

## ***WEST CARROLL HEALTH SYSTEMS***

Dear Employee:

West Carroll Health Systems has always prided itself on its commitment to operating in a legal and ethical manner. As the health regulatory environment becomes increasingly complex, it is essential that each and every one of us pledge ourselves to complying with all applicable laws and regulations and to achieving the highest ethical and professional standards.

As part of West Carroll Health Systems' commitment to corporate compliance, a Corporate Compliance Plan has been developed. This plan explains the legal and ethical standards that govern West Carroll Health Systems' business activities. It provides guidance to employees in reaching legal and ethical solutions to the challenges they face in their daily activities. The plan also informs all employees of the resources to ensure compliance with applicable laws and regulations, as well as to report areas of concern. The Corporate Compliance Plan applies to all employees, agents, contractors, volunteers, and members of the Medical Staff.

Pursuant to the Deficit Reduction Act of 2005, Section 6032 and Section 3729 through 3733 of Title 31 of the United States Code, as amended, West Carroll Health Systems, its employees, contractors, and agents shall comply with the Federal False Claims Act and regulated state requirements. West Carroll Health Systems is committed to following local, state and federal laws, rules and regulations that address the prevention, detection, reporting and correction of fraud, waste and abuse of public funding. Complaints regarding acts which violate the False Claims Act, such as false claims or attempts to defraud health care programs will be promptly reported, investigated and remedied, as appropriate and required by law.

West Carroll Health Systems' longstanding commitment to operating legally and ethically is reflected in the personal integrity of our employees. Compliance is a cooperative effort. West Carroll Health Systems operates through its employees. Attached is a set of Employee Standards and Code of Conduct that summarizes the key points of the corporate compliance plan.

Each of you should take time now to carefully read the Employee Standards and Code of Conduct. After you have read the booklet, sign the acknowledgment. You can always refer to the plan online as a reference.

Thank you for your commitment to corporate compliance. Your comments, concerns, and suggestions are welcomed and encouraged.

Sincerely,

*Amanda Grey, RHIT, CCS*

Amanda Grey, RHIT, CCS  
Chief Office of Operations

## **Corporate Compliance and Integrity Policy and Procedure Manual**

SUBJECT: False Claims Act

POLICY: It is the policy of West Carroll Health Systems that all personnel shall comply with all applicable federal and state False Claims Act laws and regulations.

The False Claims Act prohibits the submission of “knowingly” false or fraudulent claims to the United States. The law is not limited to claims submitted with fraudulent or actual knowledge of their falsity, but includes:

1. Deliberate ignorance
2. Reckless disregard of truth or falsity
3. Gross negligence

Louisiana has adopted a state false claim statute, commonly known as the Louisiana Medical Assistance Program’s Integrity Law that mirrors many of the provisions of the federal False Claims Act. The actions that trigger civil penalties under the Louisiana statute are substantially similar to the federal False Claim Act. However, under the Louisiana Medical Assistance Program’s Integrity Law, a person may also be liable if he/she knowingly submits a claim for goods, services or supplies which are medically unnecessary or of a substantial quality or quantity.

The Louisiana Medical Assistance Program’s Integrity Law also has a whistleblower provision. Like the federal False Claims Act, the Louisiana law includes provisions to prevent employers from retaliating against employees who report their employer’s false claims. The State of Louisiana has also adopted several other false claims statutes that are intended to prevent fraud and abuse as it relates to any department or agency of the state, including the Louisiana Medicaid program. These laws generally prohibit the filing of any false or fraudulent claim or documentation in order to receive compensation from the Louisiana Medicaid program.

### **False Claims Act Liability**

- A. False Claims Act provides for liability for triple damages and a penalty from \$5,500 to \$11,000 per claim plus triple damages for anyone who knowingly submits or causes the submission of a false or fraudulent claim to the United States.
- B. Liability for certain acts – any person who:
  1. Knowingly presents, or causes to be presented to an officer or employee of the United States Government or a member of the Armed Forces of the United States a false or fraudulent claim for payment or approval;

2. Knowingly makes, uses, or causes to be made or used, a false record or statement to get a false or fraudulent claim paid or approved by the Government; conspiring with others to defraud the Government by getting a false or fraudulent claim allowed or paid;
3. Has possession, custody, or control of property or money used, or to be used, by the Government, and intending to defraud the Government or willfully to conceal the property, delivers, or causes to be delivered, less property than the amount for which the person receives a certificate or receipt;
4. Authorized to make or deliver a document certifying receipt of property used, or to be used, by the Government and, intending to defraud the Government, makes or delivers the receipt without completely knowing that the information on the receipt is true;
5. Knowingly buys, or receives as a pledge of an obligation or debt, public property from an officer or employee of the Government, or a member of the Armed Forces, who lawfully may not sell or pledge the property; or
6. Knowingly makes, uses, or causes to be made or used, a false record or statement to conceal, avoid, or decrease an obligation to pay or transmit money or property to the Government.

### **Qui Tam Provision of False Claims Act**

- A. Qui tam is a provision of the Federal Civil False Claims Act that allows private citizens to file a lawsuit in the name of the U.S. Government charging fraud by government contractors and others who receive or use government funds, and share in any money recovered.
- B. If the Government joins, and successfully prosecutes the case, and the person who filed the suit was not involved in the wrongdoing, the relator can receive between 15 and 25 percent depending on the extent of the relator's contribution to the case.
- C. If the Government does not join and relator successfully prosecutes the case, the relator will receive between 25 and 30 percent of the proceeds.

### **Federal Healthcare Program Exclusion**

- A. The Office of Inspector General has exclusion authority as follows:
  1. Conviction of program-related crimes. Minimum period: 5 years.
  2. Misdemeanor conviction relating to health care fraud. Minimum period: 3 years.
  3. Conviction relating to obstruction of an investigation. Minimum period: 3 years.

### **How to Report Compliance Issues**

- A. Notify a supervisor or manager.

- B. Contact the Compliance Officer.
- C. Office of Inspector General (OIG)

Should employees, physicians, physician extenders, contractors, and agents feel that West Carroll Health Systems has not taken appropriate action to address a potential violation, they can also lodge a complaint concerning waste, fraud, and abuse directly to the Federal Government to the Health and Human Services Office of Inspector General. There shall be no retaliation against an individual for making a good faith report of a suspected violation of the compliance program.

### **Employee Empowerment and Accountability**

- A. West Carroll Health Systems will not take any adverse action or retribution against any employee, physician, physician extender, contractor, and agents of the facility due to the good faith reporting of suspected violation or irregularity. This includes discharge, demotion, harassment or other discrimination as a result of claims made under the False Claims Act.
- B. West Carroll Health Systems encourages employees, physicians, physician extenders, contractors, and/or agents to report any suspected violations of law to the Compliance Officer and to ask questions if they are unsure of regulation.

## **CORPORATE COMPLIANCE PROCESS**

West Carroll Health Systems has developed a corporate program that includes explanations of the legal and ethical standards governing the conduct of West Carroll Health Systems and its employees in business activities.

### **BACKGROUND SCREENING**

State and federal laws prohibit West Carroll Health Systems from hiring employees if it knows or should know that the individual has engaged in certain illegal activity. Therefore, criminal background checks are conducted on all potential employees and volunteers in accordance with state and federal laws. In addition, for employees in a position to be certified for participation in the Medicaid and/or Medicare programs, West Carroll Health Systems investigates the certification status of those employees. West Carroll Health Systems also investigates with other licensing agencies and related bodies, to ensure that prospective employees currently have the licensing or other status required to perform the duties for which they are being hired.

### **RESPONSIBILITY FOR CORPORATE COMPLIANCE**

All employees have the duty to promptly report any actual or suspected violations of the corporate compliance plan. An employee who fails to promptly report any such activity will be subject to appropriate disciplinary action, which may include termination of employment.

West Carroll Health Systems has designated Amanda Grey, RHIT, CCS, Chief Officer of Operations, as its Corporate Compliance Officer. The compliance officer will seek advice from legal counsel when necessary to ensure compliance with the law and West Carroll Health Systems' policies. The compliance officer may be reached by:

Calling 318-428-3237 with voice mail access after hours

[mhibbard@wchsystems.com](mailto:mhibbard@wchsystems.com)

Writing 706 Ross Street, Oak Grove, LA 71263

West Carroll Health Systems has appointed a Compliance Committee. Members of the Corporate Compliance Committee are: Renea Moore, Kevin Ratcliff, Lana Schrock, Kristina Kitchens, Chasity Stanley, Ashley Berry and Lacey Rollinson, who are empowered to assist the Compliance Officer in evaluating compliance issues and to make policy or procedure changes to ensure that West Carroll Health Systems remains in compliance with all applicable laws and regulations.

## NOTICE TO EMPLOYEES

All employees shall:

- Perform their duties in good faith and to the best of their ability.
- Refrain from any illegal conduct. When an employee is uncertain of the meaning or application of a statute, regulation or policy, or the legality of a certain practice or activity, he or she shall seek guidance from their immediate supervisor or the Compliance Officer.
- Not obtain any improper personal benefit by virtue of their employment with West Carroll Health Systems.
- Not destroy or alter West Carroll Health Systems' information or documents in anticipation of, or in response to, a request for documents by any applicable governmental agency or from a court of competent jurisdiction.
- Not engage in any business practice intended to unlawfully obtain favorable treatment or business from any government entity, physician, patient, vendor or any other party in a position to provide such treatment or business.
- Comply with our policy regarding the receipt, acceptance, offering or giving gifts in connection with an employee's role or status as an employee of WCHS.
- Disclose to their immediate supervisor any financial interest, ownership interest, or any other relationship they, or a member of their immediate family, have with West Carroll Health System patients, vendors or competitors.
- Not participate in any false billing of patients, government entities or other party.
- Not use confidential or proprietary information of WCHS for their own personal benefit or for the benefit of any other person or entity, except WCHS, during or after being employed by WCHS.
- Not disclose confidential medical or personal information pertaining to West Carroll Health Systems' patients or families without the express written consent of the patient or appropriate legal representative and in accordance with applicable law and our policies and procedures.
- Not participate in any agreement or understanding, including agreements based on a course of conduct, with a competitor of WCHS to illegally fix prices, agree to labor costs, allocate markets, or engage in group boycotts. Before considering any agreements or

entering into discussions with a competitor concerning any of these issues, all employees shall first speak with their immediate supervisor regarding the matter or obtain the advice of the Corporate Compliance Officer concerning anti-trust issues.

- Participate in scheduled training regarding our compliance program and applicable state and federal laws and standards.
- Comply with all WCHS policies and procedures governing the workplace.
- Promptly report all violations or suspected violations of compliance procedures or any part of the compliance program by other employees to the compliance Officer. Calls and reports may remain anonymous.
- Notify the immediate supervisor, who will in turn notify the Compliance Officer, immediately upon the receipt, or work or at home, on an inquiry, subpoena (other than for medical records or other routine licensing or tax matters), or any agency or governmental request for information regarding West Carroll Health Systems.

One or more of the following disciplinary actions may be imposed, as appropriate, for violations of the Corporate Compliance Program:

- Warning
- Formal reprimand which will be placed in the employee's file
- Temporary suspension
- Probation
- Demotion
- Termination of employment
- Requirement for reimbursement of losses or damages
- Referral for possible criminal or civil legal action

Employees leaving employment with West Carroll Health Systems may be requested to participate in an exit interview that will explore any knowledge they have of improper, unsafe or unsound business practices.