

Business Ethics & Compliance Program Standards

PURPOSE:

To provide certain standards for Shepherd Center's Business Ethics & Compliance Program. These standards are expectations for all Shepherd Center employees to follow. Some departments or programs may have more specific policies that address these standards.

POLICY:

It is the policy of Shepherd Center to have certain standards to follow in the daily operation of the organization. The Business Ethics & Compliance Program has set forth these standards as follows:

1. Standards of Ethical Conduct

- a. There is a Code of Conduct that is applicable to all employees.
- b. These standards articulate Shepherd Center's commitment to ethical practices.
- c. These standards, as contained in Shepherd Center's Code of Conduct, are distributed and/or made available electronically to all employees and are updated as needed.

2. Claims Development and Submission

- a. All clinical documentation must be proper, accurate and timely prior to all billing.
- b. Claims are submitted only with appropriate documentation to support the claim.
- c. This documentation is maintained for the appropriate time periods required by law and shall remain available for audit and reviews.
- d. Diagnosis and procedures reported on all claims are solely based upon medical records and other appropriate documentation.
- e. Outpatient services shall provide all Medicare patients with an Advance Beneficiary Notification (ABN) prior to receiving services not covered by Medicare.
- f. A system is in place to monitor billing in order to not bill for outpatient services rendered in connection with an inpatient stay.
- g. All CPT or HCPCS codes used by coding and billing staff must accurately describe the service that was ordered and performed.
- h. Appropriate documentation must be placed into the patient medical record and signed by the healthcare professional that provided or supervised the service to the patient.
- i. Coding staff must contact the appropriate personnel to obtain information in the event that the individual ordering the procedure or service failed to provide adequate justification for the procedure or service.
- j. A physician who provides evaluation and management services is responsible for ensuring a patient's medical records include all appropriate documentation to match the evaluation and management services provided.

3. Cost Reporting

- a. A cost identified on cost reports must not be claimed unless there is appropriate and accurate documentation to support the cost.
- b. Any allocation of costs to various cost centers must be accurately made and be supported by verifiable and auditable data. Such costs must also be properly classified.

- c. Bad debts reported on cost reports must be in strict accordance with all applicable federal statutes and regulations.
- d. The Medicare fiscal intermediary or other applicable payor must be promptly notified of errors in submitted cost reports.

4. Anti-Kickback, Self-Referral and Marketing

- a. All Shepherd Center contracts with referral sources must comply with applicable statutes and regulations.
- b. Shepherd Center will not enter into contracts or financial arrangements with physicians or hospitals designed to provide financial incentives for referrals.
- c. Shepherd Center will market through promotional activities and materials, events and interactions in a truthful and accurate representation of our program capabilities, outcomes and populations served and in accordance with applicable law.

5. Bad Debts and Credit Balances

- a. There is an annual review of all Medicare bad debt expenses claimed to ensure that these claims are in accordance with applicable statutes and regulations.
- b. Shepherd Center will provide timely and accurate reporting of Medicare and other federal health care program credit balances.

6. Record Retention

- a. Shepherd Center will maintain policies and procedures in place for the creation, distribution, retention, storage, retrieval and destruction of documents.
- b. Record documentation retention must meet all applicable federal and state laws.

7. Performance Evaluation

- a. Shepherd Center will endeavor to evaluate all employees on their adherence to all elements of the Business Ethics & Compliance Program via annual performance reviews.
- b. Shepherd Center will endeavor to inform all new employees, upon employment, that strict compliance with all elements of the Business Ethics & Compliance Program is an ongoing condition of employment.

8. Training and Education

- a. Shepherd Center will require all employees to complete annual refresher education and/or training on the Business Ethics & Compliance Program/Code of Conduct and sign the appropriate compliance attestation(s) associated with such education and/or training.
- b. Shepherd Center will require all new employees to be educated and/or trained in the aspects of the Business Ethics & Compliance Program/Code of Conduct via new employee orientation.
- c. All Shepherd employees and agents will be provided electronic access to the Code of Conduct.
- d. Records will be maintained on the education and/or training of all employees regarding the Code of Conduct.

9. Reporting and Information

- a. Shepherd Center will have several independent paths available for employees to report potential or actual fraud, waste or abuse including, without limitation: in person to the Compliance Department; the Chief Compliance Officer via telephone (404-367-1281); the 24-hour toll-free Compliance Hotline (1-800-860-0085); and, email (**Error! Hyperlink reference not valid.**).
- b. All reported information will be held in strict confidence to the greatest degree possible and as the law otherwise permits, and employees will have the ability to make reports anonymously.

- c. The Center will maintain a 24-hour toll-free telephone number for employees or agents to call to report suspected fraud, abuse or waste or any other concerns. This system will allow the employee to report anonymously if they so desire.

10. Corrective Actions

- a. All employees are made aware of the progressive corrective action process for failure to follow Shepherd Center's Business Ethics & Compliance Program and Code of Conduct.
- b. Instances of non-compliance with the Business Ethics & Compliance Program and/or Code of Conduct will be fairly enforced at all levels of personnel.
- c. All management and supervisory staff are held responsible for progressive corrective action plans for employees in non-compliance of Business Ethics & Compliance Program and/or Code of Conduct.

11. Auditing and Monitoring

- a. Shepherd Center will endeavor to perform periodic compliance audits. All such audits shall be overseen by, or conducted in coordination with, Shepherd Center's Chief Compliance Officer.
- b. The Chief Compliance Officer will review all findings from any such audit and, in the event of significant deficiencies identified by such audit, perform a reasonable inquiry to determine the cause of the deficiencies.
- c. All significant deficiencies and/or findings will be reported by the Chief Compliance Officer to the Chief Executive Officer, the Business Ethics & Compliance Committee, the Compliance Committee of the Board of Directors and/or the Board of Directors.
- d. The Chief Compliance Officer will oversee the development of an action plan to correct significant deficiencies or findings discovered during audits or reported by individuals. .
- e. The Chief Compliance Officer will, upon verification of a violation of law, report the violation to the appropriate authorities; provided, however, that the Chief Compliance Officer shall be entitled to consult with outside legal counsel prior to any such report being made.
- f. The Business Ethics & Compliance Program shall strive to have an external evaluation of its effectiveness completed every three years.

12. Investigation

- a. The Chief Compliance Officer will initiate steps to investigate any reasonable suspicion of non-compliance and determine if a violation of law or Shepherd Center policy has occurred.
- b. If necessary, the Chief Compliance Officer, in coordination with Shepherd Center's Department of Human Resources, may have employees under investigation removed from their current duties if there is a reasonable suspicion that the given employee may compromise the integrity of the investigation if they continue to perform their assigned duties during the performance of the investigation.
- c. Shepherd Center will take prompt corrective action should an investigation reveal an employee has performed outside the standards of the Business Ethics & Compliance Program and/or Code of Conduct.