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| **MONTCALM CARE NETWORK** **611 North State Street, Stanton, MI 48888** |  |
|  SUBJECT: Standards of Conduct  |  Section: 11100  |
|  Effective Date: October 22, 2002  |  Revised Date: April 19, 2021  |

The Standards of Conduct set forth the principles and standards to which MCN staff is expected to adhere. The purpose of the Standards of Conduct is to articulate the ethical and legal framework within which MCN operates and to advise staff that they are required to abide by these Standards. The failure of staff to observe the provisions of the Compliance Program can result in serious consequences for MCN including criminal prosecution, substantial criminal and civil monetary fines, damage to its professional reputation, and exclusion from the Medicaid and Medicare Programs. Likewise, the failure of staff to observe the provisions of the Program, including reporting perceived violations of the Program, may result in serious consequences for staff, including various levels of corrective action, or other adverse actions.

1. *Ethical Business Practices:*

MCN expects its staff to conduct business in an ethical, legal, and competent manner. Each staff member shall adhere to the spirit and language of the Compliance Program and strive for excellence in performing all duties. Each staff member must maintain a high level of integrity and honesty in business dealings with consumers, physicians, third party payors, and all other MCN staff and officers and avoid any conduct that could reasonably be expected to reflect adversely on the integrity of MCN, its officers, or staff. MCN staff may act in the role of witness for documents when requested by a consumer and necessary for the consumer to meet goals outlined in a person-centered plan of care or necessary to facilitate coordination of care. This includes witnessing releases of information, consent for treatment, or documents necessary to access entitlement benefits. MCN staff are prohibited from acting as witness on a documentation for advanced directives (medical or psychiatric), end of life orders, will and testament or other documents relative the individual's legal status. MCN staff and officers are required to perform all duties in good faith, and with the due care that a reasonably prudent person in the same position would use under similar circumstances.

1. *Employee Conduct:*

All MCN staff are responsible for using good faith efforts to comply with applicable laws, regulations, and third-party payor requirements, including those which they have been made aware of through MCN’s programs and its educational activities. No employee or other staff member shall act in performance of his/her duties in any manner which s/he believes to be in violation of any statute, rule, regulation or policy. In case of doubt, the employee should consult his/her direct supervisor or the Compliance Officer before taking action. Employees should be open and honest in his/her business relationships with other employees, MCN leadership, MCN counsel, and MCN consultants. It is unacceptable to provide information which an employee knows or has reason to know is inaccurate, misleading, or incomplete.

1. *Improper Payments and Fraud and Abuse:*

No employee or staff member shall engage, either directly or indirectly, in any corrupt or inappropriate business practice including kickbacks or payoffs intended to influence, induce or reward favorable decisions of any Government representative, consumer, physician, vendor, contracted facility, or any person or facility in a position to benefit MCN in any way. No employee or staff member shall offer or make any payment or provide any other thing of value to another person with the understanding or intention that such payment will be used for an unlawful or improper purpose. MCN fully expects its staff to refrain from conduct that may violate the fraud and abuse laws. These laws prohibit (1) direct, indirect or disguised payments in exchange for the referral of consumers; (2) the submission of false, fraudulent or misleading information to any Governmental entity or third-party payor; and (3) making false

representations to any person or entity in order to obtain payment for a service or to justify the provision of services in connection with cost reporting.

1. *Employee Screening:*

It is the policy of MCN that it makes a good faith inquiry into the background of prospective staff or consultants whose job duties include provision of services or billing and related services to the Medicare, Medicaid and other federal health care programs. To this end, MCN shall not knowingly employ or consult with, with or without pay, individuals who have been listed by a Federal Agency as debarred, suspended, or otherwise ineligible for Federal Programs or who have been convicted of a criminal offense related to healthcare.

In screening prospective employees or consultants, when applicable, MCN reviews the following. Ongoing screening processes will occur at the time of employment or contract, as well as during the course of employment/contract:

* + Sources for State or local background checks (annually for employees; every two (2) years for contracted providers); and,
	+ Medicaid Program bulletins, sanctioned provider lists, and related online searches (monthly for employees & contracted providers).

1. *Contractual Arrangements with Subcontractors:*

In order to effectively enhance compliance, MCN recognizes that it is essential to coordinate certain compliance responsibilities with its contractors. To this end and to the extent reasonably feasible, MCN will educate its contractors on their responsibilities and obligations.

* + Accuracy of Information: Subcontractors shall be responsible, and held accountable, to provide accurate and truthful information to MCN in connection with the subcontractors’ treatment of MCN’s consumers, documentation of services and subcontractors’ preparing of and submission of claims to MCN. This includes, but is not limited to, accurately reporting services rendered, time involved in a service, and accurately representing that documentation supports the service/procedure rendered or level of service reported.
	+ Knowledge of Payer Requirements: Subcontractors shall be responsible for keeping apprised of Medicaid rules and other applicable third payer documentation and billing requirements so that information can be accurately provided to MCN in the performance of its functions.