

Welcome to the St. John's Corporate Compliance Policy Code of Conduct For Our Contractors, Vendors, Sub-Contractors and Agents

We are pleased that you have chosen to contract with St. John's and look forward to a rewarding business relationship. At this point, it is important that we share our core business philosophy with you. This will help you understand our expectations, how we do business, and what governmental regulations temper our business activities

Corporate Compliance:

St. John's has had a Corporate Compliance Program since 1999. Recently, both Federal and State Governments have raised the bar on how we proceed with Corporate Compliance and part of this includes educating our contractor/vendors as well as our employees RE: Corporate Compliance and the laws that work hand in hand with Corporate Compliance.

St. John's complies with all federal, state and local standards, such as the Deficit Reduction Act, The False Claims Act, and Whistleblower Protection. St. John's has adopted a Corporate Compliance Program to help ensure honesty and ethical behavior in all aspects of our delivery of services and relationships with our elders, families, employees, business associates, third party payers, agents, independent contractors, suppliers and vendors.

One government requirement is that the Office of the Medicaid Inspector General (OMIG) requires us to screen all our staff and contractor/vendors through three separate exclusions data bases. These data bases list out people and companies who have been involved/convicted of Medicare/Medicaid fraud. **St. John's is not allowed by Federal and State Law to do business with any person, contractor, vendor, sub-contractor, agent who has been terminated from participation in federal health care programs because of conviction of Medicare/Medicaid fraud.**

While we may be able to screen our direct contractors/vendors through these data bases, we are not able to screen any of your contractors/sub-contractors (should there be any). Please go to the New York State Office of the Medicaid Inspector General web site for additional information. The three exclusions data bases that I am referring to are:

1. www.oig.hhs.gov/fraud/exclusions
2. www.epls.gov
3. www.omig.state.ny.us

Our intent is to reasonably implement and enforce a Code of Conduct that demands honesty and integrity in all that we do. All business associates, employees, agents, independent contractors, suppliers and vendors are expected to understand our position and are subject to this Corporate Compliance Program. If you desire additional information regarding our Corporate Compliance program or have questions about our policies and procedures, please feel free to call me.

HIPAA:

The Federal Health Insurance Portability & Accountability Act 1996 (HIPAA) requires that all of the St. John's contracts with **Business Associates** contain certain provisions. We have created and revised our Business Associate Agreement which defines the permitted and not permitted uses and disclosures of our residents' protected health information. It also reflects the

new HI Tech 2/09 Federal Regulations and Omnibus Final Rule 1/13 redefining the relationship between a Business Associate and a Covered Entity, as well as response to a breach of protected health information.

Again, the government is requiring that all our own staff and the staff of any Business Associates, contractors, vendors, subcontractors, and agents be educated regarding current HIPAA Law. While we are able to educate our staff, we must rely on you to educate your staff regarding this law. If you are a Business Associate, you are now required to have a Business Associate Agreement with any **sub-contractors** that you may have. And they must also be educated regarding HIPAA.

Our intent is to reasonably implement and enforce HIPAA Law. All business associates, employees, agents, independent contractors, and vendors are expected to understand our position and comply with this educational component. Again if you need additional information about our HIPAA program, please call me.

Service Bureaus:

If you are a third party biller/service bureau, you need to be certified with the New York State Office of Medicaid Inspector General and St. John's will need a copy of your Certification.

Resident Rights/Confidentiality:

St. John's protects and promotes the rights of each elder and shall encourage and assist each elder in the fullest possible way to exercise these rights, which are set forth more fully in the New York State Health Department's regulations and the Federal Health Insurance Portability & Accountability Act 1996 (HIPAA).

Please refer to the enclosed Resident Rights pamphlet so that you may be more informed regarding protection of the rights and privacy of health information for each resident. Disclosure of any resident specific information (except as may be outlined in our contract) is not allowed and is a violation of our contract as well as federal, state, and local regulations.

Elder Justice Law:

Elder Safety is a most important issue. This past year the Elder Justice Law came into effect for Skilled Nursing Facilities. This changes the way we report any type of elder abuse, injury, theft, or any other form of misconduct toward our elders. In addition to reporting such abuse to the Department of Health (DOH), we must now report such a suspicion of a crime to local law enforcement as well. There are time limits to our reporting.

If there is a suspicion of a crime causing serious physical or emotional injury, this must be reported within two hours of the injury. Any other suspicion of misconduct not causing serious injury may be reported within twenty-four hours.

Gifts and Gratuities:

St. John's has strict policies regarding gifts and gratuities. By New York State Law (Title 10, Section 415.3 (5) (b) (2) - Residents Rights), no St. John's employee is allowed to solicit or accept gifts of money, property, or entertainment from any resident, family, vendor, supplier or other person. Tips are prohibited. Borrowing money or other items from residents, family members, visitors, vendors and suppliers is prohibited.

St. John's also has a Solicitation and Distribution Policy that clearly states: "Persons not employed by St. John's may not distribute or solicit on St. John's property for any purpose at any

time." As our contractor/vendor and/or Business Associate, we ask your support of this New York State Law and our Solicitation Policy. We consider total compliance with this policy an essential part of our business relationship.

It is important that you share this information with the people in your organization who have business contact or other association with our employees.

By choosing to do business with St. John's, you are agreeing to abide by St. John's policies. Adherence to our Corporate Compliance position as described above is very important.

Thank you for attending to these matters. If you need more information about any of St. John's policies, feel free to call me.

Mickey O'Neill, Director of Risk Management & Corporate Compliance 1-585-760-1223