

Subject: Corporate Compliance
Policy/Procedure No: 8
Department No: 60

Effective Date: 05/27/2015
Prepared By: Director of Human Resources
Revised Date: 03/18, 12/22, 12/23

POLICY:

Thornapple Manor is committed to conducting its business in a manner that facilitates quality, efficiency, honesty, integrity, respect and full compliance with applicable laws and regulations. In order to achieve this goal, Thornapple Manor recognizes that it must require its employees to maintain a standard of behavior that is both lawful and ethical. Since the scope of compliance with applicable laws and regulations is extensive and since the regulations are complex, Thornapple Manor has adopted this formal Corporate Compliance Plan to address potential compliance concerns.

The provisions of the plan apply to all clinical, business and legal activities performed by Thornapple Manor as well as to any third parties when such parties are engaged in the provision of services on behalf of Thornapple Manor. Third parties include, but are not limited to, volunteers, agents and sub-contractors of Thornapple Manor.

PROCEDURE:

1. Purpose

The purpose of this plan is to achieve the following goals;

- a. To provide a safe environment for residents, patients, employees, medical professionals, allied health professionals, visitors and volunteers.
- b. To identify and monitor those persons or areas with a high risk of liability exposure. The focus of such action shall be on prevention and correction of identified problems.
- c. To integrate the quality improvement and safety programs with the Compliance activities of Thornapple Manor.
- d. To provide continuing education to all Thornapple Manor staff in the identification and prevention of non-compliance with applicable legal and regulatory requirements. Education will include information on the specific legal and regulatory requirements relevant to an employee work assignment.
- e. To protect and preserve the resources of Thornapple Manor.
- f. To develop and uniformly enforce standards for the discipline of employees related to noncompliance with the plan.
- g. To provide a workplace that enables and encourages residents, employees, physicians, allied health professionals, visitors and volunteers to report any known or suspected violations of the plan or Thornapple Manor rules, policies and procedures.

2. Compliance Committee

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The Compliance Committee will be comprised of the administrative staff of Thornapple Manor from the following areas of Thornapple Manor's operations;

- a) Administrator
- b) Business Office (Finance or Human Resources)
- c) Nursing
- d) Social Work/Admissions
- e) Life Enrichment
- f) Food Service
- g) Facilities Management

The Corporate Compliance Committee shall make reports of its activities to the Board of Directors of Thornapple Manor at least annually that describes the general compliance efforts that have been undertaken during the preceding year and that identifies any changes that might be made to improve compliance. This report should be circulated to the Board of Directors, the Administrator, and to others with an interest in compliance for their comments about possible revisions to the Plan.

1. Corporate Compliance Officer

A Corporate Compliance Officer ("CCO") will be designated by the Administrator. The CCO will chair the Compliance Committee and be responsible for implementing and coordinating Thornapple Manor's Compliance Plan. The CCO will be specifically responsible for the following;

- a) Reviewing, revising, and assisting in the formulation of appropriate policies and procedures that will meet the objective of Thornapple Manor to guide employees in compliance activities.
- b) Ensure that employees are educated in the compliance program, specific policies and procedures, and the legal requirements relevant to their work.
- c) Ensure that independent contractors, volunteers, vendors and agents who furnish services to Thornapple Manor are aware of Thornapple Manor's Compliance Plan and Code of Conduct and agree to comply with these standards in the provision of services to Thornapple Manor.
- d) Ensure with the assistance of human resource personnel that the General Services Administration's List of Parties Excluded from Federal Programs and the HHS/OIG Cumulative Sanction Report has been checked with respect to all employees and independent contractors.
- e) Assist Thornapple Manor's financial management personnel in coordinating internal compliance review and monitoring activities.
- f) Assume responsibility for ensuring that all reports are investigated and responded to, and report suspected violations, recommend appropriate corrective action, and document that such corrective action has been taken.
- g) Develop and assist in the implementation of a reporting structure to encourage employees to report suspected fraud and other improprieties without retaliation.

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The CCO shall report to the Corporate Compliance Committee on a quarterly basis.

2. Training and Education

Thornapple Manor recognizes that the proper education and training of employees is a significant element of an effective compliance program. Attendance at an annual training program shall be mandatory for each employee. Training and education session will be designed to review Thornapple Manor's compliance program, Code of Conduct, Conflict of Interest, and Use of Communication and Information Systems and to delineate with specific employees any changes in current law or policies that effect their specific position. Specific employees may be required to attend additional training sessions of particular issues that are relevant to their job responsibilities.

Participation in training and education programs shall be a condition of continued employment with Thornapple Manor. Failure to comply with the training and education requirements of Thornapple Manor will result in disciplinary action. Adherence to the provisions of the plan will be a factor in each employee's annual evaluation. Thornapple Manor shall utilize Relias for employee training sessions.

3. Reporting and Investigating Compliance Issues

In order for Thornapple Manor to achieve the goals of its plan, and conduct business within the letter and spirit of the law and its Code of Conduct, employees and contractors are encouraged to report suspected or known problems. Thornapple Manor will provide for open lines of communication with the CCO. Employees who report on possible compliance issues, in good faith, will not be subjected to retaliation or harassment. The CCO will make every effort to maintain the confidentiality of reports.

Employees shall be able to make compliance reports anonymously by utilizing the drop box located at the employee entrance door. Additionally, employees are encouraged to contact the CCO by phone at (269) 945-2407 ext. 1013, email: pricesj@thornapplemanor.com or arrange an in person meeting at a mutually agreeable time.

The CCO will initiate an investigation of all reports. The CCO will maintain a record of all reports he/she receives. The CCO shall contact legal counsel when appropriate to assist in the investigation of a compliant. If an investigation finds that the conduct complained of does not violate laws, regulations or policies or that such conduct did not occur the investigation shall be closed.

If the initial investigation concludes that a problem may exist, a further investigation shall occur. The CCO shall report any findings of wrong doing on the part of Thornapple Manor to the Compliance Committee and the Board of Directors.

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The CCO with guidance from the Corporate Compliance Committee shall establish a schedule to monitor Thornapple Manor's performance with specific compliance issues. Review of various compliance issues will be scheduled. The review will be a limited audit, generally conducted through a random sampling, of the specific compliance issue being monitored. All areas that Thornapple Manor regards as high risk should be reviewed at least once annually.

The Administrator, CCO, legal counsel, departmental and administrative leadership should identify areas which require review and monitoring. In addition, any employee can identify an issue that they believe requires review or monitoring. These suggestions should be reviewed with the department, who will share all suggestions with the CCO. All suggested issues should be channeled through the CCO. The CCO with the approval of the Corporate Compliance committee has the authority to determine which issues will be reviewed and monitored, when the review will be conducted, who will request and conduct the review, with whom the review results will be shared, and who will sign off on the corrective action plan, if needed.

The Board or the Administrator, after consultation with the Corporate Compliance Committee and if appropriate legal counsel, may engage Thornapple Manor auditors, or external auditors to assist in the monitoring procedure.

4. Corrective Action Plans and Reporting of Non-Compliance

Whenever a compliance issue has been identified and determined to be a problem, through monitoring the receipt of reports of possible issues, investigations or otherwise, the CCO will develop a plan to address that issue, (the corrective action plan). Corrective action plans should be designed to ensure not only that the specific issue is addressed but also that similar problems do not reoccur.

If Thornapple Manor discovers that there has been a material violation of a law or regulation Thornapple Manor will take appropriate action to report such violation to the appropriate authority. Such reporting may include an immediate referral to criminal and/or civil law enforcement authorities, reports to the government and the submission of any overpayments, if applicable.

5. Disciplinary Accountability and Consequences

Thornapple Manor has formulated guidelines regarding the consequences and disciplinary action for employees who have failed to comply with Thornapple Manor's policies and procedures, Federal and State laws or this 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.

6. Auditing, Monitoring and Evaluation

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Thornapple Manor recognizes that it will be important to monitor the effectiveness of this Plan. Thornapple Manor shall engage in monitoring, auditing and other evaluation processes of its Plan and activities. The CCO or independent outside consultants will perform the following tasks;

- Interviews with personnel involved in management operations, coding, claim development and submission, patient care and other related activities.
- Reviews of medical and financial records and other source documents that support claims for reimbursement.

The persons performing these tasks will present written evaluation reports summarizing their activities and conclusions and specifically identifying areas where corrective actions are needed.

The CCO will document Thornapple Manor's efforts to comply with applicable statues, regulations and federal healthcare program requirements.

This Compliance Program has been adopted by the Barry County Department of Human Services Board of Directors.

Note: Policies, procedures and protocols are developed to address usual and customary events. No policy, procedure or protocol can cover every possible situation or circumstance. As a result, deviations from this policy may occur based on unique or unusual circumstances.