



LOVE. ENHANCE. EQUIP. INSPIRE.

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PROVIDING QUALITY AND MEANINGFUL SERVICES FOR INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES

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*"Let My Life Song Sing For You!"*

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**CORPORATE  
COMPLIANCE PLAN**

Adopted: 2011

Revised: 4/20/2016 12/7/2016

LifeSong Inc.  
**Corporate Compliance Plan**  
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### ***LifeSong Inc. Mission....***

“To love, enhance, equip, and inspire lives and families.”  
Every life is important, every life tells a story, every story sings a song.  
Simply stated, our motto is “*Let my life song sing for you.*”

## **Fundamentals**

It is the philosophy of LifeSong to operate in a caring, ethical and upright manner with regards to staffing, meeting the needs of consumers, and serving the community by adhering to the principal of “loving your neighbor as yourself.” In doing so it is our endeavor to attract, develop and retain quality and continuity of staff, develop and maintain excellent community relations & long standing trusting relationships with consumers and their families. LifeSong Inc. strives to offer quality and meaningful services and to maintain standards of excellence on behalf of the individuals and families we serve.

### ***Our Policy***

It is LifeSong’s policy to comply with all applicable federal, state and local laws & regulations governing our corporation, service industry and payer requirements. We endeavor to achieve set goals and utilize best practices as they become apparent to us.

### ***Our Commitment***

Lifesong Inc. will ensure that all aspects of consumer care and business conduct are performed in compliance with our mission/vision statement, policies and procedures, professional standards and governmental laws. Employees, independent practitioners, agents, vendors and every person who provides services to our consumers are to adhere to the highest ethical standards and promote ethical behavior. We require periodic compliance evaluation through internal and /or external audits from individuals who have expertise in this field.

LifeSong will communicate its compliance standards and policies through required training initiative to all employees, independent practitioners, agents and vendors and through distribution of the Compliance Plan and Code of Ethics.

### ***Our Responsibility***

All employees, independent practitioners, agents and vendors shall acknowledge their responsibility to promptly report any instances of suspected or known noncompliance in accordance with policy & procedure anonymously and without fear of retaliation, intimidation, retribution or breach of confidentiality. Failure to report or reporting falsely will be grounds for disciplinary action up to and including termination. Reports relating to harassment and other workplace oriented issues will be directed to appropriate supervisory and/or management personnel.

Detected noncompliance through any means will be responded to in an expeditious manner. LifeSong is dedicated to the resolution of such matters and will take reasonable steps to prevent further similar violations including modifying the Compliance Plan.

LifeSong Inc. will at all times, exercise due diligence with regard to background and professional license investigations for all prospective employees who intend to hold a position with substantial discretionary authority, independent practitioners, agents vendors, Board of Directors. Prospective employees for positions with discretionary authority are required to disclose any name changes and any involvement in non-compliant activities including healthcare related crimes.

Linked to our commitment of excellence is LifeSong's reputation of integrity and ethics. We will adhere to the following "Code of Ethics," as adopted by the Board of Directors, the Executive Director and the compliance committee. We are committed to our responsibility to conduct business affairs with integrity based on sound ethical and moral standards, holding our employees, contracted practitioners, Board of Directors and vendors to the same standard.

# Code of Ethics

All employees of LifeSong Inc. are expected to maintain their relationships with consumers with respect, dignity, safety, and trust. Abuse is not tolerated and will be disciplined subject to termination of employment.

Each LifeSong Director, employee, independent practitioner, agent and vendor shall:

- Support the dignity of human life
- Prefer those suffering, those neediest and most vulnerable among us
- Support the right of all to set and pursue their life goals
- Strive for full measure of charity and justice
- Seek to peaceably change oppressive laws
- Respect privacy and confidentiality
- Strive for quality and excellence
- Support pluralism
- Promote Honesty in all areas

All employees will be required to attend training as appropriate for their employment position and be responsible for and maintain all required certifications and re-certifications.

All employees are investigators and expected to accurately and immediately report abuse and situations of non-compliance according to policies and procedures. False or delayed reporting of issues on non-compliance will be subject to disciplinary procedures up to and including termination.

Employees are expected to maintain confidentiality with regards to consumer information. They are also expected to maintain complete, accurate and contemporaneous records as required by LifeSong Inc. The term “records” includes all documents, both written and electronic, that relates to the provision of LifeSong Inc. services or provides support for billing of LifeSong Inc. Services. Records must reflect the date of the alteration, the name, signature, and title of the person altering the document, and the reason for the alteration, if not apparent. No person shall ever sign the name of another person to any document. Signature stamps shall not be used. Backdating and predating documents is unacceptable and will lead to discipline up to and including termination.

When any person knows or reasonably suspects that the requirements above have not been met, this must be promptly reported to immediate supervisors, the Compliance Officer and the Executive Director.

Employees may not engage in any conduct that conflicts or is perceived to conflict with the best interest of LifeSong Inc. Employees must disclose any circumstances where the employee or his/her immediate family member is an employee, consultant, owner, contractor, investor in any entity that (i) engages in any business or maintains any relationships with LifeSong Inc., (ii) provides to or receives from LifeSong Inc. consumer referrals, or (iii) competes with LifeSong Inc. Employees may not, without permission of the Compliance Officer, accept, solicit or offer anything of value from anyone doing business with LifeSong Inc.

## **Program Governance**

### **Compliance Officer:**

The Board of Directors of LifeSong Inc. appoints the Compliance Officer. The Compliance Officer has direct lines of communication with the Executive Director, the Board of Directors and Agency counsel. The Compliance Officer is directly obligated to serve in the best interest of LifeSong Inc., our consumers and employees.

The responsibilities of the Compliance Officer include but are not limited to the following:

- Developing & implementing compliance policies and procedures.
- Overseeing and monitoring the implementation of the compliance program.
- Directing Agency internal audits established to monitor the effectiveness of compliance standards.
- Providing guidance to management, medical/clinical program personnel and individual departments regarding policy and procedures and governmental laws, rules, & regulations.
- Updating periodically, the Compliance Plan as changes occur within LifeSong Inc., and/or in the law and regulations or governmental third parties.
- Overseeing efforts to communicate awareness of the existence and contents of the Compliance Plan.
- Coordinating, developing and participating in the educational and training program.
- Guaranteeing independent contractors (consumer care, vendors, billing services, etc.) are aware of the requirements of LifeSong's Compliance Plan.
- Actively seeking up-to-date material and releases regarding regulatory compliance.
- Maintaining a reporting system and responding to concerns, complaints and questions related to the Compliance Plan.
- Acting as a resourceful leader regarding regulatory compliance issues.
- Investigating and acting on issues related to compliance.
- Coordinating internal investigations & implementing corrective action.

### **Compliance Committee:**

LifeSong Inc. will have a Compliance Committee made of members that are appointed by the Executive Director and approved by the Board of Directors.

The Compliance Committee's purpose is to advise and assist the Compliance Officer with the implementation of the Compliance Plan. Compliance issues are reported by the Compliance Committee to the Executive Director and the Board of Directors where appropriate.

The tasks of the Compliance Committee include the following:

- Analyzing the environment where LifeSong Inc. does business, including legal requirements with which it must comply.
- Reviewing and assessing existing policy & procedures that address these risk areas for possible incorporation into the Compliance Plan.
- Working with departments to develop standards and policy & procedure that address specific risk areas and encourage compliance according to legal and ethical requirements.
- Advising and monitoring appropriate departments relative to compliance matters.
- Developing internal systems and controls to carry out compliance standards and policies.
- Monitoring internal and external audits to identify potential non-compliant issues.
- Implementing corrective and preventive action plans.
- Developing a process to solicit, evaluate and respond to complaints and problems.

## **Education & Training**

Every employee and agent is expected to be familiar with and knowledgeable about LifeSong's Corporate Compliance Plan and to have solid working understanding of his/her responsible role with the plan.

Compliance policies and standards will be communicated to all employees through required participation in training programs. As part of their New Employee Orientation Period, each employee and contractor shall receive a written copy of the Compliance Plan, a listing of Corporate Compliance policies and LifeSong Code of Ethics.

All personnel and members of the Board of Directors shall participate in training on the following topics:

- Government and private payer reimbursement principles.
- Government initiatives
- History & background of Corporate Compliance
- Legal principles regarding compliance and Board responsibilities related thereto
- General prohibitions on paying or receiving remuneration to induce referrals and the importance of fair market value
- Prohibitions against submitting a claim for services when documentation of the service does not exist to the extent required.
- Prohibition against signing for the work of another employee
- Prohibition against alterations to medical records and appropriate methods of alteration
- Prohibitions against rendering services without a signed physician's order or other prescription if applicable
- Proper documentation of services rendered
- Duty to report misconduct

In additions to the above, targeted training will be provided to all managers and any other employees whose job responsibilities include activities related to compliance topics. Managers shall assist the Compliance Officers in identifying areas that require specific training and are responsible for communication of the terms of this Compliance Plan to all independent contractors doing business with LifeSong Inc.

Attendance at compliance training sessions is mandatory and is a condition of continued employment. All education and training relating to the Compliance Plan will be verified by attendance and a signed acknowledgement of receipt of the Compliance Plan and Code of Conduct. LifeSong may designate certain employees to receive training at other times apart from training sessions.

## Effective Confidential Communication

Open lines of communications between Compliance Officers and every employee, independent practitioner, agent and/or vendor subject to this Plan are essential to the success of the Compliance Plan.

Every employee, independent practitioner, agent & vendor has an obligation to refuse to participate in any wrongful course of action and to promptly report the actions according to reporting procedures.

If an employee, independent practitioner, agent or vendor witnesses, learns of, or is asked to participate in an activity that could potentially violate or is suspected or known to violate any LifeSong Inc. policy or any law or regulation, he/she must report the wrongful course of action immediately. Employees should communicate the complaint or question in the following manner:

- ✓ Employees should first contact their immediate supervisor.
- ✓ Independent practitioners, agents and vendors should endeavor to first contact the compliance officer.
- ✓ If that person is unavailable, or the reporter has reason to believe that the supervisor or compliance officer is a party to the activity, then the employee, independent practitioner, agent or vendor should promptly contact the Executive Director.
- ✓ Upon receipt of a question or concern, any supervisor, officer or director shall document the issue at hand and report to the Compliance Officer.
- ✓ The Compliance Officer shall record the information necessary to conduct an appropriate investigation of all complaints.
- ✓ If the employee was seeking information concerning the Code of Ethics or its application the Compliance Officer shall record the facts of the contact and the nature of the information sought and respond as appropriate.
- ✓ If an employee, independent practitioner, agent or vendor wishes to remain anonymous, LifeSong provides a dedicated hotline [(518) 406-5157 ext 333] to report any potential wrongful course of action.

LifeSong Inc. will safeguard the identity of employee or vendor who reports any complaint or question to the fullest extent possible. Employees, independent practitioners, agents and vendors will be protected against retaliation and/or intimidation of any kind. Any threat of retaliation and/or intimidation against a person who acts pursuant to his/her responsibilities under this Plan is acting against the LifeSong Inc. Compliance Plan. Proven retaliation and/or intimidation will be disciplined up to and including termination of employment.



## **Billing & Payments**

Medicaid fraud is a federal crime and will not be tolerated by LifeSong Inc. Fraud is defined as an intentional act to deceive, misrepresent, omit, add or hide information which resulted in error in payment of funds. Employees who are proven to engage in such activity will be subject to state and federal sanctions and be immediately terminated from employment.

Employees who suspect or have knowledge of acts of Medicaid Fraud are expected to report it to the Compliance Officer and Executive Director for immediate investigation. Common, recognizable examples of fraudulent activity that must be reported immediately are as follows:

- Billing for a service that was not actually provided.
- This can occur when a person documents for services that they did not provide and the agency receives payment for service.
- This can also occur when documentation is not completed or is inadequately completed for a service that was provided.
- Billing for services while a consumer is in the hospital, nursing home or other certified residential program such as an ICF. Recording must show accurate attendance and services.
- Billing based on false and inaccurate documentation. LifeSong Inc. must assure that services are accurately and completely documented in order to bill.
- Billing for services provided by unqualified and/or unlicensed professional when certain requirements are necessary in order to bill.
- Billing for services that are not authorized for billing according to the requirements of the program.
- Billing for services that are not medically necessary.
- Billing twice for the same service whether by one provider or two.

LifeSong Inc. will maintain routine review of Billing & Payment records to ensure integrity in Billing practices. If there is an error found in Billing & Payment, the proper steps should be taken by the Finance Department to correct the mistake and re-bill or re-fund as necessary with proper documentation of the process.

## **Medical Necessity & Quality of Care**

All of LifeSong Inc. programs and services are funded by Medicaid health care program. As such, any service provided to LifeSong and billed to Medicaid must be deemed medically necessary. Medical necessity is calculated on an individual basis based on a person's diagnosis or disability. For a service or treatment to be medically necessary:

- The individual Habilitation Plans must be current (within the past 6 months)
- The treatment must comply with a current (6 month or less) Individualized Service Plan (ISP).
- The ISP must name LifeSong Inc. as the provider for each of the services that we bill for.
- Services must be provided by trained and qualified staff in accordance with the service plan.
- Services must be reviewed for continued need and a plan must be revised if the needs change making it no longer effective.

Service Planning and review must be conducted routinely and sufficiently documented for adequate records in order to be eligible to bill Medicaid for the necessary service.

## **Auditing & Monitoring**

Internal audits identify areas of non-compliance with regards to policy and procedures which monitor governing regulations. Ongoing evaluation is critical in detecting non-compliance and will help ensure the success of LifeSong Inc.'s Corporate Compliance Plan. Ongoing evaluation shall include internal auditing and monitoring of the following areas:

- Relationships with third-party vendors
- Review of contracts for professional services
- Compliance policies and standards including, but not limited to: discipline, non-retaliation, intimidation, attendance at mandatory training, signatures on Code of Ethics, identification of actual potential conflicts of interest, use of corporate credit cards & other payment vouchers
- Review of documentation and billing relating to claims made to federal, state & private payors for reimbursement

Routine internal audits from the Compliance Officer will perform review by the following methods:

- ✓ On-site visits
- ✓ Employee, independent practitioner, agent and/or vendor interview
- ✓ General questionnaires to such parties
- ✓ Review of contracts
- ✓ Personnel record review
- ✓ Training records review
- ✓ Billing and other financial record review
- ✓ Consumer documentation record review

The Compliance Officer will notify the Executive Director immediately in the event of any non-routine visits, audits, investigations or surveys by any federal, state or local agency or authority and will immediately receive a photocopy of any non-routine correspondence (including notifications of monitoring visits by State agencies) from any regulatory agency charged with administering a federally or state-funded program receive by any of LifeSong's programs.

The Compliance Officer is responsible for providing training or curriculum on such changes. He/she is responsible for notifying LifeSong Inc. and the Compliance Committee of any applicable changes in laws, regulations or policies as the information becomes available and for facilitating the review and modification or creation of applicable policies and procedures as indicated by changes in laws, regulations or policies.

## **Detection & Response**

### ***Violation Detection***

When an issue of suspected non-compliance is brought to attention, the Compliance Officer, the Executive Director, and the Compliance Committee shall determine whether there is any basis to suspect that a violation of the Compliance Plan has actually occurred.

If after review it is determined that the violation did not occur, the matter should be fully documented, with review and clarification of policies and procedures for the parties involved with continued monitoring of the situation.

If after review it is determined that the violation may have occurred, the matter will be referred to legal counsel, who, with the assistance of the Compliance Officer, shall conduct a more detailed investigation. This investigation may include but is not limited to the following:

- ✓ Interviews with individuals having knowledge of the alleged facts
- ✓ A review of documents
- ✓ Legal research and contact with governmental agencies for the purpose of clarification.
- ✓ Contact with governmental agencies for the purpose of clarification

If advice is sought from a governmental agency, the request and any written or oral response shall be fully documented.

### ***Violation Reporting***

At the conclusion of an investigation involving legal counsel, he/she shall issue a report to the Compliance Officer, Executive Director, and the Compliance Committee summarizing the findings, conclusions & recommendations and will render an opinion as to whether a violation of the law has occurred. The legal report will be reviewed by the mentioned parties with the legal counsel present. Any additional action will be on the advice of the counsel. The Compliance Officer shall report to the Compliance Committee regarding each investigation conducted.

### ***Response to findings of a violation***

If LifeSong Inc. identifies an overpayment has been received from any third party payor, including Medicaid, the overpayment shall be promptly and fully repaid to the affected payor. Systems that allowed for the overpayment will be examined, modified and monitored so as to prevent such overpayments in the future.

### ***Record Keeping***

Regardless of whether a report is made to a governmental agency, the Compliance Officer shall maintain a detailed record of the investigation including copies of all pertinent documentation. All compliance records will be kept in a secure area accessible to authorized personnel only. Records will be considered confidential and privileged to the fullest extent permitted by law and will not be released without the prior written approval of LifeSong Inc. or legal counsel.

# Whistleblower Provisions & Protections

## **INTRODUCTION:**

LifeSong, Inc. (the “Corporation”) requires its directors, officers, employees and volunteers, as well as all persons who provide the Corporation with contracted services (each, a “Protected Person”), to observe high standards of business and personal ethics in the performance of their duties on the Corporation’s behalf. As employees and representatives of the Corporation, Protected Persons are expected to practice honesty and integrity in fulfilling their responsibilities and are required to comply with all applicable laws and regulations.

The objectives of this Whistleblower Policy are to encourage and enable Protected Persons, without fear of retaliation, to raise concerns regarding suspected unethical and/or illegal conduct or practices on a confidential and, if desired, anonymous basis so that the Corporation can address and correct inappropriate conduct and actions

This policy is not intended as a vehicle for reporting violations of the Corporation’s applicable human resources policies, problems with co-workers or managers, or for reporting issues related to alleged employment discrimination or sexual or any other form of unlawful harassment, all of which should be dealt with in accordance with the Corporation’s Personnel Policies and Procedures (as set forth in the Corporation’s Personal Policies and Procedures Manual), as it is those Policies and Procedures that are applicable to such matters.

## **REPORTING RESPONSIBILITY:**

It is the responsibility of all Protected Persons to report in good faith any concerns they may have regarding actual or suspected activities which may be illegal or in violation of the Corporation’s policies with respect to, without limitation, fraud, theft, embezzlement, accounting or auditing irregularities, bribery, kickbacks, and misuse of the Corporation’s assets, as well as any violations or suspected violations of high business and personal ethical standards, as such standards relate to the Corporation (each, a “Concern”), in accordance with this Whistleblower Policy.

## **NO RETALIATION:**

No Protected Person who in good faith reports a Concern shall suffer intimidation, harassment, retaliation, discrimination or adverse employment consequence because of such report. Any employee of the Corporation who retaliates against someone who has reported a Concern in good faith is subject to discipline up to and including termination of employment. Notwithstanding anything contained herein to the contrary, this Whistleblower Policy is not an employment contract and does not modify the employment relationship between the Corporation and its employees, nor does it change the fact that employees of the Corporation are employees at will. Nothing contained herein is intended to provide any Protected Person with any additional rights or causes of action, other than those provided by law.

## **REPORTING CONCERNS:**

Any Concerns should be reported as soon as shall be practicable to the Chair of the Corporation’s Audit and Finance Committee (the “Compliance Officer”). Any questions with regard to the scope, interpretation or operation of this Whistleblower Policy should also be directed to the Compliance Officer.

## **COMPLIANCE OFFICER:**

The Compliance Officer is responsible for investigating and resolving all reported Concerns and shall advise the Audit and Finance Committee and, if the Compliance Officer deems it appropriate, the President, of all reported Concerns. The Compliance Officer shall report to the full Board of Trustees at each regularly scheduled board meeting on compliance activity.

## **ACCOUNTING AND AUDITING MATTERS:**

The Audit and Finance Committee shall address all reported Concerns regarding corporate accounting practices, internal controls or auditing (“Accounting Concerns”). The Compliance Officer shall immediately notify the Audit and Finance Committee of any Accounting Concern and shall work with the committee until its resolution. Promptly upon receipt, the Audit and Finance Committee shall evaluate whether a Concern constitutes an Accounting Concern and, if so, shall promptly determine what professional assistance, if any, it needs in order to conduct an investigation. The Audit and Finance Committee will be free in its sole discretion to engage outside auditors, counsel or other experts to assist in the investigation and in the analysis of results.

## **INVESTIGATIONS:**

The Compliance Officer may delegate the responsibility to investigate a reported Concern, whether an Accounting Concern or otherwise, to one or more employees of the Corporation or to any other individual, including persons not employed by the Corporation, selected by the Compliance Officer; provided that the Compliance Officer may not delegate such responsibility to an employee or other individual who is the subject of the reported Concern or in a manner that would compromise either the identity of an employee who reported the Concern anonymously or the confidentiality of the complaint or resulting investigation. Notwithstanding anything herein to the contrary, the scope, manner and parameters of any investigation of a reported Concern shall be determined by the Audit and Finance Committee in its sole discretion and the Corporation and its employees shall cooperate as necessary in connection with any such investigation.

## **ACTING IN GOOD FAITH:**

Anyone reporting a Concern must act in good faith and have reasonable grounds for believing that the information disclosed may indicate a violation of law and/or ethical standards. Any allegations that prove to have been made maliciously or knowingly to be false will be viewed as a serious disciplinary offense.

## **CONFIDENTIALITY:**

The Corporation takes seriously its responsibility to enforce this Whistleblower Policy and therefore encourages any person reporting a Concern to identify him or herself so as to facilitate any resulting investigation. While, in reporting a Concern, a Protected Person may request that such report be treated in a confidential manner (including that the Corporation take reasonable steps to ensure that the identity of the reporting person remains anonymous), and Concerns may also be reported on an anonymous basis; the Corporation will determine the extent to which confidentiality is possible, consistent with the need to conduct an adequate investigation.

## **HANDLING OF REPORTED CONCERNS:**

The Compliance Officer will acknowledge receipt of each reported Concern within five business days, but only to the extent the reporting person’s identity is disclosed or a return address is provided. All reports will be promptly investigated; the scope of any such investigation being within the sole discretion of the Audit and Finance Committee, and appropriate corrective action will be taken if warranted by the investigation.

## **RECORDS:**

The Audit and Finance Committee will retain on a strictly confidential basis for a period of seven years (or otherwise as required under the Corporation’s record retention policies in effect from time to time) all records relating to any reported Concern and to the investigation and resolution thereof. All such records are confidential to the Corporation and such records will be considered privileged and confidential.

## **DISTRIBUTION:**

The Corporation shall distribute a copy of this Whistleblower Policy to all Protected Persons.

**COMPLIANCE OFFICER CONTACT INFORMATION:**

Dennis Hulett  
1536 Crescent Rd  
Clifton Park, NY 12065  
518-650-5205  
518-406-5157 x 333 (Compliance Hotline)  
[dhulett@lifesonginc.org](mailto:dhulett@lifesonginc.org)

If there is an issue with the Corporate Compliance officer or other Executive Management please contact the Board Representative:

Jason Pickett  
113 Elmer Ave  
Schenectady, NY 12308  
518-488-0219  
[jasonp@gkgrisk.com](mailto:jasonp@gkgrisk.com)

## **Healthcare Laws & Regulations**

Set forth below are some of the major federal statutes that are specifically applicable to healthcare providers. This outline is not indented to identify all applicable laws but just for use as a tool. Employees, independent practitioners, agents and vendors should promptly consult the Compliance Officer with specific questions.

### ***Anti-Kickback Law***

Offering, paying, soliciting or receiving any remuneration, in cash or kind, in return for or to induce referral of an individual for a service or supply payable under any federal healthcare program. Remuneration may include kickback payments, bribes, rebates, etc.

### ***Federal False Claim Act***

A Federal law that imposes liability on any person who submits a claim to the Federal Government that he/she knows (or should know) is false. The False Claims Act also imposes liability on an individual who may knowingly submit a false record in order to obtain payment from the government. The third area of liability includes those instances in which someone may obtain money from the Federal Government to which he/she may not be entitled, and then uses false statements or records in order to retain the money. The Act provides that private parties, known as “qui tam relators,” may bring an action against such cases on behalf of the United States.

### ***New York State False Claims Act***

New York’s false claims laws fall into two categories: *Civil & Administrative and Criminal Laws*. Some apply to recipient false claims and some apply to provider false claims, and while most are specific to healthcare or Medicaid, some of the “common law” crimes apply to areas of interaction with the government.

*Civil & Administrative:* This category closely tracks the Federal False Claims Act. It imposes penalties and fines on individuals and entities that file false or fraudulent claims for payment from any state or local government, including healthcare programs such as Medicaid.

*Criminal:* This category contains various laws, including Social Services Laws and Penal Laws that detail the penalties, sanctions and fines associated with submitting or causing to submit a false claim or statement.

### ***Criminal Conspiracy***

Defined as participation in any scheme or combination to defraud any governmental healthcare benefit program.



***Criminal False Statements Related to Healthcare***

Defined as making any false or fraudulent statement or representation regarding a material fact in connection with the delivery or payment for healthcare benefits or services.

***Criminal Wire & Mail Fraud***

Defined as employing the U.S. Postal Service, a private postal service or telephone lines to perpetrate a fraud on the federal government. Such actions are also often charged with the Criminal False Claims Act.

***Ethics in Patient Referral Act of 1989 (Stark Law)***

Referring any patient for a covered service to a business or provider with which the physician has a direct or indirect financial relationship.

***Healthcare Fraud***

Knowingly and willfully executing or attempting to execute a scheme to either defraud any healthcare benefit program public or private, obtain by means of false pretense any money or property owned by or under the control of any healthcare program.

***Obstruction of Criminal Investigations of Healthcare Offenses***

Willfully preventing, obstructing, misleading, or delaying the communication of information or records relating to a violation of a federal healthcare law to a criminal investigator.

***RICO (Racketeer Influenced and Corrupt Organization) and Money Laundering Acts***

Using proceeds of any wire or mail fraud to operate any enterprise or to promote the underlying fraud.

# **Glossary of Plan Terms**

## **Abuse**

Actions that do not involve intentional misrepresentation of fact, but nevertheless are inconsistent with sound financial, business or healthcare practices and create significant risk to the integrity of the organization such as; unnecessary cost the programs, reimbursement for services that are not medically necessary, or reimbursement for services that fail to meet professionally recognized standards of care.

## **Agents**

Any person or business that acts as a representative of the has the authority to act for or on behalf of LifeSong Inc.

## **Compliance Committee**

A group of people designated and chaired by the Compliance Officer to oversee and help administer the Compliance Plan.

## **Compliance Officer**

A person within LifeSong Inc. who is assigned the responsibility of maintaining and overseeing an effective Compliance Plan.

## **Compliance Plan**

This Plan which establishes the standards of conduct for LifeSong Inc. designed to promote honest and ethical behavior, which also provides a structure for educating and communicating those standards to employees, with the overall objective to prevent, detect and report significant noncompliance.

## **Federal Program**

Medicaid and any other programs funded by the Federal Government.

## **Fraud**

Intentional misrepresentation designed to induce reliance by another person to obtain an unauthorized benefit.

## **Governmental Agencies**

Agencies involved in healthcare investigations including, but not limited to, the U.S. Dept. of Health and Human Services' Office of the Inspector General, U.S. Dept. of Justice, Federal Bureau of Investigation, Centers for Medicaid & Medicare Services, NY State Dept. of Health, Office of Medicaid Inspector General, NY State Medicaid Fraud Control Units, the NY State Office for People With Developmental Disabilities.

**HIPAA**

A federal law titled, “Health Insurance Portability & Accountability Act.” Regulations issued under HIPAA protect the privacy of health information and identifying information for all Americans. HIPAA went into effect on April 14, 2003.

**Independent Practitioner**

Any vendor, physician, dentist, therapist, psychologist, social worker, nursing staff member, dietician, volunteer, agent or other person who is empowered by contract or otherwise to provide health-related services for or on behalf of LifeSong Inc.

**Knowingly**

To act “knowingly” is to act with actual knowledge, deliberate ignorance, or a reckless disregard for the truth or the falsity of information.

**Misconduct**

Any action, behavior or failure to act that is not in conformity with LifeSong Inc. standards, guidelines, or procedures or that is a violation of any federal, state, or local law or regulation.

**Negligent**

Exhibiting lack of due care or concern.

**Non-compliance**

Failure or refusal to act in accordance with the Compliance Plan, or other standards or procedures, or with federal, state or local laws or regulations.

**Private Payor Programs**

Any payor of healthcare services other than Medicaid, including but not limited to, private individuals and insurance plans.

**Regulatory Violation**

Any action that constitutes fraud, abuse, or a violation of a federal, state, or local law or regulation.

**Retaliation and Intimidation**

OMIG considers retaliation in this context to include an injury to one’s person, livelihood, or reputation. OMIG considers intimidation in this context to include any form of bullying, coercion or threatening behavior.

**Whistleblower Protection**

Protection provided under the federal law and the State False Claims Act to whistleblowers or qui tam relators who are discharged, demoted, suspended, threatened, harassed, or in any other manner discriminated against in the terms and conditions of their employment as a result of their furtherance of an action under the federal law or the State False Claims Act.