



Code of Conduct

Section: Compliance	Policy Number: 10
Policy Name: Code of Conduct	Dept. Owner: Compliance
Federal Reg. Reference: §460.71	
Date Adopted: 06/13/2016	Last Review/Revision Date: 03/21/18

Purpose: The purpose of this policy is to ensure all Senior Care Partners P.A.C.E. staff abide by the Code of Conduct. The reputation of Senior Care Partners P.A.C.E. is determined based on the performance of each individual employee. To protect our reputation, grow our business and to treat our participants with the respect that they deserve, Senior Care Partners P.A.C.E. employees are expected to adhere to the highest professional standards. Senior Care Partners P.A.C.E. expects all employees to maintain a professional relationship with our participants. All employees are expected to comply with all applicable laws and regulations, professional and ethical standards and the policies outlined in the Senior Care Partners P.A.C.E. Employee Handbook. Any employee who is uncertain how a law, regulation, standard or policy might apply to a situation should ask for clarification from his or her supervisor.

Compliance and Enforcement: All management personnel are responsible for enforcing this policy. All staff who provide care or a service to a participant must comply with this policy. Individuals who violate this policy are subject to discipline up to and including termination from Senior Care Partners P.A.C.E.

Policy: It is the policy of Senior Care Partners P.A.C.E. that all staff will abide by the Code of Conduct.

Procedure:

1. All Senior Care Partners P.A.C.E. staff will be educated on the Code of Conduct upon hire.
2. All Senior Care Partners P.A.C.E. staff will sign the acknowledgement of the Code of Conduct and it will be retained in his/her human resource file.
3. Employees who are found not to be in compliance with the Senior Care Partners P.A.C.E. Code of Conduct will be subject to disciplinary action.
4. The Code of Conduct will be reviewed annually and updated accordingly.

Attachments: Senior Care Partners P.A.C.E. Code of Conduct, Code of Conduct Training Acknowledgement, Senior Care Partners P.A.C.E. Administrative Board Compliance Certification Form

Reviewed and Approved by:

Review Date	Reviewed By		Review Date	Reviewed By
06/13/2016	L. Ferrara			
12/18/2017	M Bozell			
03/21/18	L. Charameda			

Alexandria Lueth

04/10/18

Signature

Executive Director

Date



Senior Care Partners P.A.C.E. Code of Conduct

Important Phone Numbers

Compliance Hotline: (877) 233 - 4357

Senior Care Partners P.A.C.E. Human Resources: (269) 441- 9331

Senior Care Partners P.A.C.E. Core Values and Behavioral Standards

Senior Care Partners P.A.C.E. CORE VALUES

Integrity

- Honest
- Sincere
- Candid

We demonstrate integrity daily through a sincere and heartfelt desire to serve those who are at risk of losing their independence and their home. We accomplish this through candid conversations that seek to assist those we serve to live a life of self-defined quality despite the limitations of chronic illness. We strive to operate as good stewards of public funding as well as advocates for those we serve. We believe candor is kindness in managing participant expectations as well as leading our staff toward service excellence.

We deal truthfully with other team members and take responsibility for addressing our mistakes as soon as possible. We commit to remaining honest, sincere, and candid at all times while working with one another.

Compassionate

- Concern for the suffering of others
- Strong desire to serve those in need
- Servant leadership

Our main principle of leadership is to serve first...to serve those for whom we are entrusted to care and to serve those who touch the lives of our participants every day. We strive to enrich the lives of those who are suffering with debilitating illness and those who are poor. We hope to embrace our participants with a compassionate model of care that provides a place to belong, a purpose for being, and respite from the daily discomforts of chronic illness. We seek to support the caregivers of our participants so that they are able to once again be sons and daughters rather than the constant caregivers for their parents.

When interacting with other team members we commit to demonstrate consideration and kindness while maintaining control of our emotions. We behave in a courteous manor towards one another and commit to avoiding gossip and using hurtful words. We operate under the attitude that everyone's actions are well meaning and that they have good intentions.

Impossible → Possible

- Courageous
- Tenacious
- Unfailing faith in possibility

We make the impossible possible every day. We empower our staff to imagine and employ creative solutions to obstacles that others find impossible to overcome. We provide hope for situations that others see as hopeless.

We show enthusiasm for our work, and speak positively about our jobs, each other, the work environment, and the quality of the services we provide.

Unequivocal Excellence

- Undeniable quality care
- Outstanding customer service
- Superior

We believe that providing service excellence is an undeniable expectation and mediocrity is not an option. In our pursuit of excellence, we employ evidence based and best practices in delivering and integrating comprehensive health care in order to provide independence and autonomy to individuals who would otherwise have limited options.

All Senior Care Partners P.A.C.E. staff share a common goal of achieving excellence in all areas of the organization and we challenge each other to strive for continuous process improvement and support each other to be the absolute best we can be.

Teamwork

- Solidarity
- Humility
- Communication
- Ownership
- Approachability
- Accountability

We strive to create a culture of open communication and honesty in which we push each other to be humble and committed to a spirit of collaboration. Each Senior Care Partners P.A.C.E. employee takes the well-being of our participants personally, contributes daily to the good of the organization, and respects the contributions of coworkers. We are not afraid to admit our mistakes and weaknesses because we enthusiastically encourage each other to grow and learn. We accomplish more together than any group of the same number of individuals can separately because we willingly confront adversity and empower each other to succeed.

We honor the contributions of others while committing to remain cooperative and willing to step outside of our assigned roles when available in order to help other team members.

Senior Care Partners P.A.C.E. is committed to conducting its business in a manner that facilitates quality, efficiency, honesty, integrity, confidentiality, respect and full compliance with applicable laws and regulations. In order to achieve this goal, Senior Care Partners P.A.C.E.

recognizes that it must require its staff to maintain a standard of behavior that is both lawful and ethical.

Definitions

- Abuse: means provider practices that are inconsistent with sound fiscal, business, or clinical practices, and result in an unnecessary cost to the Medicaid program, or in reimbursement for services that are not medically necessary or that fail to meet professionally recognized standards of care. It also includes beneficiary practices that result in unnecessary cost to the Medicaid program.
- Fraud (per CMS): means an intentional deception or misrepresentation made by a person with the knowledge that the deception could result in some unauthorized benefit to himself or some other person. It includes any act that constitutes fraud under applicable Federal or State law including but not limited to the Federal False Claims Act and the Michigan False Claims Act.
- Fraud (per Michigan Medicaid): Michigan law permits a finding of Medicaid fraud based upon “constructive knowledge.” This means that if the course of conduct reflects a systematic or persistent tendency to cause inaccuracies” then it may be fraud, rather than simply a good faith error or mistake.
- Waste: means overutilization of services, or other practices that result in unnecessary costs. Generally not considered caused by criminally negligent actions but rather the misuse of resources.

Reporting Violations

Every staff (staff is defined as all contracted providers that provide services to Senior Care Partners P.A.C.E.) in the organization has the responsibility not only to comply with the laws and regulations but to ensure that others do as well. Any staff or agent who has firsthand knowledge of activities or omissions that may violate applicable laws and regulations is required to report such wrongdoing. Reporting suspected violations is mandatory, not optional. Staff will be informed that in some instances, failure to report a suspected violation may be the basis for disciplinary action against the staff. Corporate Compliance violations may be reported to the Corporate Compliance Officer through either the hotline (877) 233 - 4357, in person, or in writing. All reports of wrongdoing shall be investigated to the extent necessary to determine their validity. No staff or agent making such a report in good faith shall be retaliated against by Senior Care Partners P.A.C.E., staff, or agents and will be protected by the Michigan Whistleblower’s Protection Act. Discipline for engaging in acts that violate applicable laws and regulations, making knowingly false reports, or discipline for any other performance –related reason unconnected to reporting potential violations is not retaliation.

Resources for Guidance

Staff or agents may seek clarification to the Compliance Program, organizational policies, or questions to the Corporate Compliance officer through either the hotline, e-mail, in person, or in writing.

Confidentiality

All staff or agents making reports are encouraged to disclose their identity, recognizing that anonymity may hamper complete and timely investigation. Nonetheless, anonymous reports are better than no report at all, and no report shall be refused or treated less seriously because the reporter wishes to remain anonymous. Confidentiality and anonymity of the reporter/complainant and the content of the report will be preserved to the extent permitted by law and by the circumstances. Information about reports, investigations, or follow-up actions shall not be disclosed to anyone other than those individuals charged with responsibility in investigation and remedial action as well as legal counsel.

Examples of Fraud, Waste and Abuse That Should Be Reported

Examples of fraud, waste and abuse activities that should be reported include, but are not limited to, the following;

- Financial
 - Forgery or alteration of documents related to Senior Care Partners P.A.C.E. services and/or expenditures (checks, contracts, purchase orders, invoices, etc.);
 - Misrepresentation of information on documents (financial records and medical records);
 - Theft, unauthorized removal, or willful destruction of Senior Care Partners P.A.C.E. records or property;
 - Misappropriation of Senior Care Partners P.A.C.E. funds or equipment, supplies or other assets purchased with Medicaid and/or Medicare funds; and
 - Embezzlement or theft
- Beneficiaries/Consumers:
 - Changing, forging or altering medical records;
 - Changing referral forms;
 - Letting someone else use their Medicaid or Medicare card to obtain Senior Care Partners P.A.C.E. covered services;
 - Misrepresentation of eligibility status;
 - Identity theft;
 - Prescription diversion and inappropriate use;
 - Resale of medications on the black market;
 - Prescription stockpiling;
- Provider
 - Lying about credentials such as a college degree;
 - Billing for services that were not provided;
 - Billing a balance that is not allowed;
 - Double billing or up coding;
 - Underutilization – not ordering or providing services that are medically necessary;
 - Overutilization – ordering or providing services in excess of what is medically necessary;

- Falsifying information (not consistent with the consumer's condition or medical record) submitted through a prior authorization or other service utilization oversight mechanism in order to justify coverage;
- Forging a signature on a contract or other document;
- Pre- or post-dating a contract or other document;
- Intentionally submitting a false claim;
- Changing, forging or altering medical records;
- Kickbacks, inducements and/or other illegal remunerations; and
- Illegal use of drug samples

Internal Investigation

All reports of wrongdoing, however received, shall be investigated and documented according to the Corporate Compliance Investigation Procedure. No one involved in the process of receiving and investigating reports shall communicate any information about a report or investigation, including the fact that a report has been received or an investigation is ongoing, to anyone within Senior Care Partners P.A.C.E. who is not involved in the investigatory process or to anyone outside Senior Care Partners P.A.C.E. without the prior approval of the Corporate Compliance Officer. All staff and agents are expected to cooperate fully with investigation efforts.

Disciplinary Accountability and Consequences

Senior Care Partners P.A.C.E. has formulated guidelines regarding the consequences and disciplinary action for staff who have failed to comply with Senior Care Partners P.A.C.E. policies and procedures, Federal and State laws or this Corporate Compliance Plan. The disciplinary measures will vary depending upon the severity of the transgression. Sanctions could range from an oral warning to suspension, termination or financial penalties as appropriate.

Disciplinary actions will be taken in a fair, equitable, appropriate and consistent manner. All staff will be subject to the same disciplinary action for the commission of similar offenses.

Conflicts of Interest

In order to safeguard Senior Care Partners P.A.C.E.'s commitment to ethical and legal standards of conduct, Board Members, all officers, all senior management members, medical staff, and individuals with Board-designated powers and/or authority shall avoid any action that conflicts with the interests of the organization and refrain from being influenced by personal considerations in the performance of their duties. Unless properly disclosed and approved by Senior Care Partners P.A.C.E., it could be a conflict of interest to, but is not limited to:

- Have an interest in a publicly held company, vendor, customer or competitor of Senior Care Partners P.A.C.E.;
- Work for, consult with or provide services to a competitor; and/or
- Use confidential information obtained for any person's personal gain or benefit.

Accordingly, staff/agents, officers, senior managers, and medical staff must disclose the existence and nature of any actual or potential conflict of interest on their Conflict of Interest

Form or to the Corporate Compliance Officer at the time of interview, orientation and annually thereafter and/or when a conflicting interest arises. All actual or potential conflicts of interest disclosed shall be reviewed by the Corporate Compliance Officer, according to previously identified criteria, to determine whether there is a conflict of interest.

Substance Abuse

To protect staff/agents and participants, Senior Care Partners P.A.C.E. is committed to an alcohol and drug-free environment. To this end, all prospective staffs/agents will be tested for drugs, and successful testing will be a requirement for employment per the Drug Free Workplace Policy. All staffs/agents must report for work free of the influence of alcohol and illegal drugs. Reporting to work under the influence of any illegal drugs or alcohol, having an illegal drug in one's system, or using, possessing, or distributing/selling illegal drugs while on Senior Care Partners P.A.C.E.'s work time or property may result in immediate termination.

Harassment

Mutual respect among all staff members in the way we treat each other is expected. Each Senior Care Partners P.A.C.E. staff/agent has the right to work in an environment free of harassment. Therefore, harassment of staff/agents in the work place by any person or in any form is prohibited by the Harassment Policy which includes sexual harassment; harassment based on sex, race, color religion, national origin, citizenship, disability, age sexual orientation, or any other protected category; or conduct such as ridicule or degrading comments to others which severely and adversely affect their work environment or interferes with their ability to perform their job. Alleged harassment should be reported to a member of the senior management team or to the Human Resources Director.

Confidentiality

Senior Care Partners P.A.C.E. is committed to protecting the privacy of its participants and shall strictly govern the disclosure of any participant information to anyone other than a staff/agent or staff member involved in the care and treatment of that participant. Any staff/agent who engages in the unauthorized disclosure of any information concerning a participant may be subject to immediate termination. Staff/agents shall also comply with the Senior Care Partners P.A.C.E. Confidentiality Policy as well as the HIPAA Privacy requirements and all applicable regulations.

To ensure that all participant information remains confidential, staff/agents are required to comply with the following guidelines:

- Staff/agents shall not discuss any participant in an external or internal environment where such information could be heard by unauthorized personnel or other participants/visitors.
- If asked about a participant by anyone other than staff/agents involved in the care or treatment of the participant, staff/agents will disclose no information unless first obtaining the written consent of the participant or the participant's representative/legal guardian.
- Medical staff members and staff/agents may not have access to the records of any participant unless they are involved in the care and treatment of the participant, or if a

legal or administrative reason exists requiring them to have access to those documents.

Political Activities and Contributions

Senior Care Partners P.A.C.E. funds or resources are not to be used to contribute to political campaigns or for gifts or payments to any political party or any of their affiliated organizations. Senior Care Partners P.A.C.E. resources include financial and non-financial donations of funds, products, or services to any political cause. Staff/agents may make voluntary contributions provided they do not communicate that their contributions are from Senior Care Partners P.A.C.E.

At times, Senior Care Partners P.A.C.E. may ask staff/agents to make personal contact with government officials or to write letters to present the organization's position on specific issues. In addition, it is part of the role of some Senior Care Partners P.A.C.E. management to interface on a regular basis with government officials. Such activity is permissible provided that funds and resources are not contributed.

Marketing Practices

There are times when Senior Care Partners P.A.C.E. directly markets services to potential PACE participants; however, the federal Anti-Kickback Statute of the Social Security Act makes it a felony, punishable by criminal penalties, to offer, pay, solicit, or receive "remuneration" as an inducement to generate business compensated by the Medicare or Medicaid programs.

Under no circumstances will Senior Care Partners P.A.C.E. offer free items or services that are not related to medical or health care. Moreover, any free items offered must have no monetary value.

Senior Care Partners P.A.C.E. staff/agents will not engage in any prohibitive marketing activities. These activities include: the giving of gifts or payments to induce enrollments, discrimination of any kind, unsolicited door-to-door marketing, and contracting outreach efforts to individuals or organizations whose sole responsibility involves direct contact with the elderly to solicit enrollment.

Charitable Contributions

All charitable contributions must be made for the benefit of Senior Care Partners P.A.C.E. and for the purpose of advancing Senior Care Partners P.A.C.E.'s mission. The Executive Director will oversee all charitable contributions to ensure that they are administered in accordance with the donor's intent. All checks and other documents must be made payable to Senior Care Partners P.A.C.E. and given to the Finance Department to deposit into the appropriate account.

Contractual/Financial Arrangements with Health Care Professionals

Senior Care Partners P.A.C.E. is committed to ensuring that all contractual and financial arrangements with health care professionals are structured in accordance with Federal and State laws and other regulations and are in the best interests of the organization and the

participants it serves. In order to ethically and legally meet all standards regarding referrals and enrollments, Senior Care Partners P.A.C.E. will strictly adhere to the following:

- Senior Care Partners P.A.C.E. does not pay for referrals. Participant referrals and enrollments will be accepted based solely on the participant's clinical needs and our ability to render the needed services. We do not pay or offer to pay anyone for referrals or participants. Violation of this policy may have grave consequences for the organization and the individuals involved, including civil and criminal penalties, and possible exclusion from participation in federally funded healthcare programs.
- Senior Care Partners P.A.C.E. does not accept payments for referrals. No Senior Care Partners P.A.C.E. staff/agent or any other person acting on behalf of the organization is permitted to solicit or receive anything of value, directly or indirectly, in exchange for the referral of participants.

Receiving Business Courtesies and Gifts

No staff/agent or officer shall accept or solicit any gifts, gratuities, loans (in nature of a gratuity), or favors of any kind from any individual, firm, or corporation doing business with or seeking to do business with Senior Care Partners P.A.C.E. or any of its affiliates, if the gift is offered or appears to be offered in exchange for any type of favorable treatment or advantage. Specifically, no gifts or favors shall be accepted if valued in excess of \$25, with a maximum of \$300 per year, or intended to affect the recipient's business decisions with Senior Care Partners P.A.C.E. Perishable or consumable gifts, except for items of minimal value such as flowers, cookies or candy from participants and/or family members given to a department or group are not subject to any specific limitation. Under no circumstances shall a direct care staff receive monetary gifts from participants and/or family members. Participants wishing to make a gift must follow the protocol for charitable contributions. If there are concerns regarding any staff's acceptance of gifts, the Corporate Compliance Officer, in coordination with the Corporate Compliance Committee, shall make the final decision.

There are some circumstances where staffs are invited to an event at a vendor's expense to receive information about new products or services. Prior to accepting any such invitation, approval must be received from the Executive Director. Accepting personal gifts and/or entertainment can sometimes be construed as an attempt to influence judgment concerning patient care or performance of other duties at Senior Care Partners P.A.C.E. It may also violate the anti-kickback statute or conflict of interest policy. To that end, not staff may accept any cash amount, or any single gift of more than \$25 value with the total not to exceed \$300 per year.

Vision

All elders have the care and support necessary for optimal aging throughout their lives

Mission

Deliver exceptional, comprehensive healthcare for frail, older adults



Code of Conduct Training

I, _____, acknowledge that I have received the required training on the Code of Conduct. I agree to comply with the standards contained in the Code of Conduct, the Corporate Compliance Plan and all related policies and procedures as is expected as part of my continued employment or association with the agency. I will report any potential violations of which I become aware promptly to the Compliance Officer, a Compliance Committee member, supervisor, or the anonymous compliance hotline. I understand that violations of the Code of Conduct or any corporate compliance policy or procedure may be grounds for disciplinary action.

Signature

Date



Administrative Board Compliance Certification Form

1. I have received, read and understand the Senior Care Partners P.A.C.E. Code of Conduct.
2. I pledge to act in compliance with and abide by the Code of Conduct and Senior Care Partners P.A.C.E. Compliance Plan during the entire term of my Board service.
3. I acknowledge that I have a duty to report to the Senior Care Partners P.A.C.E. Compliance Officer any alleged or suspected violation of the Code of Conduct or related laws and regulations by myself, another Board Member or any other person.
4. I will seek advice from the Administrative Board Chairman or the Senior Care Partners P.A.C.E. Compliance Officer concerning appropriate actions that I may need to take in order to comply with the Code of Conduct or Compliance Plan.
5. I understand that failure to comply with any part of this certification may result in my removal from the Administrative Board.
6. I agree to participate in future Board compliance trainings as required.
7. I agree to disclose the existence and nature of any actual or potential conflict of interest to the Administrative Board Chairman and Compliance officer. Further, I certify that I am not aware of any current conflicts of interest.

Board Member Signature

Date