

Triple C Housing, Inc.

Compliance Plan

Adopted by Board of Directors on draft November 13, 2014

Overview

Triple C Housing, Inc. is committed to its consumers, employees, contractual providers, vendors, and the community to ensure business is conducted with integrity, in compliance with the requirements of applicable laws and sound business practices, and with the highest standards of excellence.

The Compliance Plan is designed to prevent, detect and correct any instances of noncompliance with applicable federal and state law and program requirements of federal, state, and private health care plans. Every employee has important responsibilities identified in this Plan, including a duty to report any compliance concerns as explained in this Plan.

This Plan is also designed to be consistent with the Federal Department of Health and Human Services, Office of Inspector General Compliance Program Guidelines. As regulatory guidelines and applicable laws change in the future, this Plan will be modified as necessary to incorporate these changes. The Plan is to be reviewed on an annual basis by the Compliance Officer. The outcome of this review will be forwarded to the Executive Director. Amendments will be submitted to the Board for approval.

This Compliance Plan includes seven major elements:

- **Written Compliance Standards, Code of Conduct & Policies and Procedures**
- **Compliance Officer**
- **Education and Training**
- **Communication**
- **Auditing and Monitoring**
- **Investigations and Corrective Action**
- **Disciplinary Actions**

Compliance Standards, Policies and Procedures

Principles of Compliance

Triple C Housing, Inc. adopts these principles of compliance as the foundation of the compliance Policy of the organization:

- Triple C Housing employees and contractors will comply with all applicable federal, state, and local laws and regulations.
- Triple C Housing employees and contractors will conduct themselves in a manner that is consistent with the provisions of Triple C Housing's Code of Ethics
 - Each individual shall certify in writing that he or she has received, read, understood and will abide by the Code of Ethics. New employees shall receive the Code of Ethics and shall complete the required certification.
- Triple C Housing employees and contractors will conduct themselves in a manner that inconsistent with the provisions of any Professional Code of Ethics identified by their certification or licensing body.

- Triple C Housing employees and contractors will endeavor to properly bill all clients, third party payers, and government health care programs for services provided by the organization. Specifically, Triple C Housing will:
 - Only bill for services rendered and provided as claimed;
 - Document services provided with required detail to support the claim for payment and ensure proper documentation is complete;
 - Submit claims only for services that are reasonable and necessary;
 - Not double bill for services resulting in duplicate payment;
 - Not bill for non-covered services as if covered;
 - Not knowingly misuse provider identification numbers, which result in improper billing
 - Not unbundle services (billing for each component of the service instead of billing or using an all-inclusive code);
 - Properly use coding modifiers;
 - Not up-code the level of service provided;
 - Promptly refund any overpayments that may occur.
- Triple C Housing will endeavor to ensure compliance with all state and federal regulatory agency standards and applicable laws and regulations
- In compliance with the federal and state “Anti-kickback” statutes, board members, employees and contractors will not offer, provide, solicit or accept anything of value from any person in return for the referral of consumers to or from Triple C Housing, or in return for influencing or engaging in any related business transaction, directly or indirectly, involving the care or services provided to Triple C Housing consumers.

Standard of Conduct

Triple C Housing is committed to conducting its delivery of services and business operations in an honest and lawful manner and consistent with its Mission, Vision and Values. As such, Triple C Housing minimally establishes the following Standards of Conduct. All employees will endeavor to:

- Provide high quality services consistent with Triple C Housing’s Mission, Vision and Values;
- Exercise honesty and integrity in the workplace;
- Comply with applicable federal and state laws and professional standards;
- Assist with the prevention of fraud and abuse;
- Refrain from knowingly participating in illegal activities;
- Report any actual or suspected violation of the Compliance Plan, Standards of Conduct, agency policies or procedures, or other conduct that is known or suspected to be illegal;
- Provide accurate information to federal, state, and local authorities and regulatory agencies when applicable;
- Promote confidentiality and safeguard all confidential information according to policy;
- Practice ethical behavior regarding relationships with consumers, payers, and other health care providers;
- Protect the integrity of clinical decision-making, basing care on identified health care needs;
- Seek to continually maintain and improve work-related knowledge, skills, and competence; and
- Actively support a safe work environment, free from harassment of any kind.

Policies and Procedures that Address Compliance

Triple C Housing shall maintain policies and procedures that provide guidance to Employees and Contractors with respect to compliance obligations in addition to the guidance provided in this Compliance Plan. A list of the Policies and Procedures shall be maintained by the Compliance Officer and updated on an annual basis. The policies and procedures include, but are not limited to the following:

- Mission, Vision, Values Statement
- Hiring Process
- Consumer Rights and Grievance Policy
- False Claims Act Education and Whistleblower Protections
- HIPAA Privacy Notice and compliance with state privacy requirements
- Documentation Standards
- Audit Policy – Clinical and Billing
- Duty to Warn
- Vulnerable Adult, and Child Abuse and Neglect Reporting (Community Incident Reporting)
- Client Adverse Events Reporting Procedures (Community Incident Reporting)
- Employment Standards

Compliance Officer

The Triple C Housing Board of Directors has authorized the Executive Director to designate a Compliance Officer who shall be responsible for the implementation, operating and continuous monitoring of the Triple C Housing compliance program. The Compliance Officer may delegate tasks as appropriate but will maintain responsibility to ensure the integrity of the plan. Triple C Housing's Compliance Officer shall report to the Executive Director, but is ultimately responsible to the Board of Directors and is authorized to communicate to the Board of Directors, the Board Chair and/or its Legal Counsel and shall be free to conduct such investigations as necessary and appropriate to ensure the continuing implementation of this Compliance Plan.

The Compliance Officer is principally responsible with overseeing and monitoring the implementation of the Plan. The Compliance Officer works with the Board of Directors Executive Committee to track and monitor implementation of the Plan. Progress report of the ongoing monitoring activities, including identification of suspected noncompliance, will be maintained by the Compliance Officer and shared with the Executive Director and the Board of Directors. Monitoring techniques will include:

- Compliance audits focused on those areas within Triple Ck Housing that have potential exposure to government enforcement actions as identified in (i) Special Fraud Alerts issued by the Office of Inspector General (OIG), (ii) OIG annual work plan, (iii) initiatives or requests from the CMS and (iv) law enforcement initiatives. The Compliance Officer shall recommend updates to the organization's Compliance Plan, policies and procedures, principles of compliance, and standards of conduct to the Board on a periodic basis to reflect any changes in Triple C Housing's risk profile and applicable laws and regulations.
- Bench-marking analyses which provide operational snapshots from a compliance perspective that identify the need for further assessment, study or investigation.

- Periodic reviews in the areas of Plan dissemination, communication of Triple C Housing’s compliance standards and Business Code of Conduct, availability of online compliance reporting capabilities and adequacy of compliance training and education to ensure that the Program’s compliance elements have been satisfied and that the Plan encourages employees to report potential compliance problems without fear of retaliation. The review process will be conducted through on-site interviews and survey questionnaire completion by key management in any areas of operations.
- Subsequent reviews to ensure that corrective actions have been effectively and completely implemented.

When a compliance issue has been identified that requires remedial action, the Compliance Officer will develop a corrective action plan, specifying the tasks to be completed, completion dates and responsible parties. Legal counsel and other appropriate personnel will be consulted as appropriate. Each corrective action plan must be approved by the Executive Director or his/her designee prior to implementation. Corrective action plans may require that compliance issues be handled in a designated way that relevant training takes place, that restrictions be imposed on particular employees, or that the matter be disclosed externally. Sanctions or discipline, in accordance with the standard disciplinary policies and procedures of Triple C Housing may also be recommended.

The Compliance Officer will present summaries and report to the Board of Directors on a quarterly basis. The Board will advise the Compliance Officer and assist in the implementation of the compliance plan.

Education and Training

Policy

Formal compliance education programs shall be provided to employees and contractors associates with Triple C Housing, as appropriate to ensure material compliance with the Compliance Plan and applicable laws.

Scope of Education and Training

Employees and Contractors:

- All new Triple C Housing employees and contractors shall receive appropriate compliance education as a part of new employee orientation training.
- Plan education shall be conducted to inform Triple C Housing employees and contractors of the Plan, its purpose and its requirements. Employees and contractors shall be specifically education regarding their responsibility to report misconduct and the consequences of failing to comply with the Plan in accordance with the Federal False Claims Act.
- All employees and contractors must acknowledge in writing that they have read, understood, and agreed to abide by the Triple C Housing Plan. This documentation will be maintained in the employee or contractor’s Personnel file.
- Employee and contractor compliance education shall be conducted as appropriate, but at least on an annual basis.

Attendance and Documentation

- Employee attendance and participation in mandatory educational opportunities shall be a condition of continued employment.
- The Training and Employment Development Coordinator at Triple C Housing will be responsible for maintaining the documentation of Plan education and providing that documentation to the Compliance Officer.
- The documentation shall include the name and position of the employee, the date and duration of the educational activity and a brief description of the subject matter of the education.

Communication

Policy:

The elements of the Triple C Housing Plan shall be communicated to employees and contractors as appropriate. An internal reporting system will be in place for employees and others to report issues and concerns regarding violations and noncompliance within Triple C Housing anonymously, and without fear of retaliation or retribution. This internal reporting system shall establish a method of communication between the reporting person and the Compliance Officer to encourage reporting of incidents, potential violations, and compliance issues.

Scope of Communication

Communication of the Compliance Plan shall consist of the following:

- The Plan shall be distributed to all employees. It shall be distributed to contractors as deemed appropriate (those who are actively involved in providing health care related services or supplies)
- All personnel shall acknowledge in writing that they have read, understood and agreed to abide by the Plan and all appropriate compliance standards, policies and procedures.
- Applicable Contracts with contractors will include standard compliance provisions.

Employee and Contractor Responsibility and Internal Reporting System

All employees and contractors are required to promptly report to the Compliance Officer any instances of noncompliance with the Plan. An employee or contractor who fails to report instances of noncompliance or who knowingly falsifies a report of noncompliance shall be subject to disciplinary action as described in the Disciplinary Action section.

Internal reporting guidelines shall consist of the following:

- Employees and others are encouraged to report with an option to be anonymous, concerns regarding violations of compliance to the Compliance Officer.
- Specific information regarding the confidentiality and non-retaliatory aspects of the Plan shall be communicated to employees to encourage reporting of compliance concerns.
- The Compliance Officer documenting incoming reports shall maintain a log and all other forms of communication regarding compliance issues, the nature of the concern, investigations and the results of the investigation.

- There shall be no retaliation for any report. Any threat of retaliation or retribution against the reporting employee or contractor shall result in disciplinary action.
- Steps shall be followed to maintain confidentiality to the extent reasonably possible of all report logs, reports and other documentation maintained by the Compliance Officer. Individuals reporting concerns cannot be guaranteed confidentiality as a proper investigation by Triple C Housing and any investigation by the government may require additional information from and access to the individuals involved.
- All employees and contractors shall have access to report directly to the Compliance Officer rather than through supervisors or other intermediaries.
- Employees and contractors shall be encouraged to ask for clarification if they have a question regarding the compliance standards, policies or procedures.
- Supervisors/Managers and/or Administrators may be disciplined for failing to detect compliance violations in their departments, facilities or areas of responsibility if reasonable diligence on their part would have led to the discovery of the problem and given Triple C Housing the opportunity to address the issues at the earliest possible time.

Auditing and Monitoring

- Regular audits of billing and documentation will be performed internally by the Compliance Officer and designates.
- Contract providers' billings also will be included in the audit procedure.
- During an audit process, if it is discovered that there appear to be weaknesses in the compliance system, the Compliance Officer will perform follow-up procedures such as focused audits, retraining, procedural changes, work flow studies, etc. to remedy any weaknesses identified. Such reporting nits will be monitored on a monthly basis by the Compliance Officer to ensure subsequent compliance.
- Upon completion of each audit, the audit results and written comments regarding deficiencies noted during the audit will be delivered to the responsible Senior Director and Team Leader(s)/Program Manager(s).
- The Compliance Officer will work with management to determine the appropriate corrective action to take in response to a finding of errors.

Investigations and Corrective Action

Investigation Obligation and Approach

- The compliance Officer shall promptly investigate or cause the investigation of any allegations or reports of noncompliance with Triple C Housing's Principles of Compliance or other aspects of the Plan.
- The Compliance Officer shall consult with Legal Counsel if the nature of the alleged violation is such that liability, criminal, civil or financial might result to obtain guidance on the appropriate scope and documentation of the investigative process and to seek to preserve the attorney-client and work product privilege to the extent the same are available under the law.

- Investigations shall be undertaken promptly and in a manner to determine whether a material violation has in fact occurred so Triple C Housing can take appropriate corrective action and fulfill any applicable reporting requirements.
- The investigation shall use techniques consistent with applicable laws and which support a rapid resolution of the situation.
- Due respect shall be shown for the rights of individuals who may be involved, either as sources of information or as possible violators. Management shall cooperate in all investigations related to compliance.
- If Triple C Housing determines the integrity of an investigation may be compromised because of the presence of employees or contractors under investigation, management may remove such employees or contractors from their responsibilities pending completion of the investigation.
- If the object of a report is the Executive Director, the reporting party should make the report to the Board of Directors.

Documentation

- Documentation of the alleged violation, interview and other notes, a description of the investigation process, and any documents reviewed shall be maintained for seven years.
- A report of the investigation results and management's corrective action plan shall be maintained for seven years.

Disciplinary Actions

Policy

First and foremost, Triple C Housing encourages all employees and contractors to abide by all Standards, Policies and Procedures whether they are Federal, State or county. However, in the event of a report of a compliance violation or suspected violation, appropriate disciplinary action shall be taken against any employee or contractor who recklessly or intentionally fails to comply with Triple C Housing's Plan.

Applicable contracts and agreements with Triple C Housing contractors shall contain compliance requirements and provisions for appropriate sanctions should violations occur.

- Supervisors shall be responsible for implementation of the Plan with respect to employees under their supervision.
- Disciplinary sanctions for failure to comply with the Plan, standards, laws and procedures shall apply to all employees of Triple C Housing.
- Employees and others affiliated with Triple C Housing (as appropriate) shall be informed of the disciplinary standards for noncompliance and that certain actions prohibited by these guidelines may also violate criminal laws that may result in personal criminal prosecution and fines and/or imprisonment upon conviction.
- The Human Resources Manager must report every disciplinary action related to the Plan to the Executive Director and Compliance Officer.

- Triple C Housing will neither knowingly employ nor contract with individuals or businesses that are listed by a federal or state agency as debarred, excluded, or ineligible for participation in federally or state funded health care programs.

Disciplinary Actions and Sanctions

The following actions and sanctions may be applied:

- Employees involved in a violation of this Plan may be subject to significant sanctions, up to and including termination. Such disciplinary actions shall be in accordance with Triple C Housing's personnel policies and procedures and may include remedial training, oral warnings, written reprimands, probation, suspension, or immediate termination depending upon the nature of the violation.
- Intentional, reckless or repetitive noncompliance will subject employees to significant disciplinary action up to and including termination.
- Contractors involved in a confirmed violation may be subject to significant sanctions in accordance with contract terms and conditions, including termination of the contract when warranted.
- Retribution related to reporting of compliance concerns is prohibited as a provision of the Federal False Claim Act and anyone who engages in such prohibited activity will be subject to disciplinary action.



Corporate Compliance Form

Triple C Housing's Compliance Officer is Judith Gnad at extension 17.

You may also make reports by calling 1-800-Medicare. Everyone has the right and responsibility to report possible fraud, waste or abuse. You may report issues anonymously in the box below.

You may submit a report anonymously and retaliation is prohibited when you report a concern in good faith.

Comments: _____

Name (Optional): _____

TRIPLE C HOUSING, INC.

Corporate Compliance Plan Compliance Certification

(Signature Page)

1. I have received the “Corporate Compliance Plan” dated 11/13/14, and I have retained a copy for my guidance.

2. I represent that I understand that violation of the Corporate Compliance Plan and the Code of Conduct may be grounds for disciplinary action as described in the plan.

3. I represent that I am in compliance with its requirements with the following possible exceptions: (You should include a statement concerning any personal business situation, conflict of interest or other matter which you believe should be disclosed. If none, State “none”)

4. I agree to immediately report to the Triple C Housing Compliance Officer any changes (like those mentioned in #3) that may potentially place me in violation of this program.

5. I am aware of the following present violations or possible violations (if none, state “none”):

6. I agree that I will report any suspected or known violation of the Triple C Housing Compliance Plan.

Name: _____ Position: _____

Signature: _____ Date: _____

To be placed in Employee’s or Contractor’s File