



CODE OF CONDUCT
And
CORPORATE COMPLIANCE PLAN SUMMARY

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Table of Contents

<u>Code of Conduct</u>	1
<u>Compliance Policies</u>	3
A. General Business Practices	3
1. Accounting	3
2. Trade Practices/Antitrust.....	3
3. Anti-kickback and corrupt influence statutes	3
B. Billing	3
C. Tax.....	3
D. Gifts and Entertainment	4
E. Fundraising	4
F. Labor and Employee Relations.....	4
G. Immigration.....	4
H. Licensure/Certificate of Need	4
I. Health and Safety	4
J. Political Activity	4
K. Lobbying.....	5
L. Transacting Business with the Government	5
1. Medicare and Medicaid Requirements	5
2. Hiring Former Government Employees.....	5
3. Gifts, Meals or Gratuities for Government Employees	5
M. Conflict of Interest	5
N. Confidentiality.....	6
O. Record Retention	6
P. Government Investigations	6
Q. Human Resources	6

<u>Compliance Procedures</u>	7
A. The Director of Corporate Compliance	7
B. Reporting a Possible Violation.....	7
C. Investigative Procedures	8
D. Corrective Actions	8
E. Disciplinary Policies	8
F. Ongoing Compliance Procedures	9
G. In-service Programs	9
H. OIG Fraud Alerts.....	9
I. Audit Committee.....	9
J. Quarterly and Annual Reports	9
<u>Overview of Applicable Regulations</u>	10
A. Federal False Claims Act	10
B. New York State False Claims Act.....	10
C. Whistle-Blower Protection.....	10
D. Private Individuals Referred to as Qui Tam Relators	10
E. Administrative Remedies for False Claims	10
<u>How to Report a Compliance Concern</u>	11
<u>Employee Code of Conduct Agreement Form</u>	12

FIELDHOME is the corporate title used to refer to all entities of the corporate community. These include Field Home - Holy Comforter, Catharine Field Home d/b/a The Seabury at Fieldhome, The Early Learning Center at Fieldhome and Field Hall Foundation. Hence, our Code of Conduct and Corporate Compliance Plan covers all corporate entities universally referred to as FIELDHOME.

The Code of Conduct is a critical component of our Corporate Compliance Plan. The Code of Conduct and Corporate Compliance Plan Summary is intended to provide a general overview of basic compliance concepts and to give guidance on acceptable behavior. FIELDHOME's complete Corporate Compliance Plan is available from the Director of Corporate Compliance and can also be downloaded from our website, www.FIELDHOME.com.

FIELDHOME's Mission

To provide a broad range of high quality care services to the elderly and medically compromised in a comfortable and safe environment.

The Board of Directors and staff are committed to perpetuating, improving, and adapting our services in response to the changing needs of our community in a compassionate and financially responsible manner.

All staff are encouraged to pursue excellence in the delivery of care to those we serve.

CODE OF CONDUCT

We are committed to providing the highest quality of care while operating within the highest ethical standards and within the parameters of all applicable state and federal laws, rules and regulations. To meet this commitment, FIELDHOME has adopted a Corporate Compliance Plan. All Boards of Trustees, employees, volunteers, vendors, contractors, agents and affected constituents, are required to cooperate fully with the Corporate Compliance Plan and to act with integrity, fairness, and honesty and in the best interests of FIELDHOME and those we serve.

If you believe the Code of Conduct or Corporate Compliance Plan may have been violated, it is your responsibility to report it. All concerns should be made in a timely manner through any of the reporting procedures outlined in the [How to Report a Compliance Concern](#) section on page 11. Reports may be submitted anonymously and will be kept confidential. FIELDHOME has a strict policy of non-intimidation and non-retaliation that protects individuals in their participation in the compliance program. Retaliation of any type against an employee who, in good faith, reports possible unethical or illegal conduct is prohibited and is in itself a violation of the Code of Conduct.

All compliance reports will be investigated promptly and thoroughly. Employees are also required to assist in any investigation and resolution of a compliance concern.

Failure to report a compliance violation; participating in non-compliant behavior; or encouraging, directing, facilitating or permitting non-compliant behavior will result in appropriate disciplinary action, which may include termination.

The Code of Conduct is presented to all new employees during the employee orientation program. Supplemental information is provided through annual and as-needed in-service programs for all employees and members of the Boards of Trustees.

For more information on FIELDHOME's Corporate Compliance Plan, please contact:

Patti Horvath, Director of Corporate Compliance

914-739-2244 ext. 5501

phorvath@fieldhome.com

Fieldhome, 2300 Catherine St., Cortlandt Manor, NY 10567

Or Call FIELDHOME's **Corporate Compliance toll-free hotline: 877-486-8300**

COMPLIANCE POLICIES

The following is an overview of the policies found in FIELDHOME's Corporate Compliance Plan. The Corporate Compliance Plan is available from the Administrator and the Director of Corporate Compliance.

A. General Business Practices

1. Accounting

FIELDHOME is committed to maintaining a high level of accuracy regarding its financial records and reports. This is accomplished by the establishment of appropriate internal accounting controls. Any action that would constitute improper or questionable behavior is also unacceptable.

2. Trade Practices/Antitrust

Employees are prohibited from engaging in any activities that can be considered as constituting "unfair methods of competition" or an agreement, which is "in restraint of trade". Anyone who violates the law or knowingly permits a subordinate to do so is subject to disciplinary action, including dismissal.

3. Anti-kickback and Corrupt Influence Statutes

Federal and State laws prohibit any form of kickback, bribe, or rebate made directly or indirectly, overtly or covertly, in cash or in kind to induce the purchase, recommendation to purchase or referral of any kind of health care goods, services or items paid for by Medicare or the Medicaid Program.

B. Billing Procedures

FIELDHOME requires that all billing statements which will be presented to a resident or third party payor for payment will be accurate, indicate services performed, detail exact charges, and include any other pertinent data. Medicare, Medicaid, and other payors may only be billed for medically necessary services that are properly documented. Under the Medicare and Medicaid Programs, an erroneous bill may be deemed as a false claim. A brief description of Federal and State False Claims Acts is in the Overview of Applicable Regulations section on page 10.

C. Tax

FIELDHOME is a not-for-profit organization and thus is exempt from taxation by federal, state and local government. To maintain this status, it must charge Fair Market for its services and property uses, and avoid what tax law calls "Private Inurement" and "Private Benefit".

FIELDHOME is responsible to withhold taxes from each employee's wages in accordance with applicable laws.

D. Gifts and Entertainment

Giving or accepting gifts and entertainment can be construed as an attempt to unduly influence the relationship and therefore should not be done.

E. Fundraising

As a charitable not-for-profit organization, FIELDHOME receives contributions from donors to support its many activities and services. Employees are encouraged to support any fundraising efforts but must coordinate their efforts through Administration. Money or other items received on behalf of FIELDHOME are to be deposited into FIELDHOME accounts immediately.

F. Labor and Employee Relations

FIELDHOME complies fully with all applicable labor organization wage and hour laws as well as other statutes governing the employer-employee relationship.

Under Federal and State law, it is illegal for FIELDHOME or any of its employees to pay to or receive any money or anything of value from any labor organization.

G. Immigration

FIELDHOME will employ only individuals legally authorized to work in the United States of America. The Human Resources Department is responsible to verify a prospective employee's eligibility for employment in accordance with the timeframe mandated by law.

H. Licensure/Certificate of Need

FIELDHOME is licensed by The State of New York as a skilled sub-acute nursing home. The Seabury is licensed by The State of New York as an Adult Care facility. The Early Learning Center at Fieldhome is licensed by The New York State Office of Children and Family Services. Each of these facilities operates under the strict state guidelines that regulate the manner in which they provide their respective services and conduct business. All questions regarding pertinent regulatory requirements or guidelines should be referred to the Administrator or Chief Executive Officer.

I. Health and Safety

FIELDHOME complies with all Federal, State and Local regulatory requirements pertaining to health and safety. FIELDHOME is legally responsible for the proper distribution and handling of all pharmaceutical products.

J. Political Activity

FIELDHOME does not contribute to the campaign activities of political candidates or office holders.

K. Lobbying

No employee may give anything of value to any federal public official or person selected to be a public official in order to influence any decision on any issue that may impact upon FIELDHOME.

L. Transacting Business with the Government

1. Medicare and Medicaid Requirements

FIELDHOME participates extensively in the Medicare and Medicaid Programs. The laws and regulations pertaining to those programs are complicated and may differ significantly from directives that are received from other third party payors. Violation of Medicare and Medicaid laws and regulations can result in criminal sanctions being imposed not only on the person actually involved but also the organization on whose behalf those persons act. It is essential, therefore, that there be strict compliance with all Medicare and Medicaid laws and regulations.

2. Hiring Former Government Employees

Very specific rules exist regarding the employment of former government employees. These rules exist to avoid any potential for the possible existence of a conflict of interest. Both FIELDHOME and any employee or consultant who was a former Government employee must comply with all applicable rules while working for or on behalf of FIELDHOME.

3. Gifts, Meals or Gratuities for Government Employees

FIELDHOME prohibits all its employees from providing meals, refreshments, travel or lodging expenses to government employees to avoid the appearance that there is any intent to influence government employees.

M. Conflict of Interest

FIELDHOME expects that its employees will place FIELDHOME'S interests ahead of any other business or commercial interest the employee may have.

Any Trustee or employee of FIELDHOME who is in a position to influence a substantive business decision that may be made must file a Conflict of Interest Disclosure Statement with the Compliance Officer immediately and then again at least once a year as long as the potential conflict exists. Conflict of Interest Disclosure Statement forms are available from the Director of Corporate Compliance.

Anyone who thinks they may be exposed to a potential Conflict of Interest must notify the Compliance Officer in order for an appropriate review to occur. The Compliance Officer, in concert with legal counsel, will present an appropriate disposition for approval by the Chief Executive Officer and/or Board of Trustees.

N. Privacy and Confidentiality

In accordance with the guidelines set forth in the Health Insurance Portability and Accountability Act (HIPAA) FIELDHOME recognizes its responsibility to safeguard the privacy of its residents and others to whom services are provided. To ensure this occurs, all employees must follow established policies. Employees are expected to protect against the misuse of information, use only legitimate means to collect the information, and respect the full confidentiality of medical records.

Any employee or agent of FIELDHOME who engages in unauthorized disclosure of information in violation of the privacy rights of our residents or others may be subject to immediate termination in addition to possible civil or criminal sanctions. Any person who becomes aware of such unauthorized disclosure should report it immediately to the Director of Corporate Compliance.

In addition, FIELDHOME expects that all of its employees will safeguard the disclosure of any information pertaining to its methods, processes, techniques, computer software, equipment, service mails, copyrights, clinical and pharmacological data, marketing information, employee data, financial data, plan and all other know-how and trade-secrets which have not been published or made known to the general public.

As an employee, you are responsible and accountable for the integrity and protection of business information and must take steps to protect information.

O. Record Retention

FIELDHOME is required by law to maintain certain types of medical and business records for specified periods of time. To ensure it complies with applicable law, internal controls have been established. In addition, guidelines have been developed for the timely and appropriate disposal of those records.

FIELDHOME is also committed to maintaining these records accurately and in accordance with established standards.

P. Government Investigations

FIELDHOME has established appropriate guidelines on how and when to respond to government inquiries. Such inquiries should be forwarded immediately to the Administrator or the Chief Executive Officer.

Q. Human Resources

FIELDHOME is committed to a work environment where all employees are treated with respect and dignity. It is FIELDHOME's policy to:

- provide equal opportunity for employment and advancement on the basis of ability and aptitude without regard to race, creed, color, national origin, age, gender, marital status, disability or handicap, sexual orientation, genetic predisposition, alienage and

- citizenship status, union membership or protected activity.
- protect the health and safety of its employees in the work environment.

Participation in the Corporate Compliance Plan is a requirement upon employment and an employee's compliance participation is a factor in his or her performance evaluation.

COMPLIANCE PROCEDURES

A. The Director of Corporate Compliance

FIELDHOME has appointed a Director of Corporate Compliance to administer the day-to-day operations associated with the program. The Director of Corporate Compliance is responsible for the implementation and interpretation of the Compliance Plan including the Code of Conduct. The Compliance Officer will work with others at FIELDHOME and outside legal counsel, as necessary, to ensure that:

- appropriate training and in-service programs are provided;
- all compliance issues are promptly and properly addressed as they arise;
- appropriate compliance reviews, audits and inquiries are conducted;
- enforcement of the Code of Conduct occurs.

In addition, the Compliance Officer is responsible for receiving and responding to all reports, complaints and questions relevant to compliance issues.

Questions regarding the applicability or interpretation of the Code of Conduct should be directed to the Director of Corporate Compliance (see page 11) or by calling the Corporate Compliance Hotline: **877-486-8300**.

B. Reporting a Possible Violation

Employees are expected to abide by the guidelines for ethical and legal conduct and to report any suspected improper conduct. Reports can be submitted by contacting the Director of Corporate Compliance or by calling the Corporate Compliance Hotline: **877-486-8300**. Employees who choose to call the hotline may do so **anonymously**. For more information on how to report a compliance concern please see page 11.

Failure to report criminal conduct can be viewed as condoning it and subjects the employee who failed to report it to disciplinary action.

Retaliation of any type against an employee who, in good faith, reports possible unethical or illegal conduct is prohibited and is in itself a violation of the Code of Conduct. Those engaging in acts of retaliation are subject to serious disciplinary action up to and including termination. A brief description of both Federal and State laws regarding Whistle-Blower Protection and Personal Relator (Qui Tam) Actions, as well as False Claims, is on page 10; more detailed information can be found in FIELDHOME's Corporate Compliance Plan.

C. Investigative Procedures

Upon receipt of a report of possible unethical or illegal conduct, or of a pattern of possible improper billing, the Compliance Officer will notify the Chief Executive Officer and outside legal counsel as necessary. The Compliance Officer may go directly to the Board President of any of our corporate boards at his or her discretion.

The Compliance Officer has broad and independent authority to complete a thorough investigation and take all necessary and appropriate actions. The Corporate Compliance Officer will consult with the Chief Executive Officer, seek legal guidance as he or she deems necessary and have access to all levels of management and the Boards of Trustees. All employees are required to cooperate with any investigation that is conducted. Each investigative report will be assigned a unique Identification File Number, which will be referenced on all documents pertaining to the investigation.

For the reports pertaining to improper billing or related issues, a random sample of bills may be selected for review. Any bills that appear to be improper or inadequate will not be submitted for payment until all questions related to them have been resolved. If it is determined that any bills were submitted with errors to the government or third party payors, any payments received will be returned.

D. Corrective Actions

Whenever a compliance problem or billing error is discovered, the Compliance Officer is responsible to ensure appropriate and effective corrective action is taken. Corrective action may include, but is not limited to the following:

1. Informing and discussing the violation with all employees involved, including how such violation may be avoided in the future;
2. Providing remedial education;
3. Conducting a follow-up review to make certain the problem is not recurring;
4. Refunding any past payments that were the result of improper bills;
5. Disciplining employees involved in the violation;
6. Modifying or improving relevant operational processes. Any changes in processes will be reviewed with Senior Management and, if necessary, the Governing Board.

E. Disciplinary Policies

All employees are obligated to abide by the Code of Conduct established by FIELDHOME. If upon the conclusion of any investigation, the Director of Corporate Compliance determines that a violation of the Code has occurred, the matter will be referred, with recommendations, to the appropriate Senior Manager and the individual(s) found to have committed a violation will be subject to appropriate disciplinary action. This action may include discharge or in the case of a physician, termination of privileges. Violations include, but are not limited to:

1. Failure to follow the standards established governing the performance of job duties.
2. Failure to report a violation.
3. Failure to cooperate in an investigation.
4. Failure by the supervisor of an employee who has committed a violation to detect and report the violation if such failure reflects inadequate supervision or lack of oversight.
5. Retaliation against an individual for reporting a violation or possible violation.

F. On-going Compliance Procedures

In addition to responding to reported compliance issues or questions, the Compliance Officer is responsible, under the supervision of legal counsel, to make certain reviews of documentation, coding, billing and all other business practices on a regular periodic basis.

G. In-service Programs

The Compliance Officer is responsible to make certain that all employees are provided with a copy of the Code of Conduct, attend the required in-service programs addressing FIELDHOME'S Compliance Program, and sign an acknowledgement form confirming receipt of the Code of Conduct and attendance at required in-service programs.

The Compliance Officer is also responsible to hold new in-service programs when there are changes in the regulatory requirements to Corporate Compliance.

H. OIG Fraud Alerts

In concert with legal counsel, the Compliance Officer will monitor all fraud alerts published by the Office of the Inspector General. When a particular alert appears to be relevant to FIELDHOME, the Compliance Officer will work with Senior Management and legal counsel to take whatever action is necessary.

I. Audit Committee

The Board of Trustees will review the Corporate Compliance Officer's report at its meeting in advance of the annual audit, so as to provide the external auditors with any concern they may wish to address.

J. Quarterly and Annual Reports

The Compliance Officer will present quarterly and annual reports to the Chief Executive Officer and the Board of Trustees. This report will detail the compliance efforts that took place, identify any changes made to the program, and recommend any improvements to the program.

OVERVIEW OF APPLICABLE REGULATIONS

The following is a brief summary of both Federal and State laws affecting False Claims, as well as Whistle-Blower Protection and Personal Relator (Qui Tam) Actions. More detailed information can be found in FIELDHOME's Corporate Compliance Plan.

- A. **Federal False Claims Act:** This law is intended to prevent the willful filing of a fraudulent claim or actions taken to defraud the Federal Government as regards to payment for services or goods reimbursed by either Medicare or Medicaid.

- B. **New York State False Claims Law:** Similar to Federal law, New York State may criminally prosecute any person who knowingly submits false information for payment of services or merchandise under The New York State Medical Assistance Program.

- C. **Whistle-Blower Protection:** An employer is prohibited from discriminating against an employee because he/she participated in a false claim action or investigation. Discrimination includes discharge, demotion, suspension, threatening the individual or engaging in any other type of harassing or retaliatory behavior.

- D. Private individuals, referred to as **Qui Tam Relators**, may individually/independently commence a civil action for a violation of a false claim.

- E. **Administrative Remedies for False Claims (Program Fraud Civil Remedies Act)**
 - a. In addition to the Federal False Claims Act, the regulations pertaining to false claims also permit Government agencies such as Health and Human Services (HHS) to take administrative action when false claims are submitted or false statements are made.

 - b. Under the Program Fraud Civil Remedies Act, anyone who makes, presents, submits or causes to be made, presented or submitted a false claim or written statement is subject to, in addition to other remedies prescribed by law, a civil penalty or monetary fine. If the Government has already made payment for a false claim, the agency may obtain an assessment of twice (2 times) the amount of such a claim in lieu of damages.

HOW TO REPORT A COMPLIANCE CONCERN

Reports of a possible compliance violation can be made in any of the following ways:

You may speak with your immediate supervisor or directly contact the Director of Corporate Compliance, Patti Horvath

Phone: 914-739-2244 ext. 5501

E-mail: phorvath@fieldhome.com

Drop Box: Fill out a Compliance Report Form and place it in one of the secure drop boxes located in the lobbies of Field Home - Holy Comforter, The Early Learning Center, The Seabury and Field Hall. Report Forms are available at each drop box and on our website at www.FIELDHOME.com.

Mail: Patti Horvath, Director of Corporate Compliance
Fieldhome
2300 Catherine Street
Cortlandt Manor, NY 10567

Reports may also be made anonymously by calling Fieldhome's Corporate Compliance Toll-Free Hotline: 1-877-486-8300

Please note that when you call the hotline you will not speak to a person. Leave a detailed message about your compliance concern, including the names of the parties involved, dates and time if possible. All reports are kept confidential. Your call can be made anonymously, however, it is preferable that you identify yourself so that we may contact you for additional information or clarification of your report. The Director of Corporate Compliance checks the hotline for messages regularly and all potential issues will be investigated.

All reports are kept confidential and FIELDHOME prohibits retaliation against any individual for submitting a good-faith report of a possible compliance violation.

**FIELDHOME's
EMPLOYEE CODE OF CONDUCT AGREEMENT
FORM**

I have reviewed FIELDHOME's Code of Conduct and I hereby acknowledge my obligation and agreement to abide by the Code of Conduct.

I understand that adherence to and support of FIELDHOME's Corporate Compliance Plan and participation in the program is a factor in my job performance evaluation.

I understand that: failure on my behalf to report a compliance violation or assist in an investigation; participating in non-compliant behavior; or encouraging, directing, facilitating or permitting non-compliant behavior will result in appropriate disciplinary action, which may include my termination.

Signature

Date

Printed Name

Title/Department