or kickbacks and improper billing practices. I further understand that if I suspect or know of any violations of these policies I am to report them immediately to the appropriate party. I understand that should I have questions or concerns about the meaning of these documents, I will consult with one or more of the following: my supervisor, Human Resources, a Compliance Officer, the Chief Executive Officer or the Jefferson's Ferry Reporting Hotline (631) 650-3197. I have retained the **Employee and Volunteer Compliance Handbook** for further reference.

I agree to comply with all policies and represent that I am in compliance with the following possible exceptions (please PRINT clearly):*

I further represent and warrant that I have not been excluded from, or sanctioned, by any government health care benefits program, including but not limited to Medicare and Medicaid,.

You should include a statement concerning any personal business situation, conflict of interest or other matter which you believe is or may involve a violation of these policies.

Signature

Date

Print Name