

The Compliance Program & Code of Conduct

Pleasant Valley Hospital (PVH) is committed to providing quality healthcare services and health professional training. At the same time, we are expected to take responsibility for appropriate ethical and legal behavior in the workplace. The Compliance Program pertains to all members of the workforce, including all employees, healthcare professionals, students and trainees, contractors, and volunteers.

Healthcare continues to become more complex, with an increased emphasis on financial considerations. In addition, federal and state governments have placed growing importance on preventing and detecting instances of fraud and abuse in violation of healthcare laws and regulations. The primary method of preventing healthcare fraud and abuse has been the creation of compliance programs at the corporate level as a method of self-monitoring by members of the healthcare sector.

The Federal Department of Health & Human Services and its Office of the Inspector General (OIG) strongly urge all healthcare providers to implement effective corporate compliance programs not only to further advance the prevention of waste, fraud and abuse in healthcare, but to further the fundamental mission of all healthcare entities, which is to provide quality healthcare to patients. The OIG also recognizes that a sincere effort to comply with applicable federal and state standards through the establishment of an effective compliance program significantly reduces the risk of unlawful or improper conduct and may, in fact, mitigate the severity of administrative penalties. PVH has taken up this mandate in part to serve as a role model for good corporate citizenship in healthcare.

In furtherance of this initiative, PVH has adopted a Code of Conduct intended to provide guidance to all employees, healthcare professionals, students and trainees, contractors and volunteers. While much of this Code appears to be self-evident, it serves an important function in ensuring adherence to the law. A Corporate Compliance Officer, Craig Gilliland (ext. 1398), has been appointed to administer the Program, ensure that it is kept up to date, facilitate education of all employees about compliance issues and investigate compliance questions.

The goals and objectives of the Compliance Program are to:

- Reduce risk of fraud, abuse and waste
- Detect and prevent misconduct and violations of laws, regulations and policies
- Educate staff about the Compliance Program and their related responsibilities
- Develop an ethical infrastructure to help guide staff behavior and activities

The Compliance Program helps make compliant, ethical behavior part of the standard operations of all parts of PVH. Both “doing things right” and “doing the right thing” are consistent with PVH’s mission, vision and values.

The specific purposes of the Compliance Program are to:

1. Maintain and enhance quality of care.
2. Demonstrate sincere, ongoing efforts to comply with all applicable laws.
3. Revise and clarify current policies and procedures in order to enhance compliance.
4. Enhance communications with governmental entities with respect to compliance activities.
5. Empower all responsible parties to prevent, detect, and resolve conduct that does not conform to applicable laws, regulations, and the Compliance Program.
6. Establish mechanisms for employees to raise concerns about compliance issues and ensure that those concerns are appropriately addressed.

As set forth in the Code of Conduct, all Pleasant Valley Hospital staff should adhere to all applicable standards of professional practice and ethical behavior in carrying out their duties and should not feel forced to take part in unethical, improper or illegal conduct. A Confidential Compliance Hotline is available for staff to anonymously report compliance concerns. The hotline can be reached by calling 1-304-674-2439.

CODE OF CONDUCT

Pleasant Valley Hospital’s Code of Conduct (categorized as follows) has been implemented to express the Hospital’s mission, vision and values. Furthermore, it serves as a guide for employees to abide by to ensure compliance with state and federal laws.

Quality of Care

- We will anticipate and respond to all patient needs, striving to provide comprehensive services that meet those needs.
- We will encourage open and honest communication with the patient, recognizing their right to informed consent and the right to refuse treatment.
- We will afford each patient appropriate confidentiality, privacy, security and protective services, opportunity for resolution of complaints and pastoral or spiritual care.
- We will provide appropriate medical screenings and stabilizing treatment to all individuals who present to the emergency department or other outpatient areas potentially in need of emergency medical treatment. We will ensure that all admissions, transfers and discharges are medically appropriate. Admission, transfer and discharge decisions will not be based on the patient’s ability to pay.
- Patients are to be transferred to another facility only when their specific diseases or conditions cannot be treated at PVH, when PVH does not have the capacity to treat them or when the patient requests such a transfer.

- We will employ only properly licensed and credentialed providers with proper expertise and experience to care for our patients.
- We will not knowingly employ or contract with any individual or entity that is excluded from participation in any federal or state medical program.
- We will not discriminate against any patient for any reason including race, color, creed, national origin, religion, gender, disability, age or ability to pay.
- We will ensure that the services we provide are supported by documentation.

Compliance with Laws and Regulations

- We will comply with all applicable laws and regulations in all jurisdictions that affect our business.
- We will comply with all applicable federal healthcare program requirements, including the fraud and abuse laws and billing and coding standards.
- Confidential patient information will be available only to those providing direct care, or others authorized to review patient information. We will maintain complete and accurate patient medical records and keep all such information confidential and secure according to applicable laws and policies.
- We will not contribute hospital funds, products or services or other resources to any political cause, organization, candidate, or party, or engage in lobbying activities on behalf of the hospital without the advance approval of the President and CEO. This principle does not prohibit employees from making voluntary personal contributions to any lawful political causes, parties or candidates on their behalf and from their own personal resources or making contributions to political action committees to the extent permitted by applicable law.
- We will not pursue any business activity that requires us to act illegally.
- We will not provide, request, receive or offer anything of value to reward or influence the referrals of patients or services payable by a government healthcare program. Kickbacks, bribes, rebates, compensation or benefits of any kind intended to induce, or reward referrals or influence purchasing decisions are strictly prohibited.
- We will accurately and clearly represent the true nature of all transactions in financial reports, accounting records, research records, expense records, time sheets and other documents. We will engage in proper and accurate coding, billing, accounting, documentation, and financial reporting.
- We will ensure that all agreements with individuals or organizations that may be a possible referral source are in writing and approved by appropriate management or legal counsel.

Billing and Coding

- The Hospital will maintain a commitment to fair and accurate billing that is in accordance with all federal laws and regulations. Fraud and Abuse are included under this Code of Conduct. (Fraud includes making false statements or representations of facts to obtain payment or benefit to which you were not otherwise entitled. This is done knowingly, willfully, and intentionally. You knew it was wrong when you did it. Some examples of fraud in hospitals include false billing, misrepresentation, upcoding of charts,

unbundling of charges and unnecessary services. Abuse includes practices that directly or indirectly result in unnecessary increase in cost or utilization of medical services or products. This would include things such as over-utilization of procedures and equipment and not abiding by professionally recognized standards).

- We will only bill for services determined by the ordering physician to be medically necessary, actually provided, and documented in the patient's medical records.
- We will not knowingly submit for payment or reimbursement of a claim we know to be false, fraudulent, or fictitious.
- We will make every reasonable effort to assign billing codes that accurately reflect the services and products provided. Upcoding, unbundling or any other means of artificially enhancing reimbursement is unlawful and strictly prohibited.
- We will regularly review our records for credit balances and promptly refund any overpayments.
- We will not routinely waive insurance co-payments or deductibles.
- We will conduct general collection/credit procedure according to the Fair Debt Collections Practices Act.
- We will ensure that all requests for payment or reimbursement comply with all applicable laws and regulations, and all requirements of any third-party payer.

False Claims Act

One of the most major and most encompassing laws governing the healthcare industry is the federal False Claims Act (FCA), a law by which the federal government prosecutes, criminally or civilly, individuals or entities who submit or cause to be submitted, claims for payment by the government, when the claims are false. In the healthcare industry this includes Medicare, Medicaid, and other federal healthcare programs. To avoid creating a false claim, PVH:

- Will not bill twice for the same service
- Will not bill for services not rendered, bill for unnecessary services or falsify certificates of medical necessity
- Will not unbundle services nor bill separately for services that should be billed as one
- Will not create false medical records or treatment plans to increase payments
- Will report and refund over payments and credit balances

The False Claims Act includes a whistle blower provision, known as the Qui Tam provision, which encourages individuals with actual knowledge of false claim activity to file a lawsuit on behalf of the United States government. The whistleblower must be the original source of the allegation, not having received information of the wrongdoing third hand nor using published accounts of fraud allegations or information that has already been provided to the government.

Protection of Property

- The Hospital is committed to protecting its property against loss, theft, or misuse.
Property includes physical assets, funds, and proprietary information.
- We will correctly use and care for all property and equipment entrusted to us.
- We will respect and safeguard the property of employees, patients, and their visitors.
- We will dispose of all surplus or obsolete property and equipment according to established procedures.
- We will retain medical, business documents and records in accordance with applicable laws.
- We will not permit making unauthorized copies of computer software or using personal software on computer equipment, except when allowed by the terms of the licensure.
- We will not communicate or transfer any information or documents to any unauthorized persons.
- We will store all records in a secure location for the period of time required by law. The premature destruction or alteration of any documentation in response to, or in anticipation of, a request for those documents by any government agency or court is strictly prohibited.
- We will use all communication systems, including but not limited to e-mail, phones and voicemail for business purposes and accordance with communications policies and standards.

Conflicts of Interest

- We will not knowingly pursue any activity that might conflict with the interests of the organization. To avoid the appearance of impropriety, we will not accept or provide gifts with a value in excess of \$50.00.
- We will exercise good faith when dealing in all transactions that involve our responsibilities to the organization.
- We will not misuse our position for personal gain.
- PVH does not object to employees holding other jobs as long as they can effectively meet the performance standards for their job at PVH and no conflict is caused by the arrangement.
- We will disclose any potential conflicts of interest to management or administration.
- Business courtesies such as entertainment, meals, transportations, or lodging should not be provided to or accepted from customers, referral sources or purchasers of the hospital.

Health and Safety

- We will take all reasonable precautions and follow all safety rules and regulations to maintain a safe environment for our patients, employees, and visitors.
- We will take appropriate measures to reduce the risk of violence. Unauthorized weapons of any kind are strictly prohibited.

- The unlawful manufacture, distribution, dispensing, use, purchase, sale, possession or consumption of alcohol or drugs, reporting to work in an intoxicated condition, is strictly prohibited. Any violation is grounds for disciplinary action, including termination. This restriction does not apply to employees taking over-the-counter and physician prescribed medication according to direction so long as there is no impact on the employee's ability to fulfill their job function.
- We will follow all rules and regulations regarding the disposal of infectious and hazardous waste material.
- We will become more familiar with all safety and emergency plans.
- We will promptly report any existing or potential condition hazardous to human health or the environment, or accidents involving injury to a patient, employee, or visitor to the appropriate supervisor.