



Administrative Policy and Procedure	Policy Number: 200.060
Subject: Corporate Compliance Program	Page: 1 Of: 6
Effective: November 12, 1998	Revised: April 9, 2007
Approved: Signed by Brian Aston, Senior VP and COO, on 4/9/07 and original filed in Administration. Senior Vice President and Chief Operating Officer	Signed by Jeri Williams, VP and CCO, on 4/9/07. VP and Corporate Compliance Officer

POLICY:

Mission Health, Inc. (Mission) is an organization which strives to be fully compliant with all complex rules and regulations governing the health care industry. As IRS and government health care regulations and their enforcement are extremely complex areas of the law and because Mission is committed to full compliance with these rules and regulations, Mission has launched a Corporate Compliance Program entitled, “Mission Integrity--*Our Values at Work.*” The theme of this program will be consistent with Mission Health’s Mission, Vision, and Core Values of Mercy, Excellence, Respect, Integrity and Trust/Teamwork. This Administrative Policy of Mission Health, Inc. is applicable to Mission Hospitals and other locations where services of the hospital are being provided.

PROCEDURE:

The Federal Sentencing Guidelines state generally there must be an “effective program to prevent and detect violations of law,” and provide overall standards for meeting that goal. The Office of the Inspector General (OIG) has offered a model compliance plan for hospitals to use which is similar to the Federal Sentencing Guidelines. Mission has taken these resources, along with the supplemental guidance provided by the OIG in 2005 and the Deficit Reduction Act of 2005, into consideration in the development of our Mission Integrity Compliance Program. The following summarizes the program elements and provides a brief description of each element as it relates to Mission Integrity.

1. Code of Conduct, Standards, and Procedures

Guideline: The organization must have established compliance standards and procedures to be followed by its employees and other agents that are reasonably capable of reducing the prospect of criminal conduct.

Mission Integrity: The MERIT Behavioral Standards have been developed for corporate compliance based upon our core values for everyone (officers and directors, staff, contractors,

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physicians, volunteers, etc.) to follow. The Code of Conduct explains these expected behaviors (see Attachment A). This code of conduct is based on billing issues, business ethics and legal issues.

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The corporate compliance section of the MERIT Behavioral Standards set forth:

- A. Mission’s commitment to full compliance with all Federal health care program requirements, including its commitment to prepare and submit accurate claims consistent with such requirements and the Federal and State False Claims Acts.
- B. Mission’s requirement that all of its personnel are expected to comply with all Federal health care program requirements and with all related compliance policies and procedures; and,
- C. The right of Mission’s personnel to report issues and concerns without fear of retribution or retaliation and to maintain confidentiality and anonymity with respect to such employees. The Deficit Reduction Act of 2005 provides protection to employees for reporting illegal or fraudulent activities to the government.

Each officer, director, and employee is required to annually certify in writing that he or she has received, read, understood, and will abide by the Corporate Compliance section of the MERIT Behavioral Standards.

Standard policies and procedures relate to compliance issues, examples include billing practices, conflicts of interest, physician contractual relationships, patient confidentiality, screening for sanctions, acceptance of business courtesies, anti-trust issues, IRS issues, DRG coding, tax exempt issues, false claims, etc. Each department is asked to review their own policies and procedures to ascertain that they are in compliance with these rules and regulations.

2. **Compliance Oversight and Due Diligence**

Guideline: *Specific individual(s) within high-level personnel of the organization must have overall responsibility to oversee compliance with such standards and procedures. The organization must have used due care not to delegate substantial discretionary authority to individuals who the organization knew, or should have known, through the exercise of due diligence, had a propensity to engage in illegal activities.*

Mission Integrity: A Corporate Compliance Officer (CCO) has been designated that reports directly to the President and indirectly to the Audit and Compliance Committee of the Board. The CCO has responsibility for the Mission Integrity Program.

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The Mission Integrity Steering Committee meets on a quarterly basis and is comprised of the following representatives:

- Senior Vice President and Chief Financial Officer
- Chief Medical Officer
- Vice President and Corporate Compliance Officer
- Vice President, Human Resources
- Vice President, Clinical Operations
- Vice President and General Counsel
- Director, Medical Staff and Professional Services
- Values and Ethics Coordinator
- Audit and Compliance Manager

The following subcommittees of the Steering Committee have been established:

- Billing Compliance
- Mission Education
- Organizational Ethics

3. **Staff Member Training**

Guideline: *The organization must have taken steps to communicate effectively its standards and procedures to all staff members and other agents, (e.g., by requiring participation in training programs or by disseminating publications that explain in a practical manner what is required).*

Mission Integrity: Annual training requirements are reviewed with the Mission Education Committee each year. Training materials are developed on an annual basis and are entered into WebInservice. The annual training includes a refresher on Mission Integrity, new policies and procedures and changes in rules and regulations and an update on reported issues. Department leaders are responsible for making certain that training attendance is properly documented in Lawson. Additional training is required for all employees, contractors, subcontractors, agents, and other persons who provide patient care items or services or who perform billing, coding or claims submission functions on behalf of Mission. Such additional training will address: a) the Federal health care program requirements regarding the accurate coding and submission of claims; b) policies, procedures and other requirements applicable to the documentation of medical records; c) applicable reimbursement statutes, regulations, and program requirements and directives and d) the False Claims Act and Deficit Reduction Act.

Physician educational sessions are held periodically. A general overview of Mission Integrity is incorporated into General Hospital Orientation. The use of posters, E-mails, bulletin boards, *SCOPE* articles, Medical Staff newsletters, Board Review newsletters, the Intranet and other means of communication are used to the greatest extent possible to obtain maximum exposure

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4. **Auditing and Monitoring Compliance**

Guideline: *The organization must have taken reasonable steps to achieve compliance with its standards, (e.g., by utilizing monitoring and auditing processes reasonably designed to detect criminal conduct by its employees and other agents) and by having in place and publicizing a reporting system whereby employees and other agents could report criminal conduct by others within the organization without fear of retribution.*

Mission Integrity: It is recommended that all compliance questions or concerns be addressed directly with the CCO. It is very difficult to adequately address potential compliance issues if there is insufficient information given for an adequate investigation to occur. Therefore, a number of alternatives have been developed for asking questions and reporting potential or actual compliance issues.

Options available to staff include:

1. Placing a phone call or E-mail to the Vice President/Corporate Compliance Officer (213-3523).
2. Completing a written report form.
3. Sending an anonymous E-mail message on the Intranet via InsideMission.
4. Placing an anonymous call to the HOT LINE (1-877-ETHICS-1).

In all cases, the following general guidelines will be enforced:

- Confidentiality is protected. Calls are handled expeditiously and in the strictest of confidence.
- No form of retaliation or retribution is made if reported in good faith. If this is attempted against a staff member, that person will be subject to disciplinary action, up to and including termination.
- Availability of HOT LINE is 24 hours a day (1-877-ETHICS-1).
- Human Resource (HR) issues are to be forwarded to HR. The CCO will provide timely feedback when feasible.
- All normal channels are to be followed for addressing issues of concern. Any process noted above is not intended to replace the normal reporting procedures.
- Phone numbers are listed in the back of the Mission Integrity Question and Answer Booklet that directs staff members to the appropriate parties with their concerns.
- All activity is logged and reviewed with the Mission Integrity Steering Committee.
- Standard reports are posted on the Intranet on a quarterly basis.
- Reports are made by the CCO to various members of senior management, as well as the Board of Directors, as deemed appropriate.

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Risk assessments are conducted by the CCO and the staff of Audit and Compliance Services on an annual basis. Audit work plans are developed each year based on the risk assessments and other sources such as the annual OIG Work Plan, advisory opinions, IRS guidelines, fraud alerts, and other areas published as being potential areas of concern. Prioritization of audit work is the responsibility of the CCO. Audits are conducted and then reports are generated and distributed to the appropriate parties for follow-up. It may be deemed necessary on occasion to utilize the attorney-client privilege in a given situation.

5. **Discipline Policies**

Guideline: *The standards must have been consistently enforced through appropriate disciplinary mechanisms including, as appropriate, discipline of individuals responsible for the failure to detect an offense. Adequate discipline of individuals responsible for an offense is a necessary component of enforcement; however, the form of discipline that will be appropriate will be case-specific.*

Mission Integrity: Corrective action will be taken for violations of Mission Corporate Compliance policies and/or local, State and Federal laws, rules and regulations. Human Resources Policy #HR 5.01, "Corrective Action" indicates the appropriate corrective action to be taken for failing to comply with corporate compliance guidelines (standards, code of ethics, billing issues, etc.). Consistency in enforcement and discipline is required in order for the program to operate effectively.

6. **Follow-up Prevention**

Guideline: *After an offense has been detected, the organization must have taken all reasonable steps to respond appropriately to the offense and to prevent further similar offenses -- including any necessary modifications to its program to prevent any violations of law.*

Mission Integrity: Prompt investigation will occur when a potential violation is communicated to the CCO. Once the investigation is complete, corrective action in terms of revising policies and procedures will be undertaken to prevent future occurrences. These changes will be communicated with the appropriate individuals or departments if able to do so. The necessary training will be developed and implemented. Disciplinary action will be taken if deemed necessary. This will be done immediately after the investigation and in accordance with the standards for disciplinary action. All activities and actions taken will be documented. Appropriate use of attorney-client privilege will be utilized.

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7. **Program Effectiveness**

Mission Integrity: Demonstrating the effectiveness of the Corporate Compliance Program is an essential program element. We will evidence its effectiveness by the following:

- Designation of the Vice President/Corporate Compliance Officer for assuring the Compliance Steering Committee is staffed with adequate resources.
- Board, Steering Committee and other committee minutes indicating actions taken.
- Utilization and results of reporting potential and actual compliance issues.
- Training records of attendance and evaluations.
- Results of action taken related to compliance issues.
- Annual audit plans developed based on risk assessments.
- Compliance/audit reports and follow up results.
- Conduct surveys periodically to determine the effectiveness of the program.
- Billing and coding error rates.
- Maintenance of the Mission Integrity Corporate Compliance Intranet site.
- Communication of current, relevant corporate compliance information to all appropriate parties.
- Development of compliance training materials.
- Professional development by review of literature and attending conferences related to compliance topics.
- Sanctions screening performed.

Mission Integrity - - Our Values at Work

Code of Conduct

Introduction

This Code of Conduct establishes a baseline for which all Mission employees must comply as a condition of employment in order to ensure that their conduct conforms to high ethical standards and is in accordance with our Mission, Vision and Core Values as well as all applicable laws, rules and regulations. Any doubts whatsoever as to the propriety of a particular situation, whether or not the situation is described within this Code of Conduct, should be submitted to your immediate supervisor or to the Compliance Officer. The intent of the Mission Integrity Program is to encourage and reinforce behaviors that exhibit strong moral, ethical and legal standards of conduct.

For purposes of regulatory compliance, Mission's Code of Conduct is incorporated into the MERIT Standards of Behavior under the heading of Corporate Compliance.

Every employee is required to understand and comply fully with this Code of Conduct. The standards of conduct are applicable to all Mission employees whether or not the employee is directly engaged in performing activities relevant to any federal, state or local rules and regulations.

Any employee violating any provision of the Code of Conduct will be subject to corrective action, up to and including discharge from employment. In addition, promotion of and adherence to this Code of Conduct and the Mission Integrity Program will be used in evaluating the performance of all employees. To the extent that any additional policies are set forth in any other policy manual, those policies should be consistent with this Code of Conduct. In case of any inconsistency, this Code of Conduct shall govern.

To ensure that proper dissemination and understanding of the Code of Conduct are achieved, the following will be followed:

- A copy of the Code of Conduct will be given to all employees. The MERIT booklet that is distributed to all employees includes the Code of Conduct.
- Employees will also complete a signed Annual Certification. Signing this certification will be done in conjunction with the training requirements of Mission Integrity. New employees will sign this during orientation. All such signed statements will be retained in their department.
- Adherence to the Code of Conduct is vital. Supervisors are responsible for ensuring that employees are aware of and adhere to the provisions of the Code of Conduct. For clarification or guidance on any point, consult the Compliance Officer.

MERIT Behavioral Standard **Corporate Compliance**

By demonstrating our integrity, we assure ourselves, our community and the government that we are in compliance with the legal guidelines to ethical behavior between businesses that protect the community from business improprieties and financial abuses.

- ***Honoring Patients' Rights***
Treating people with respect and dignity is always the right thing to do. It is especially true in our treatment of our patients who are vulnerable when they come to us for care. As health care providers, it is our job to make our patients feel secure in our care and that includes the security to know they will be treated respectfully and with dignity at all times.
- ***Providing Quality Care***
We want the best for our patients. As a health care provider, we have dedicated ourselves to providing only high quality care to the people of this region. Quality of care depends on the work we do as individuals. It is a promise we deliver every day, in every aspect of our work. The quality of care we provide is a source of pride in ourselves.
- ***Keeping Patient Information Confidential***
Confidentiality of patient information is of the utmost importance. It is a trust our patients have a right to expect from us. This means not discussing patient information. Only people directly involved in a patient's care should have access to that patient's records.
- ***Providing Medically Necessary Care to Patients***
We should provide the care necessary to take care of our patients without regard to their ability to pay for the services provided. This also means that we will be prudent in the utilization of our resources; being mindful not to over utilize or under utilize the services being provided to our patients.
- ***Making Clinical Decisions Without Regard to Financial Issues***
The protection of clinical decision making should be honored with integrity. Clinical decision making should not be compromised by any financial interest. Regardless of managed care contracts, clinical trial or research activities, or investment activity, quality care will be provided to patients and will not be compromised for any one person's personal gain or for the financial benefit to Mission.
- ***Abiding by the Letter and Spirit of Laws, Rules and Regulations, Policies and Procedures***
Providing health care to a large community is an enormous responsibility. Because it can involve complex issues, it is governed by many laws, rules, regulations, policies and procedures to ensure that we operate fairly and ethically. Some of these rules are our own and some of

them are passed down by the government.

For instance, we follow all Medicare/Medicaid rules and regulations. They are available for review in many departments. If each of us abides by the laws, rules, regulations, policies and procedures that apply to us, we will be doing our part to see that Mission always operates with integrity. If you have questions about the legality or rightness of a situation, ask your supervisor about it.

- ***Disclosing Accurate Information***

When we are contacted for information or are completing reports, it is vital that the information is accurate. Much of the information and reports that we gather are used in guiding decision-making about policies or procedures. Inaccurate information can lead to decisions that are not in the best interests of our patients or Mission Hospitals.

- ***Avoiding Conflicts of Interest***

We want to pay attention to those things that we do which could represent a conflict with the best interests of Mission Hospitals. This can mean many things. It could be using a close member of your family as a vendor. It could mean giving public support to someone who is doing business with us so that it looks as if Mission is supporting that person. Or it might mean your accepting outside work that takes away from your full concentration here at Mission Hospitals. If you have questions about what might be a conflict of interest, check the administrative policy or speak with your supervisor.

- ***Coding and Billing Valid Claims***

The integrity with which we handle our claims for payment for services is at the heart of avoiding fraud, waste and abuse in health care. It is unethical and against the law to code and bill for anything other than services actually provided. To do so is to break the trust our community has in us. Mission Hospitals will not tolerate such practices. If you become aware of any upcoding or fraudulent billing, notify your supervisor. We want our community to know they can rely on us to operate with the highest integrity - that is one of the reasons for the Mission Integrity program. We want to be very careful when submitting claims to be sure that every claim is true and accurate, reflecting only services actually performed. If any inaccuracies are detected, immediately discuss the issue with a supervisor and correct the error. If you see problems with claims that are not being corrected, please contact the Compliance Officer.

- ***Providing Patients Freedom of Choice for Referral Services***

Freedom of choice among competitors must be provided to patients when referring patients for services such as home health, durable medical equipment (DME), home infusion, long term care or rehabilitation. This shall be done on a non-discriminatory basis without regard to any Mission ownership or interest. Any Mission ownership or interest should be disclosed to the patient.

- ***Refusing Cash Gifts from Patients and Vendors***

All cash gifts should kindly be refused. Mission Hospitals is a nonprofit organization and has adopted the more stringent conflicts of interest guidance that are based on the Internal Revenue Code. This guidance prohibits the acceptance of cash gifts. You may inform the patient or the vendor that you appreciate their gift but you cannot accept it and that perhaps they would like to make a donation to the Mission Healthcare Foundation on your or your department's behalf.
- ***Using Hospital Resources for Personal Gain***

The use of Hospital resources for personal gain is not acceptable. You are given tools to do your job. These tools are not to be used for personal use or benefit. Examples include:

 - Computers should be used for work related purposes and not for personal use.
 - Company vehicles should be used for business purposes only and not for personal use.
 - Using Mission information or resources to enter into a personal business arrangement is unacceptable.
 - Representing oneself as a Mission employee to gain favorable treatment in any personal contractual arrangement is unacceptable. +
 - Frequent personal use of the internet is unacceptable.
- ***Keeping Accurate Records***

Our records are the history of what we have done and they are vitally important to us because they provide documentation for our own reference and for any investigations by outside sources. We keep records about our patients, our employees, our physicians, clinical procedures, and financial transactions. Just as we would want any information about ourselves to be completely accurate so there is a fair picture, we want the same to be true of the other records we keep. It is the responsibility of each of us, when doing record keeping, to be totally accurate.
- ***Refusing Bribes and Kickbacks***

We have all heard of such things as bribes and kickbacks: money or gifts or special treatment given to someone in exchange for a favor. The favor may be many things from a promise to make patient referrals to the promise to use a particular vendor's product. Offering or accepting bribes or kickbacks is illegal behavior and no one should participate in it. Both Mission Hospitals and the government take strong action against the acceptance of bribes and kickbacks so we have to look carefully at and refuse offers of money, gifts, entertainment, or meals, except for the most modest. If you have a question about what is appropriate to accept, look at the policy or ask your supervisor. If your supervisor is unsure, call the Corporate Compliance Officer.
- ***Avoiding Unfair Trade Practices***

Mission Hospitals will not make agreements with competitors about prices to charge, services that we provide, or who to buy from. We should each take care not to discuss with anyone

outside Mission such things as pricing policies, purchasing practices, costs, salaries, marketing plans and surveys.

- ***Filling Out Reports Accurately***
Because ours is sensitive and complex work and subject to review, we want to be very careful when filling out reports. Accuracy is important. Sometimes if we get in a hurry or are distracted, we do not put down exactly what we intended. For our own record keeping purposes and for the claims and reports that go to third parties, we want to be certain that what is listed is correct and that the information is accurately entered.
- ***Reporting Our Time Correctly***
We have talked about keeping accurate records. Reporting our time is one of those important records. As well as being the record of what we have earned, it tells us how time is used at Mission so that we can operate efficiently. We want to make every effort to keep close track of our actual time and to report it correctly and regularly. This is another way to demonstrate our integrity in our work. Be aware, as well, that we are to report only our own time.
- ***Making Political Contributions***
Employees may not contribute or donate Mission's funds, services or other resources to any political cause, party or candidate without the advance written approval of the Corporate Compliance Officer. However, employees may make voluntary personal contributions to any lawful political causes, parties or candidates as long as the individual does not represent that such contributions come from Mission and as long as the individual does not obtain the money for these contributions from Mission for the sole purpose of making such a contribution.
- ***Marketing and Advertising Activities***
In conducting all marketing and advertising activities, Mission employees may offer factual information in documented evidence to the general public. Mission employees shall not distort the truth, make false claims, engage in comparative advertising or attack or disparage another provider. All direct consumer marketing activities require legal review in advance if they involve giving anything of monetary value to a patient.
- ***Abiding by Anti-Kickback, Stark Self-Referral or other Federal and State Regulations***
Federal and state laws prohibit Mission and its employees from offering a kickback to an entity or person to induce that patient or potential patient to purchase services from or to refer a patient to Mission. Moreover, the laws prohibit accepting a kickback. As this is a highly complex area of the law, this policy cannot list all situations in which the anti-kickback laws may apply. Therefore, employees must take special care in this area as well, and promptly refer any questions to the Compliance Officer, who may refer the question to General Counsel. Examples of the types of actions that could violate the federal Medicare/Medicaid anti-kickback and similar state laws include the following:
 - (1) Offering or paying anything of value to induce someone to refer a patient of Mission;
 - (2) Offering or paying anything of value to anyone (patient or referral source) in marketing Mission;
 - (3) Soliciting or receiving anything of value for the referral of Mission patients to others;

- (4) Receiving free goods of a kind other than the same good when purchasing products.