



## **CORPORATE COMPLIANCE PROGRAM & CODE OF ETHICAL CONDUCT**

Visiting Nurse Association of Greater St. Louis has established a Corporate Compliance Program and Code of Ethical Conduct. The Corporate Compliance Program and Code of Ethical Conduct have been established to ensure that the organization's provision of community-based health care services is in compliance with all laws and regulations. The Company is dedicated to promoting ethical practices and accountability. This applies to officers, employees, volunteers, and independent contractors (hereafter referred to as employees) because any illegal or unethical action or the appearance of misconduct or impropriety by anyone acting on behalf of the Company is unacceptable. The Board of Directors charges the President and Chief Executive Officer (President) with ensuring that the Company policies, governs, without exception, all activities of the Company.

The program has three (3) specific purposes:

1. To ensure that employees are familiar with the basic regulatory, legal and ethical standards that governs their job performance.
2. To communicate to employees the clear and unambiguous directive of the Board and the organization's management that employees adhere to the law and conduct themselves ethically.
3. To make employees aware that assuring the Company remain in full compliance with applicable laws and standards of integrity is part of the job responsibility of every employee.

### **Ethical Principles**

#### **Responsibility to Clients and Patients:**

- Employees will maintain a genuine interest in the welfare of clients and patients. Employees will dedicate themselves to the best interests of clients and patients to helping them help themselves.
- Employees will not refuse or delay professional services to anyone on the basis of race, color, age, sex, religion, sexual orientation, national origin, political beliefs, gender identity or expression, veteran status, language barrier, or disability.
- Employees will not abandon or neglect clients or patients in treatment without making reasonable arrangements for the continuation of such treatment.

#### **Personal and Professional Integrity:**

- Employees will conduct themselves in an honest and ethical manner, including the ethical handling of actual or apparent conflicts of interest between the Company's interests and the personal interests of an employee or volunteer.
- If an employee mentions the Company on a social media site, the employee should use their professional judgment as a representative of the company. Disparaging and/or negative remarks/comments about VNA on social media will result in disciplinary action.



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### **Professional Competency:**

- Employees have a total commitment to provide high quality of care to those who seek professional services and act in accordance with the highest standards of professional integrity.
- Employees will not attempt to diagnose, treat, or advise individuals regarding problems outside the recognized bounds of their competence/scope of practice.
- Employees seek appropriate professional assistance for their own personal problems or conflicts that may impair work performance and/or clinical judgment. Employees should inform Human Resources when appropriate.

### **Mission:**

- The Company has a clearly stated mission and all who work for the Company understand and are loyal to that mission.
- To fulfill this mission, employees shall work to improve the effectiveness and efficiency of services provided and use resources only for the purposes for which they are intended.

### **Governance:**

- The Company has an active governing body that is committed to and responsible for setting its mission and strategic direction and oversight of finances, operations, and policies.

### **Compliance with the Law:**

- The Company is knowledgeable of and complies with laws and regulations of the United States in a manner that will always reflect a high standard of ethics. Compliance with the law does not comprise our entire ethical responsibility; rather it is a minimum, absolutely essential condition for performance of our mission and duties.

### **Responsibility to Employees:**

- The Company is committed to treating employees with honesty, courtesy, fairness and respect, and providing a safe and healthy work environment.
- Abusive, harassing or offensive conduct is unacceptable, whether verbal or physical.
- Employees who have the responsibility for employing and evaluating the performance of other staff shall do so in a responsible, fair, considerate and equitable manner.
- The Company is committed to providing employees and others who are on company property with a safe and secure environment.

### **Financial Stewardship:**

- The Company manages its funds responsibly and prudently.
- It ensures that spending practices and policies are reasonable and appropriate and financial reports are factually accurate and complete in all material respects.
- As a tax-exempt charity, Visiting Nurse Association of Greater St. Louis uses and expends its funds in a manner that advances the charitable mission and objectives of the Company and not the private interests of any individual or entity.



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### **Fraud, Waste & Abuse:**

- Employees are expected to use good judgment, to adhere to high ethical standards, and to avoid situations that create an actual or potential for fraud, waste or abuse.
- Fraud is an intentional deception or misrepresentation made by someone with knowledge that the deception will result in unauthorized benefit or financial gain.
- Abuse is a practice that is inconsistent with accepted business or medical practices or standards and that results in unnecessary cost. Waste includes any practice that results in an unnecessary use or consumption of any resource.

Some examples of fraud:

- Billing for services not rendered
- Billing for services not medically necessary
- Upcoding – billing a higher level service than provided
- Forgery or alteration of documents
- Unauthorized alteration or manipulation of computer files
- Fraudulent financial reporting
- Pursuit of a benefit or advantage in violation of the Company's Conflict of Interest Policy
- Misappropriation or misuse of resources, such as funds, supplies or other assets

### **Billing Practices:**

- In order to satisfy the laws and regulations within which the Company operates, it is essential that our daily business practices be consistent with the highest standards for integrity.
- All business records must be accurate. All employees must record and report information accurately and honestly. All patient records, whether medical or for billing purposes, must contain only accurate information. No entry to any record should hide or disguise any fact. If any employee has a question about whether any entry to a patient or billing document is appropriate, that employee should discuss the matter with a supervisor or the Corporate Compliance and Ethics Officer.

### **Fundraising:**

- Solicitation will be respectful of the needs and interests of the donor or potential donor.
- The Company will assure that grants and gifts will be used for the purposes for which they were given and respect the privacy of individual donors.

### **Inclusiveness and Diversity:**

- The Company has a policy of promoting inclusiveness and diversity and its staff and Board reflect and benefit from the perspectives of many different segments of the community.



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### **Public Accountability:**

- The Company provides comprehensive and timely information to the public and is responsive to reasonable requests for information.
- Basic informational data about the Company such as the Form 990 are available to the public.
- Advertisements, publications, and collateral materials accurately represent the Company and its policies and practices.

### **Accuracy and Retention of Records:**

- The Company will create and maintain records that satisfy operational and legal requirements including federal, state and local laws.
- Employees should consult with management for questions related to document retention guidelines or the propriety of disposing of a Company document or record. Employees can consult the Document Retention Policy for further information.

### **Conflict of Interest:**

- Employees must follow the Conflict of Interest Policy and are expected to devote their best efforts and attention to the performance of their jobs.
- Employees are expected to use good judgment, to adhere to high ethical standards, and to avoid situations that create an actual or potential conflict between the employee's personal interests and the interest of the Company.
- Gifts, loans, and other compensation, or unusual hospitality that impairs or may be perceived to impair independent and prudent judgment or decisions by an employee on behalf of the Company should not be accepted or solicited.

### **Confidential Information:**

- No employee shall disclose confidential information unless the recipient will generally need this information to carry out his or her assigned responsibilities as an employee or as an outsider who has been properly authorized by a member of management to receive such information.
- Employees will store and/or dispose of confidential records in a way that maintains confidentiality.
- Employees shall maintain a professional attitude which respects confidentiality towards clients, colleagues, applicants, and any sensitive situations arising with the Company. Confidential information includes data on patients, decisions, plans, research and marketing techniques and strategies, financial data, financial plans, software programs, and lists of potential or actual donors, or other clients, or any other information the disclosure of which might be contrary to the interest of Visiting Nurse Association without prior authorization.
- This includes any information the Company obtains from another party and which the Company treats as confidential, whether or not owned or developed by the Company.



## **CORPORATE COMPLIANCE PROGRAM & CODE OF ETHICAL CONDUCT**

- **Proprietary Information:**  
Proprietary Information cannot be shared with anyone outside the Company under any circumstances. This includes, among others, former employees, competitors, and any other outside party. It also cannot be shared with anyone inside the Company who does not have a “need to know” the information, and even then, only the minimum amount of information necessary may be shared. Only the President of the Company may allow someone, in advance of the disclosure and in writing, to disclose Proprietary Information contrary to this provision.

Proprietary Information also cannot be used by any employee for any purpose other than the current, legitimate performance of his/her job duties. Any other use is strictly prohibited. Any violation of any provision of this policy will subject the violator to immediate discipline, up to and including discharge. In addition, the Company will pursue any violation of this policy to the fullest extent permitted by law. The obligations under this policy also extend to former employees, after they have left employment.

### **Federal Anti-Kickback Statute:**

- Employees are expected to use good judgment, to adhere to high ethical standards, and to avoid situations that would violate the Federal Anti-Kickback Statute.
- The Federal Anti-Kickback Statute prohibits certain conduct involving improper payments in connection with the delivery of items or services covered by a number of federal health care programs, including Medicare and Medicaid. Among other things, these prohibitions apply to anyone who knowingly and willfully solicits or receives any payment in return for referring an individual to another person or entity for the furnishing, or arranging for the furnishing, of any item or service that may be paid in whole or in part by the Medicare or Medicaid programs, or other federally-funded health care programs. Similarly, the federal statute applies where an individual offers or makes payments to another person in order to induce referrals or other prohibited conduct. Illegal payments or solicitations of payments include those in cash or in-kind (e.g., goods), those made directly or indirectly, and those made overtly or covertly.
- Some examples of kickbacks:
  - A hospice offering free goods or goods at below fair market value to induce a nursing home to refer patients to the hospice.
  - A hospice paying “room and board” payments to the nursing home in amounts in excess of what the nursing home would have received directly from Medicaid had the patient not been enrolled in hospice.

### **Endorsements and Use of Visiting Nurse Association of Greater St. Louis’s Name:**

- The Company’s name may not be used by employees to endorse or gain support for a cause without express authorization from the President and CEO.



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### **Media Relations:**

- All media inquiries regarding VNA for the past, present and the future are to be referred to the President's office. This includes inquiries through media platforms, but not limited to print, online, digital and social media.
- The President & CEO or their designee serves as VNA's spokesperson for all media inquiries.
  - VNA staff will work with appropriate VNA leadership to develop communications to address a situation.
  - VNA's Chief Medical Officer (CMO) will provide interviews addressing medical discussions and promotion of VNA services. CMO will notify the President's office in advance of any such interviews or promotions.

### **Where to Go With a Question, Concern or to Report a Violation**

If you need an explanation or you want to know if a provision of this policy applies to a particular situation, you may contact your supervisor, any member of the management team or the President. If the explanation or situation concerns the President, you may contact the Chair or the Vice-Chair of the Board of Directors (Board Chair or Vice-Chair). The President will serve as the Corporate Compliance and Ethics Officer. Any Director, Manager or Supervisor who becomes aware of an alleged violation under this policy must report it in writing to the President or to the Board Chair or Vice-Chair if the alleged violation concerns the President.

If you believe a colleague is violating this policy or otherwise acting in an illegal or unethical manner, you must report it. Doing so will not be considered an act of disloyalty, but an action which shows your sense of responsibility and fairness to the Company and the community it serves. Your report will be investigated with confidentiality and you will be protected from retaliation.

If you are concerned about confidentiality, you can anonymously make a report or ask a question by placing a written note, in the sealed suggestion box located in the mailroom. Employees can refer to the Whistleblower Policy for additional information. Reporting violations of this policy is also necessary to safeguard the reputation and assets of the Company because in some cases failure to report an illegal act by another person is itself a criminal act for which you could be prosecuted. Violations of this policy may cause an officer or employee to be subject to appropriate action, up to and including disciplinary action or termination.

The Company maintains other policies governing specific activities and conduct. Copies of the Human Resource policies are available from Human Resources and are also located on the company computer "T" drive. The Company expects all officers, employees and volunteers to be familiar with the policies it maintains and to conduct themselves in accordance with applicable policies at all times.

Intentionally filing a report knowing it to be false may result in disciplinary action. Failure to adhere to these guidelines, including failure to disclose any conflicts or to seek an exception, may result in discipline, up to and including termination of employment.



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### **PROCEDURE**

1. During the orientation session, the Human Resources Director will review the Corporate Compliance Program and Code of Ethical Conduct with employees. Any changes in Corporate Compliance policies are reviewed annually as part of corporate competencies.
2. Annual training will be provided.
3. Any supervisor who becomes aware of an alleged violation under this policy must report it in writing to the President. If it involves the President, report it in writing to the Board Chair or the Vice-Chair. If you believe a colleague is violating this policy or otherwise acting in an illegal or unethical manner, you must report it. If you are concerned about confidentiality, you can anonymously make a report to the Board Chair or Vice-Chair or ask a question by contacting:
  - VNA's Board Chair or Vice-Chair and if not resolved and patient related, report to the Joint Commission.
  - Joint Commission – for any concerns about patient safety or quality of care provided. 1-800-944-6610.
4. The organization will report any violations to the appropriate covered entity, business associate, vendor or government agency as deemed necessary.

Note: 1. The hospice department should cross reference the Hospice Corporate Compliance program. 2. Refer to each programs Patient with Communication Barriers policy.

Reference: 1. U.S. Department of Health and Human Services, Office for Civil Rights. Section 1557 of the Affordable Care Act July 2016 2. VNA's Notice of Non-Discrimination & Accessibility Requirements.