

# **LifeSpan...A Community Service 2015 Corporate Compliance Policy, Procedure, and Plan**

## **Introduction**

LifeSpan has an established Corporate Compliance program in order to effectively prevent, detect, and respond to inappropriate business practices, improper conduct, and/or violations of law, with the further goal to foster an ongoing effort to improve service quality. The Corporate Compliance plan for 2015 will produce the information to measure Compliance with LifeSpan's legal and ethical requirements through the identification of errors and omissions in data. The Corporate Compliance Plan is supplemental to the Strategic Plan and overall Quality Management program at LifeSpan.

## **Policy**

LifeSpan...A Community Service is dedicated to the delivery of services in an environment characterized by strict conformance with the highest standards of accountability for administration, clinical, business, marketing and financial management. LifeSpan's governance and management authorities are fully committed to preventing and detecting fraud, fiscal mismanagement and misappropriation of funds. Therefore, a formal Corporate Compliance program was developed to ensure ongoing monitoring and conformance with all legal and regulatory requirements. Furthermore, the organization is committed to the establishment, implementation and maintenance of a Corporate Compliance program that emphasizes (1) prevention of wrong doing - whether intentional or unintentional, (2) immediate reporting and investigation of questionable activities and practices without consequences to the reporting party (3) timely correction of any situation which puts the organization, its leadership or staff, stakeholders, customers or guests at risk and (4) employee and volunteer responsibility and accountability for carrying out the tenants and processes of the corporate compliance plan and assurance of good moral character both at hire and throughout employment/volunteerism at LifeSpan...A Community Service. Good moral character is supported through criminal background checks as well as checking personal, educational and business references listed on the employment application, which includes a statement of truth.

## **Scope**

The Corporate Compliance plan applies to all LifeSpan...A Community Service programs, operational activities, and administrative actions. All LifeSpan staff, directors, contractors, and volunteers are subject to the conditions of the plan.

## **Purpose**

The purpose of the LifeSpan Corporate Compliance Plan is:

1. To prevent non-compliance with applicable laws, regulations and standards
2. To detect non-compliance, and errors/omissions
3. To take action to prevent and respond to non-compliance

Corporate Compliance defines those activities that are designed to detect, prevent, and respond to violations of law, as well as the likelihood of unethical activity by agency stakeholders. The Corporate Compliance Plan works in conjunction with the written Code of Conduct to direct and mandate stakeholder actions as LifeSpan representatives, as part of the Quality Improvement Program.

## **Plan and Procedures**

### Oversight and Authority Roles

The primary responsibility for implementing, managing, and monitoring the organization's Compliance effort is assigned to the Corporate Compliance Officer (CCO), Karen Sager, B.S. who also serves as the Quality Improvement Manager and the Chief Security Officer (CSO). The CCO is chosen by the Executive Director and appointed by the board through the Corporate Compliance Resolution. The Compliance Officer will report all compliance efforts and identified issues directly to the Board of Directors and indirectly, to the Executive Director and as required to the Steering Committee. The Corporate Compliance Officer has supervisory responsibility for implementation of the Corporate Compliance Plan. The Board of Directors is accountable for governing the organization as a knowledgeable body regarding compliance expectations, practices, identified risk issues, and plans for corrective action.

The Board of Directors will review and approve the Corporate Compliance Plan and any updates or changes on an annual basis at the annual Board Meeting. The approval of the Corporate Compliance Plan emphasizes the "top down" commitment to comply with all applicable Federal and State standards. Outside legal counsel may be notified at the discretion of the Compliance Officer, of incidents that have a reasonable cause to support the assertion of non-compliance, at which time the Compliance Officer will be responsible for facilitating an investigation.

### Auditing and Monitoring

Detecting problems of fraud, waste, and abuse is a central function of the Corporate Compliance Plan. LifeSpan's auditing and monitoring processes are executed quarterly and assess areas of risk in accordance with Michigan False Claims Act 2007.

Compliance is defined as:

- a. documenting use of resources (time, vehicle mileage, etc.)
- b. account for use of resources (time sheets, client goals & progress, logs, billings)
- c. identifying and reporting embezzlement, theft or other dishonest actions
- d. complying with audit result recommendations as it pertains to applicable law and generally accepted accounting principles.

### Process

The CCO/CSO shall instigate a random investigative procedure each quarter as follows:

The CCO/CSO shall sample at least 5% of the company's files, as well as assure each program's files are part of the sample. Tool steps:

1. Was goal performed present in the plan of service?
2. Was the plan of service signed by the guardian/consumer?
3. Was the COMPLETE plan of service present in the file?
4. Was the current authorization present in the file?
5. Was proof of insurance in the file?
6. Was the goal performed as written?
7. Was the goal performance documented with the begin and end time as well as signature with credentials?
8. Was the goal performance time billed correctly?

9. Was the goal performance time paid correctly?
10. Was the goal time payment entered into the accounting system correctly?
11. Was the goal performance time within scheduled staff hours?
12. Was the goal performance submitted for staff pay on a legitimate staff time sheet?
13. Was the goal performance time sheet signed and authorized by a manager?

If any of the above answers require further investigation or action, steps to correct will be noted on the investigative tool and put into the overall outcomes reporting.

Staff are trained to report suspected breaches of security (as detailed in the HIPAA procedures). If a report is received of suspected breach, the CCO/CSO shall investigate. If the breach is validated, the CCO/CSO shall take steps to safeguard the information. If the breach is such that a staff or volunteer has either purposefully or incidentally exposed secure information, personnel action shall ensue depending on the gravity of the breach of information. (Reference Policy & Procedure Book)

LifeSpan...A Community Service provides consumer with a written "Notice of Privacy Practices" at intake and at yearly planning meetings. We have the consumer/guardian sign on planning meeting minutes as an acknowledgment of receipt or reason for refusal.

Lack of adequate support documentation will be transformed into data and collected and reported as part of the Strategic Plan/Quality Improvement process. Action will be taken to improve the indicator through staff training.

### Training and Education

A Corporate Compliance Officer is appointed by the governing body of LifeSpan...A Community Service. Duties include acting as the Chief Security Officer, which includes quarterly compliance checks, assurance of training on Corporate Compliance, Code of Conduct, and Quality Improvement at hire and annually for all staff and volunteers.

Corporate Compliance Training is mandatory for all LifeSpan staff and takes place one time per year as well as at orientation for new hires. Corporate Compliance training covers those areas for which compliance is critical in order to protect LifeSpan from risk of violations of laws which govern our industry, including; HIPAA, whistleblowers protection, non-retaliation, document retention, and fraud, waste and abuse and violation reporting methods.

Corporate Compliance Training Curriculum includes:

1. What is Corporate Compliance? Standards, applicable laws, and intent
2. Identification of internal processes to support Compliance:
  - a. HIPAA and HIPAA Security
  - b. Quality Improvement Processes
  - c. False Claims Act; preventing fraud, waste, anti-kick back, self-referral, billing practices, confidentiality, conflicts of interest and abuse, attestation
  - d. Reporting requirements and Whistleblower's Protection
  - e. Code of Conduct
  - f. Personnel Handbook Guidelines including disciplinary measures

3. Annual Review of Data
4. Corrective Actions and Prevention (including reporting)

The CCO/CSO shall take steps to ensure staff are offered a copy of LifeSpan's Code of Conduct/Ethical Codes at hire, and ensure they verify receiving training through their signature, which shall remain in their personnel file and will be replaced as the Codes are updated and revised.

#### Responding to Offenses and Corrective Actions

All LifeSpan representatives have a responsibility to report in a timely fashion, any violations of Corporate Compliance issues. Corporate Compliance training encourages individual responsibility for reporting any activity by any agency representative or affiliate that reasonably appears to violate applicable laws and regulations or Corporate Compliance requirements. Whistleblower's protection policies are clearly communicated in order to encourage stakeholders to report serious concerns within the agency.

LifeSpan has an open door policy that encourages agency representatives to share their questions, concerns, suggestions, or complaints with someone who can address them properly. In most cases, an agency representative's supervisor is in the best position to address an area of concern. Supervisors and managers are required to notify the Corporate Compliance Officer of any reported violations. If the violation was reported verbally to the supervisor or manager, the reporting individual, with the assistance of the person they reported it to, shall write up, telephone, or otherwise forward it to the Corporate Compliance Officer.

When the agency representative is not satisfied with their supervisor's response, is not comfortable speaking with their supervisor, or if at anytime the agency representative prefers, he or she can contact the Corporate Compliance Officer directly. The agency has established "GO" forms, LifeSpan's Informal Complaint form to allow for anonymous complaints. Should an individual leave their name and number, the Corporate Compliance Officer will respond to any questions directly within 10 business days or less.

Reporting will also take place with LifeWay's Corporate Compliance Officer within 72 hours of discovery and actions taken. An annual evaluation will be available to the Corporate Compliance Officer at LifeWay's.

#### Billing and Coding

Dealing with violations found through the auditing process, occurs through individual communication with both the manager of the program and individual staff person involved. If one staff person is found through sampling, or the complaint process, to have a particular problem with accurate documentation, disciplinary action will take place as follows:

1. First occurrence: One training with supervisor
2. Second occurrence: A second training with supervisor and written Constructive Criticism to be kept in personnel record.
3. Third occurrence: Written warning.
4. Fourth occurrence: Written termination.

If it is determined that the lack of a satisfactory indicator is process oriented, a quality team may be developed for the specific intent of identifying a more effective process, including communication and training.

### Personnel and Volunteers

Personnel and volunteers shall receive initial and annual training for the Corporate Compliance program. They shall receive the written Code of Conduct and Ethics training, and sign an agreement to comply with the content and procedures of the plans. When hired, criminal background checks shall be conducted and reference checks will be completed. Performance evaluations shall address staff's knowledge and compliance with LifeSpan's company standards.

### Program Evaluation

Compliance audits will generate the data on which the effectiveness of the process and program will be determined. Reporting on audit information will be completed within the Annual Quality Report. Reports will be submitted to the Board of Directors and LifeWays for review.

### **Conclusion**

The Corporate Compliance Plan has been prepared to outline the broad principles of legal and ethical business conduct embraced by LifeSpan. It is not a complete list of legal or ethical questions you might face in the course of business, and therefore this plan must be used together with common sense and good judgment. In addition, for specific guidance in certain areas covered by this plan, LifeSpan has adopted a detailed policy and procedure manual.

If you are in doubt or have a specific question, you should contact you supervisor or the agency Corporate Compliance Officer at the Administrative Office at 517-784-4426 or P.O. BOX 1978 Jackson, MI 49204-1978.