

**Standards of Conduct**

These Standards of Conduct are part of Crouse Community Center’s Corporate Compliance Program. Crouse Community Center’s Standards of Conduct set forth the basic principles that guide Crouse Community Center’s decisions and actions. All employees, contractors, and Board of Directors (“Board”) members[[1]](#footnote-1) are expected to familiarize themselves with the Standards of Conduct and comply with the Standards in carrying out their duties.

The obligations set out in these Standards of Conduct apply to our relationships with residents, affiliated physicians, third-party payors, vendors, consultants and each other. These Standards of Conduct summarize Crouse Community Center’s commitment to meet ethical standards and to comply in good faith with all applicable State and Federal laws, rules, regulations, policies, and standards in the following areas:

* 1. Provision of quality health care services;
  2. Protection of resident rights;
  3. Integrity of billing and coding;
  4. Conforming business practices to statutory and regulatory requirements; and
  5. Cultivation of an ethical culture.

These Standards of Conduct are not intended to be a comprehensive summary of facility standards, but are instead intended to provide a framework for Crouse Community Center’s Compliance Program policies and procedures. Employees, contractors, and Board members should familiarize themselves with Crouse Community Center’s Compliance Program and policies and procedures, and seek guidance from a supervisor and/or the Compliance Officer, as needed.

**STANDARDS OF CONDUCT**

Crouse Community Center recognizes that operating in an ethical and legal manner is not only an obligation of Crouse Community Center, but is an obligation of each individual providing services on Crouse Community Center’s behalf. The following responsibilities apply to employees, contractors, and Board members respectively.

1. Provision of Quality Health Care Services.

All employees and contractors are expected to provide high quality health care services and Board members shall support this standard of care. The care provided must be reasonable and necessary to the care of each resident and must be provided by properly qualified individuals. To this end, all employees, contractors, and Board members must:

* 1. Use professional skill and judgment when providing health care services.
  2. Provide high quality health care services in a responsible, reliable manner, in accordance with all applicable Federal and State laws, rules, regulations, policies, and recognized standards of care.
  3. Provide health care services that are individualized to meet the specific needs of each resident and that attain and maintain each resident’s highest practicable medical, mental, and psychosocial needs, based on a comprehensive and accurate assessment of the resident’s functional capacity.
  4. Document the provision of health care services in a complete and accurate medical record.
  5. Maintain, dispense, and transport all drugs and controlled substances in conformance with all applicable Federal and State laws, rules, regulations, policies, and standards.
  6. Continually work to improve the quality of patient care.

1. Protection of Resident Rights.

All employees, contractors, and Board members are obligated to protect the rights of the residents Crouse Community Center serves, and must treat all residents with respect and dignity. Discrimination in any form will not be tolerated. To this end, all employees, contractors, and Board members shall:

1. Promote residents’ right to a dignified existence that emphasizes freedom of choice, self-determination, and reasonable accommodation of individual needs.
2. Provide treatment to residents without discrimination as to race, color, religion, sex, national origin, disability, source of payment, sexual orientation, age, creed, gender identity or expression, familial status, marital status, military status, or human research subject.
3. Provide residents with considerate and respectful care in a clean and safe environment free of unnecessary restraints.
4. Provide residents with information in order to make intelligent decisions, including information about Crouse Community Center and its policies, procedures, and charges, and who will provide services on Crouse Community Center’s behalf.
5. Respect the right of all residents to make their own health care decisions if able, and consult family and/or durable power of attorney on behalf of residents who are unable to make their own health care decisions.
6. Integrity of Billing and Coding.

Employees and contractors shall ensure that all requests for payment for services are reasonable, necessary, and appropriate, are issued by properly qualified persons, and are billed in the correct amount with appropriate supporting documentation. Board members must support the integrity of Crouse Community Center’s billing and coding practices. All employees and contractors involved with billing and/or coding shall:

1. Bill only for necessary and appropriate items and services actually rendered, which are fully documented in the medical record. Employees will not knowingly engage in any form of up-coding of any service in violation of any law, rule, or regulation.
2. Take every reasonable precaution to ensure that billing and/or coding is accurate, timely, and complies with Federal and State laws and regulations, billing requirements imposed by Federal and State health care programs and other third party payors, and Crouse Community center policies and procedures.
3. Ensure no claims for payment or reimbursement of any kind that are false, fraudulent, inaccurate, or fictitious are submitted. No falsification of medical, time, or other records that are used in the billing process will be tolerated.
4. Promptly investigate and correct billing issues (including making any required repayments) if errors are discovered.
5. Maintain complete and thorough medical and billing records.
6. Be knowledgeable of the billing policies and procedures established by government programs and private third party payors, and remain current on all applicable billing requirements by attending training seminars sponsored by Crouse Community Center, payors, and/or professional organizations.
7. Conforming Business Practices to Laws and Regulatory Requirements.

Crouse Community Center is committed to conducting its business affairs with integrity, honesty, and fairness, and without conflict with personal interests. All employees, contractors, and Board members must be honest and truthful in all of their dealings, and must avoid doing anything that is, or might be, against the law. All employees, contractors, and Board members must adhere to the following Standards of Conduct:

* 1. Books and Records.
     1. All books, records, and accounts, such as financial transactions, cost reports, and documents used in the ordinary course of business, must accurately reflect transactions and payments.
     2. Absolutely no false or artificial entries or misstatements may be made;
     3. Crouse Community Center may not give or receive any payments (or anything else of value), or agree to a purchase price, with an intention or understanding that part of that payment will be used for any purpose other than what is listed in the document supporting the payment.
     4. All facts will be documented truthfully and accurately. Crouse Community Center and its employees, contractors, and Board members will not conceal or fail to document any transactions.
  2. Gifts.
     1. Employees and Board members may not accept or provide any benefits that could be viewed as a conflict between their personal interests and the business interests of Crouse Community Center. Employees and Board members may not accept gifts or benefits in exchange for referrals or in exchange for the purchasing, leasing, ordering, arranging, or recommending of an item or service. This includes accepting expensive meals, gifts, refreshments, transportation, or entertainment provided or received in connection with Crouse Community Center business activity. This standard applies to relationships with vendors, physicians, residents and their families, referral sources, and others. Occasional non-cash gifts that are limited to reasonable meal expenditures or entertainment or that are of nominal value, although not expressly prohibited, are discouraged. All gifts must be disclosed to Crouse Community Center’s Compliance Officer.
  3. Conflicts of Interest.
     1. No employee or Board member may enter into any joint venture, partnership, or other risk sharing arrangement with a potential or actual referral source unless the arrangement has been reviewed and approved by the Board.
     2. All employees, Board members, and contractors must avoid any activity that conflicts with the interests of Crouse Community Center and its patients. This includes involvement with outside commercial activities with potential customers, competitors, or contractors or placing business with any entity in which there is a family relationship, ownership interest, or financial interest. All such interests or relationships must be disclosed to the Compliance Officer.
     3. All employees and Board members who are in positions to influence business decisions must submit an annual ***Conflicts of Interest Disclosure Statement*** disclosing all business and familial interests that compete with or are associated with Crouse Community Center.
  4. Compliance with State and Federal Fraud, Waste, and Abuse Laws.
     1. It is against State and Federal law to pay or give anything of value to an individual, provider, or vendor to induce or reward referrals. All employees, contractors, and Board members must be aware of and comply with all laws and regulations applicable to their functions, and must conduct all business in an ethical manner. Employees, contractors, and Board members are obligated to know the following information, to the extent it is applicable to their daily responsibilities and/or the services provided to Crouse Community Center:
        + 1. Medicaid, Medicare, and other payor and service delivery requirements;
          2. The prohibitions against fraud, waste, abuse, and improper or unethical conduct;
          3. Crouse Community Center’s Compliance Risk Areas; and
          4. Crouse Community Center’s Compliance Program, including applicable policies and procedures.
     2. The selection of physicians, subcontractors, suppliers, and vendors shall be made on the basis of objective criteria that include quality, technical excellence, price, delivery, timeliness, and service. Crouse Community Center will not pay incentives to employees, contractors, physicians, suppliers, vendors, or referring parties based on number of referrals. Financial relationships with entities that refer patients to Crouse Community Center will be based on the fair market value of the items or services provided and will not be in any way related to the value or volume of referrals or contain an inducement to refer.
     3. Employees, contractors, and Board members who are in a position to make referrals must make such referrals based on the preferences of the individual seeking treatment/services or, if the individual does not express a preference for a particular provider, what is best for the individual.
     4. Crouse Community Center will not waive insurance co-payments or deductibles, or otherwise provide financial or non-cash benefits, to individuals in order to induce such individuals to obtain health care services from Crouse Community Center.
     5. Crouse Community Center expects all contractors to be familiar with and comply with all applicable federal and state regulatory requirements and to conduct all business in an ethical manner.
  5. Confidentiality.
     1. Ensure the confidentiality, integrity, and availability of all protected health information (“PHI”), electronic or otherwise, that Crouse Community Center creates, receives, maintains, or transmits.
     2. Protect against any reasonably anticipated threats or hazards to the security or integrity of PHI.
     3. Protect against any reasonably anticipated uses or disclosures of PHI that are not permitted by Federal and State privacy laws, regulations, policies, and standards.
     4. Immediately notify the Compliance Officer of any privacy or security breaches involving PHI.
     5. Protect residents’ rights to privacy and confidentiality of their medical records (including electronic records, internal/external door codes, computer user IDs, and passwords), in accordance with Federal and State privacy laws, regulations, policies, and standards, accreditation standards, and Crouse Community Center’s policies and procedures.
     6. Refrain from engaging in unauthorized review or disclosure of residents’ medical records.
     7. Refrain from disclosing confidential or proprietary information of Crouse Community Center (such as resident lists, development plans, marketing strategies, business deals, and financial information), during or after employment, Board service, or contractual relationship.
     8. Refrain from the inappropriate use of social media (*e.g.*, Facebook, Twitter, Instagram).
  6. Employee Screening.
     1. Background checks will be performed on all employees as required by Federal and State laws, rules, regulations, policies, and standards.
     2. All potential employees will certify that they have not been convicted of any offense that would preclude employment in a nursing home facility and that they are not excluded from participation in Federal and State health care programs. All employees have an ongoing duty to notify Crouse Community Center if they become convicted or excluded.
     3. Crouse Community Center will not employ or continue to employ individuals who have been excluded from participation in Federal or State care programs, or convicted of crimes of neglect, violence, abuse, theft, dishonesty, financial misconduct, or other offenses relevant to the job for which they are applying.
     4. The U.S. Department of Health and Human Services Office of Inspector General’s List of Excluded Individuals/Entities, the Excluded Parties List System, and the New York State Office of the Medicaid Inspector General’s Excluded Provider List will be checked to verify that employees, contractors, Board members, and vendors are not excluded from participating in the Federal and State health care programs.
     5. Crouse Community Center will require temporary employment agencies to ensure their temporary staff have undergone background checks that verify they have not been convicted of an offence that would preclude them from employment in the facility or excluded from participation in Federal or State health care programs.

1. Cultivation of an Ethical Culture.

Crouse Community Center is dedicated to cultivating an ethical culture. All employees, contractors, and Board members must abide by the following Standards of Conduct:

1. Perform their duties in good faith and to the best of their ability.
2. Refrain from illegal conduct in both personal and business matters.
3. Comply with Crouse Community Center’s records policies and procedures. Employees, contractors, and Board members shall not alter or destroy Crouse Community Center documents in anticipation of or in response to a request for documents by a government agency or a court of competent jurisdiction.
4. Participate in training regarding the Compliance Program and policies and procedures.
5. Immediately report all suspected violations of the Federal and State laws, rules, regulations, policies, and standards, Crouse Community Center’s Standards of Conduct, Compliance Program, policies, and procedures, and any other improper or unethical conduct (“Compliance Standards”) to the Compliance Officer.
6. Follow Crouse Community Center’s policy and procedure regarding mandatory reporting of incidents and events to the proper authorities.
7. Immediately notify their supervisor upon receipt of an inquiry, subpoena (other than for medical records or other routine licensing or tax matters), or other government request for information regarding Crouse Community Center.
8. Respond appropriately to actual or possible violations of Crouse Community Center’s Compliance Standards that are reported to them by other employees, contractors, and Board members.
9. Cooperate in internal and external audits and investigations by duly authorized internal or external auditors or investigators regarding actual or potential violations of Crouse Community Center’s Compliance Standards.
10. Promote and demonstrate commitment to compliance with Medicaid, Medicare, and other payor and service delivery requirements, and the prohibitions against fraud, waste, and abuse and other improper or unethical conduct.

**Corporate Compliance Program Acknowledgement**

All employees, contractors, and Board of Directors members—including Crouse Community Center’s employees, President & Chief Executive Officer, senior administrators, managers, interns, volunteers, contractors, agents, subcontractors, independent contractors, Board, and corporate officers who are affected by Crouse Community Center’s Compliance Risk Areas—are required, as a condition of employment (or other identified relationship), to comply with Crouse Community Center’s Compliance Program and Standards of Conduct. This form acknowledges both receipt of Crouse Community Center’s Compliance Program and Code of Conduct, and the signer’s commitment to comply with the same.

**By signing this form, I hereby acknowledge and agree that:**

* + - 1. I have received, read, and understand Crouse Community Center’s Corporate Compliance Program Policy and Procedure Manual and Standards of Conduct;
      2. I have been given a meaningful opportunity to ask questions about Crouse Community Center’s Compliance Program and Standards of Conduct;
      3. I will comply with Crouse Community Center’s Compliance Program and Standards of Conduct, and will report any actual or potential violations of the same to my immediate supervisor, the Compliance Officer, the Compliance Hotline, or a member of the Compliance Committee;
      4. If I have questions about the Compliance Program or Standards of Conduct at any time, I will seek guidance from the Compliance Program Policy and Procedure Manual, my immediate supervisor, the Compliance Officer, or a member of the Compliance Committee, as appropriate;
      5. Except as written below, as of the date below I have no knowledge of any transactions, events, or conduct that appear to violate the Compliance Program or Standards of Conduct;
      6. Compliance with the Compliance Program and Standards of Conduct are a condition of employment, contractual relationship, or Board appointment and violation of the Compliance Program will result in discipline up to and including possible termination of relationship with Crouse Community Center;
      7. The Compliance Program and Standards of Conduct do not represent an employment agreement and that my employment is “at will”; and
      8. Compliance Program Policy and Procedure Manuals are located on each unit and with each department head.

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Signature Print Name & Title

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date

Please check the most Appropriate:

Employee  Director  Medical Staff

Contractor (please identify: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_)  Other (please identify: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_)

This form will be collected following the New Employee Orientation or Compliance Program Training, and is required to be in your personnel file as a condition of employment. The Compliance Program Standards of Conduct will be acknowledged on an annual basis.

1. For purposes of Crouse Community Center’s Compliance Program, “employees, contractors, and Board members” includes Crouse Community Center’s employees, President & Chief Executive Officer (“CEO”), senior administrators, managers, interns, volunteers, contractors, agents, subcontractors, independent contractors, Board, and corporate officers who are affected by Crouse Community Center’s Compliance Risk Areas, as defined in Crouse Community Center’s Corporate Compliance Program Policy and Procedure Manual. Additionally, “contractors” includes contractors, agents, subcontractors, and independent contractors who are affected by Crouse Community Center’s Compliance Risk Areas, as defined herein. Contractors are required to comply with Crouse Community Center’s Compliance Program to the extent that the contractor is affected by Crouse Community Center’s Compliance Risk Areas, and only within the scope of the contractor’s contracted authority and affected Compliance Risk Areas. [↑](#footnote-ref-1)