

# *Moundridge Manor*



*Serving in the Spirit of Joy  
Since 1976*

## *Introduction*

Moundridge Manor's Code of Excellence outlines our Compliance and Ethics program and applies to our relationships with all medical providers, board members, contractors, volunteers, residents, resident families, and regulatory agencies, as well as to one another. We strive to uphold our organization's expectations and standards regarding caring for our residents, working with our co-workers, and meeting our public and regulatory responsibilities.

Our goal is to provide quality care for persons in need of our services with honesty, integrity, and skill to promote their highest practicable level of well-being. We also strive to be an employer of choice, providing a pleasant and supportive work environment free of discrimination. All business dealings will be conducted with honesty and integrity in accordance with applicable laws. Furthermore, we commit to continual internal analysis and improvement, and we expect all individuals associated with Moundridge Manor to contribute to this process.

While all employees of Moundridge Manor are obligated to follow our Code of Excellence, we expect our leaders to set the example. Our leaders must ensure that all employees have sufficient information to comply with the laws, regulations, and policies, as well as the resources necessary to do so. Our leaders help create the culture of excellence.

We understand that violations of our Code may be deliberate and intentional or may be unintentional. Consequently, our program is designed, implemented, and enforced to detect and prevent violations of our Compliance and Ethics program regardless of the cause.

The Code provides a basis by which to gauge legal and ethical behavior. We recognize that our Code of Excellence cannot cover every situation that arises in detail. However, we expect that by applying the principles outlined with common sense, good judgement, and personal integrity, each employee will uphold the principles set forth.

We appreciate each individual's contribution to providing excellent care for the people we serve!

*Kevin Unruh, Administrator*

This *Code of Excellence* is not intended to replace or supersede any existing policies of Moundridge Manor nor is it designed to be an exhaustive reference for all subjects contained herein. Review current policies for expanded details as needed. Some of these related policies include, but are not limited to, the following: Privacy and Confidentiality; Health Insurance Portability and Accountability Act (HIPAA); Health Information Breach Notification Policies and Procedures; QAPI Policy and Plan; Comprehensive Care Plan; Staff In-service Education; Attendance and Schedule Policy for Nursing Employees; Substance and Alcohol Abuse; Progressive Discipline



## TABLE OF CONTENTS

Introduction	2
Core Values	4
Program Outline	4
Ethical Principles	6
Decision Making and the Code of Conduct	6
Reporting/Speaking Up	5
No Retaliation	7
Equal Opportunity	7
Harassment	7
Bullying	8
Employment and Business Standards	7
External Communication on Behalf of Moundridge Manor	9
Privacy and Confidentiality	9
Quality Assurance Performance Improvement (QAPI)	8
Quality of Care and Quality of Life	8
Gifts and Charitable Contributions	9
Prevention of Fraud, Waste, and Abuse	9
Bribery, Anti-Kickback, or Facilitation of Payments	10
Exclusions From Participation in Federal Health Care Programs	10
Record Keeping	12
Protection and Proper Use of Company Assets	12
Health and Safety	12
Substance and Alcohol Abuse	12
Environment	13
Internet Use	13
Use of Social Media and Cell Phones	13
Monitoring and Auditing	13
Disciplinary Actions	13
Professional Commitment	14
Code of Conduct Acknowledgement	16

## *Core Values*

Our Code of Excellence is based upon these core values:

- Communicate openly and honestly
- Settle differences respectfully and through appropriate avenues
- Show compassion and care for each individual
- Strive to optimize each resident's physical, social, psychological, emotional, and spiritual wellbeing
- Practice the "Golden Rule" with our fellow workers - treat others as you wish to be treated
- Cooperate with what is in the best interest of the resident(s), organization, or team even though it may require exercising personal flexibility

## *Program Outline*

In accordance with regulations, Moundridge Manor's Compliance and Ethics Program covers three broad fundamental areas: Billing and Finances, Administration and Employment, and Quality of Care. The program contains the following elements:

- Establishes ethical principles
  - Provides standards of conduct, with associated policies and procedures as applicable, to provide quality of care to our residents and to prevent and detect criminal, civil, and administrative violations
- Designates a compliance coordinator - Kevin Unruh, Administrator - with the board of directors having ultimate responsibility
- Provides sufficient resources to ensure success of the Compliance and Ethics program
- Establishes reporting pathways, including ability to submit a report anonymously without fear of reprisal
- Effectively communicates the Compliance and Ethics Program components to board members, staff, agency staff, volunteers, those providing services under contract, and health care professionals providing care for our residents
  - Make this training mandatory upon hire for facility and as frequently thereafter so as to ensure compliance
  - Post and distribute Compliance and Ethics Program information
- Provides for appropriate response to reports
- Applies consistent enforcement of the programs standards, policies and procedures through appropriate disciplinary mechanisms including as appropriate, discipline for individual(s) failure to detect and report a violation
- Monitors and audits systems to detect criminal, civil, and administrative violations
- The Code of Excellence serves as an outline and guidance and may not be comprehensive. If questions arise regarding the existence, interpretation, or application of any law they should be directed to your supervisor or the compliance coordinator.

## *Ethical Principles*

We, at Moundridge Manor, strive to adhere to the following principles in all interactions with residents, coworkers, contractual staff, volunteers, and visitors. We expect application of these principles in decision making and daily work.

- Honesty
- Integrity
- Trustworthiness
- Nondiscrimination
- Respect for others
- Responsibility
- Accountability
- Obedience to the law
- Empathy
- Teamwork
- Responsible use of resources
  - Money
  - Property
  - Supplies
  - Time
- Commitment to the code of excellence

## *Decision Making and the Code of Conduct*

When making a decision, ask yourself the following:

- Is it legal?
- Does it comply with the code?
- Does it reflect our organization's values and ethics?
- Does it respect the rights of others without discrimination?
- Does it show courtesy and inclusivity?
- Does it honor resident's rights and demonstrate person centered care?
- Does it affect resident quality of care or quality of life?
- If you are unsure about any of the answers, ask your supervisor or the compliance coordinator.

## *Reporting/Speaking Up*

Moundridge Manor encourages all employees to ask questions and raise issues without fear of reprisal and is committed to treating reports seriously and investigating them thoroughly. Employees may be held accountable for not detecting and reporting such behavior.

Employees must report suspected unethical, illegal, or suspicious behavior immediately. We will not tolerate retaliation against anyone who makes a good faith report of suspected misconduct or otherwise assists with an investigation or audit.

To report a concern:

- Talk to your charge nurse, manager, or supervisor
- Contact the facility's compliance coordinator, Kevin Unruh
- Anonymously by leaving a message in the locked box at the Main library desk

For minor deviations from the Code of Excellence, it is encouraged that the person observing the deviance speak with the person committing the breach, if possible, to make them aware. If the behavior / issue continues, then make report as indicated above. When making a report through the above channels, make it clear whether the report is recognized as a breach to our Code of Excellence. The person receiving the report shall ensure that a "Compliance and Ethics Investigation Form" is initiated, and the Compliance Coordinator shall ensure that the investigation is completed and resolution reached.

### *No Retaliation*

Employees who report a concern in good faith cannot be subjected to any adverse employment action including:

- Unfair dismissal, demotion, or suspension
- Unfair denial of a promotion, transfer, or other employment benefit
- Bullying or harassment, either in person or otherwise
- Exclusionary behavior
- Any other behavior that singles out the person unfairly

### *Equal Opportunity*

Moundridge Manor will not tolerate discrimination based on race, color, religion, sex (including pregnancy, sexual orientation, gender identity, or marital status), age, national origin, disability, genetic information, or any other protected class.

### *Harassment*

Moundridge Manor has zero tolerance for any form of harassment, including sexual harassment or bullying.

We expect all employees to treat all fellow employees, agency staff, students, volunteers, residents, family members, consultants, health care providers, and other stakeholders with inclusivity, respect, and courtesy at all times. This includes all forms of communication, whether in person, by phone, text, email, or other.

Any type of harassment, including physical, sexual, verbal, mental, or other, is prohibited and can result in disciplinary action up to, and including, termination. If an employee feels that they have been the recipient of harassment or bullying, as a first step they shall courteously inform the offending fellow employee of their perception, and request them to desist from further such behavior. If behavior continues, an official report shall be warranted.

Harassment can include actions, language, written words, or objects that create an intimidating or hostile work environment, such as:

- Yelling (or speaking in a loud tone) at or humiliating someone
- Physical violence or intimidation
- Unwanted sexual advances, invitations, or comments
- Visual displays such as derogatory or sexually-oriented pictures or gestures
- Physical conduct including assault or unwanted touching
- Threats or demands to submit to sexual requests as a condition of employment or to avoid negative consequences

### *Bullying*

Moundridge Manor is committed to ensuring that our employees, our contractors, and our customers work in a safe and respectful environment that is free of bullying. Bullying can include:

- Spreading malicious rumor or gossip
- Degrading, intimidating, or mentally hurting someone
- Assertion of power through aggression
- Sending offensive jokes or emails
- Criticizing or belittling someone repeatedly

### *Employment and Business Standards*

Moundridge Manor will not knowingly employ or associate with any person who:

- Has engaged in illegal or unethical behavior
- Has been convicted of health-care related crimes
- Has been found guilty of abuse, neglect, mistreatment of residents, or misappropriation of their property
- Had a finding concerning the same entered into a state nurse aide registry or abuse registry; and/or
- Has been excluded from participation in a Federal or state healthcare program (also see Employment and Business Standards policy)

Any applicant for employment with Moundridge Manor shall be required to disclose whether he or she has had a name change, has ever been convicted of a crime, including healthcare related crimes, has been convicted of an offense that would preclude employment in a skilled nursing facility and has been or is excluded from participation in any Federal healthcare programs.

Moundridge Manor will reasonably inquire into the status of each prospective employee or associate. These inquiries will include, but will not necessarily be limited to, the following actions:

- Performance of reasonable background and reference checks of all prospective employees
- Verification of licensure and certification of prospective licensed staff
  - Verifying continued licensure and certification throughout staff tenure at our facility

- Verification of credentialing and periodic re-credentialing of physician acting as our medical director
- Review for potential exclusions from participation in Federal healthcare programs (refer to Exclusions policy)

### *External Communication on Behalf of Moundridge Manor*

Only the Chief Financial Officer or designee is authorized to represent the company to media and/or legal authorities. Employees should refer all requests for information or interviews to the Administrator.

### *Privacy and Confidentiality*

What you see here, what you hear here, what you say here, stays here! Moundridge Manor upholds the resident's right to privacy and confidentiality at all times. This means being conscious of who can hear our conversations during our daily work, as well as sharing private resident information only on a "need to know" basis with caregivers, and other authorized individuals. Furthermore we respect information about our coworkers which we may be made privy to, and do not share sensitive information without consent.

Employees are required to report any breaches of private health information of residents to the Privacy Officer.

### *Quality Assurance Performance Improvement (QAPI)*

Moundridge Manor is committed to an ongoing process of internal reflection and review of processes. Each resident, family member, staff, volunteer, and associated individual is encouraged to voice concerns. "If you see something, say something!" These concerns may be voiced to your direct supervisor, to the QAPI coordinator, or by submitting anonymously via our designated process. All staff members commit to this process and participate in quality improvement projects as applicable. The Compliance Coordinator will report all complaints regarding compliance and ethics to the QAPI committee, along with action taken and resolution.

### *Quality of Care and Quality of Life*

Quality of Care and Quality of Life includes, but is not limited to: resident's rights (providing person centered care); freedom from abuse, neglect, misappropriation of property, and exploitation; safe, clean, comfortable environment; prevention of avoidable complications; medication management; restorative care and rehabilitation therapy; and meaningful activities.

It is of utmost importance that all staff members are informed and cognizant of current organization policies and procedures and know where to reference same. These policies and procedures have been created based on evidence based best practices and reflect details specific for our organization with the intention of providing Quality of Care and Quality of Life for our residents.

All direct care staff shall adhere to the care plan of each resident when providing care. Should plan of care need adaptation, direct care staff will report to the unit manager or designee and collaborate to optimize Quality of Care for the resident. The interdisciplinary team ensures that the care plan reflects the most current interventions to optimize the resident's quality of life and quality of care.

A part of Quality of Care is completion of mandatory and assigned training (including online training), performance and participation in quality assurance audits and monitoring, and completion of performance evaluations. All of these are taken seriously and failure to complete in a timely manner will be considered a breach of Moundridge Manor's Code of Excellence and will be subject to disciplinary action.

It is also acknowledged that Quality of Care is directly impacted by resident to staff ratios and competency of direct care staff. Staffing shall be assigned as defined by the Facility Wide Assessment findings of needs of the current resident population. Staffing adequacy is monitored on a daily basis and posted publicly. Staff turnover rates are monitored through the QAPI process. Having adequate staff is contingent on the dependability of staff, so reliability of staff is directly related to quality of care. Staff are expected to act responsibly and in the best interest of the residents and the team when calling off for a scheduled shift.

### *Gifts and Charitable Contributions*

Employees of Moundridge Manor are discouraged from accepting gifts of value (either items or money) from residents to avoid exploitation or the appearance thereof.

Charitable donations or bequests to Moundridge Manor are accepted from members of the community, estates, or memorial funds.

### *Prevention of Fraud, Waste, or Abuse*

Fraud is an intentional deception or misrepresentation made by a person with knowledge that the deception could result in some unauthorized benefit to themselves or the organization.

Waste is generally understood to encompass the over-utilization or inappropriate utilization of services or misuse of resources, and typically is not a criminal or intentional act. Areas of potential waste are in the use of supplies, excessive usage of medical or therapy interventions, or inefficient use of resources.

Abuse is careless or unprofessional business and health practices that result in unnecessary or excessive charges, billing and receiving payment for medically-unnecessary services, and substandard care.

Waste or abuse may not be intentional, but such conduct harms everyone by increasing the cost of health care. Moundridge Manor is committed to submitting billings that are accurate and that reflect honestly the level of care and resources provided. We are committed to exercising good stewardship over available resources. As a not-for-profit organization, Moundridge Manor is first and foremost committed to providing quality care for persons in need of our services. We also recognize our responsibility as recipients of government funds such as Medicare and Medicaid, and pledge to use these funds with integrity, preventing fraud, waste, or abuse. All financial dealings will be conducted in accordance with applicable laws.

As a non-profit entity, Moundridge Manor has a legal and ethical obligation to act in accordance with our charitable purpose, ensure that resources are used responsibly, and that the public good is promoted rather than the private or personal interests of any individual. Consequently Moundridge Manor and employees of Moundridge Manor will avoid compensation arrangements that are in excess of fair market value, will accurately report payments to appropriate taxing authorities, and will file all tax and information returns in a manner consistent with applicable laws.

Moundridge Manor will not submit any false, fraudulent, or misleading claims to any government entity or third party payer, including claims for services not rendered, or claims which do not otherwise comply with applicable program or contractual requirements. Neither will we make false representations to any person or entity in order to gain or retain participation in a program or to obtain payment for a service.

### ***Bribery, Anti-Kickback, or Facilitation Payments***

Moundridge Manor will not attempt to influence the judgement or behavior of a person in a position of trust by paying a bribe or kickback. This applies to persons in government, private business, or our residents.

Moundridge Manor will not engage in any behavior that

- Entails direct, indirect, or disguised payment in exchange for referral of residents
- Results in unfair monetary gain in return for the use of particular supplier or service group
- Solicits, accepts, or offers any gift or gratuity of more than nominal value to or from residents, potential referral sources, and other individuals and entities with which Moundridge Manor has a business relationship.
- Conditions admission or continued stay at our facility on a third party guarantee of payment, or soliciting payment for services covered by Medicaid, in addition to any amount required to be paid by Medicaid

Moundridge Manor does not permit facilitation payments to government officials or private business in order to secure or speed up routine actions.

Employees are to:

- Select third parties carefully and monitor them continuously to ensure they comply with the company's anti-bribery policies
- Keep accurate books and records at all times and monitor that funds are not being used for bribery or facilitation payments
- Refuse any offer or request for an unlawful payment and report the incident to our compliance coordinator

### ***Exclusions from participation in Federal Health Care Programs***

Any person or entity that is excluded from participating in a Federal health care program (such as Medicare and Medicaid) shall not be employed by Moundridge Manor, and shall not provide services to our residents. All potential employees shall be screened through applicable exclusions list(s) prior to employment

- Employees and contractors shall self-disclose if they are proposed for exclusion or become excluded
- In order to ensure continued compliance, Moundridge Manor shall routinely check exclusions lists

### *Record Keeping*

Moundridge Manor keeps its books, records, accounts and financial statements in a complete, fair, accurate, understandable, detailed and timely manner.

- Employee records will be maintained in accordance with applicable law. Personnel files, payroll information, disciplinary matters, and similar information will be maintained in a manner designed to ensure confidentiality
- All billing, financial, and resident records will be kept according to applicable laws
- All financial reports, accounting records, expense accounts, time sheets, and other documents will accurately and clearly represent the relevant facts or true nature of the transaction
- All documentation within the resident's medical record will depict what actually happened in clear and concise manner

### *Protection and Proper Use of Company Assets*

Moundridge Manor requires all employees to protect its assets. All assets should be used for legitimate purposes, efficiently, and for company business only.

Assets include facilities, equipment, computers and information systems, telephones, supplies, employee time, confidential information, and organizational funds.

Travel and entertainment expenses will be consistent with each employee's job responsibility and Moundridge Manor's needs and resources. It is Moundridge Manor's policy that an employee should not suffer a financial loss or gain as a result of business travel and entertainment. Employees are expected to exercise reasonable judgement in the use of assets and to spend assets as carefully as they would their own. Prior to engaging in training, travel, or entertainment at the expense of Moundridge Manor, permission should be obtained from direct supervisor.

Suspected incidents of fraud, theft, negligence, or waste should be reported to the Compliance Coordinator.

### *Health and Safety*

Moundridge Manor takes the health and safety of our employees seriously. All employees are expected to perform their work in compliance with policies and procedures and apply safe work practices at all times in all locations. Applicable safety and health requirements and resources must be communicated to employees, visitors, residents, and contractors.

Employees are required to immediately report workplace injuries, illnesses, or unsafe conditions, including "near-misses" to their immediate supervisor.

## *Substance and Alcohol Abuse*

Moundridge Manor recognizes the detrimental effect that the use of illegal substances and alcohol, and the misuse of prescription medications, has on individuals and society. Moundridge Manor recognizes the responsibility to appropriately report and investigate any suspicion of crime, including the misappropriation of a controlled substance. We also recognize that the use of these substances can affect the safety of our employees and our residents, and affect work performance.

It is the policy of Moundridge Manor to employ individuals that are free from the use of illegal drugs and from the abuse of legal drugs and alcohol. The illicit use, possession, dispensation, manufacture, procurement, or sale of a controlled substance or illegal drug, at any time on Moundridge Manor premises is prohibited.

Employees are expected to cooperate with any request for drug testing.

## *Environment*

Moundridge Manor endeavors to manage and operate its business in a manner that respects our environment and conserves natural resources. Employees of Moundridge Manor will strive to utilize resources appropriately and efficiently, to recycle when possible, and otherwise handle all hazardous materials and dispose of all waste in accordance with applicable laws and regulations. We will work with the appropriate authorities to remedy any environmental contamination for which Moundridge Manor may be responsible.

## *Internet Use*

Moundridge Manor understands that occasional personal use of the internet during work hours is a reasonable request and allows this, within reason. Employees can ask for clarification from their managers if in doubt.

However, the company does not allow internet use to support a personal business, political venture, or for extensive personal use.

## *Use of Social Media and Cell Phones*

The use of personal cell phones while on duty is discouraged. Cell phones are to be kept in your locker for use during designated breaks. Management personnel and/or employees whose job duties occasionally (or frequently) require them to leave the facility grounds are exempt and given permission to carry a cell phone with them at all times. Following are our further expectations regarding social media and cell phones:

- For privacy (HIPAA) reasons, the use of the camera function of a cell phone is strictly prohibited at all times anywhere within the facility (Exceptions must be pre-approved by a supervisor).

- Employees may not post regarding work on social media. Moundridge Manor believes that it is best to refrain from posting about work on any media platform. This includes typed, recorded, or pictorial postings.
  - Exclusions may be granted to post regarding job opportunities
- Employees may carry a cell phone with special permission from their supervisor. All other cell phones shall be kept in locker or desk area and checked during designated breaks. This expectation is extended to contractual staff
  - Employees are expected to speak up to the individual should these expectations be breached
- Under no circumstances shall an employee be focused on a cell phone or electronic device in the presence of a resident unless related to that resident's care

### *Monitoring and Auditing*

Monitoring and Auditing are an integral part of our Compliance and Ethics program. These processes are on an ongoing and continual basis, frequency depends on the data being monitored. Monitoring and Auditing shall include, but may not be limited to:

- Financial audit performed annually by an independent entity
- Each Medicare payment received is compared with what was billed
  - If a discrepancy is noted, the claim is investigated to determine where the error is
  - If an overpayment occurs, it is reported to our Medicare billers (Medi-bill) and a corrected claim is sent to Medicare and the overpayment is recouped
- Medicare form CMS-838 is completed quarterly and sent to Wisconsin Physician Services
- Additional billing checks are completed monthly and reviewed with the Financial Committee (a sub-committee of the board of directors)
- Medicaid payments are compared to billed amounts monthly and any discrepancy is investigated
- Quality of Care and Quality of Life issues are monitored through the QAPI process, and by department heads
- Administrative / employment processes are monitored by department heads and the employee grievance process
- All employees, volunteers, and persons working under contract for Moundridge Manor are responsible for reporting any concerns

The Compliance Coordinator will report all complaints related to Compliance and Ethics to the QAPI committee and to the board. The Board of Directors holds ultimate responsibility for the integrity of the program, adequate investigations, and satisfactory resolutions.

### *Disciplinary Actions*

Any variances from Moundridge Manor's Code of Excellence shall be brought to the attention of the immediate department head. The issue shall be reported to the Compliance Coordinator for tracking, data, and oversight purposes. If possible, the department head shall conduct an investigation as to whether a criminal, civil, or administrative violation has occurred. If the scope of the investigation is beyond the departmental head capacity, the Compliance

Coordinator will oversee and synchronize the investigation. Official authorities will be notified as details dictate. All individuals are expected to cooperate fully and honestly with any investigation.

Should an actual violation be found, Moundridge Manor's "Progressive Discipline Policy" will be followed:

- First offense may call for a verbal warning
- Second offense may be followed with a written warning
- Third offense may lead to suspension
- Fourth offense may lead to termination
- However, certain types of violations of the code may be serious enough to justify either a suspension, or immediate termination

### *Professional Commitment*

Upon becoming an employee or associate of Moundridge Manor, I commit to professional conduct and personal growth. This includes nurturing my fellow coworkers and newcomers to our organization. I recognize the need to be informed and knowledgeable regarding information pertinent to my role. I also recognize that caring for our elders requires ongoing and continual processes to uphold Moundridge Manor's standards of excellence. I commit to completing assigned training and education in a timely manner and to participating in our QAPI process.

## *Code of Conduct Acknowledgement*

By certifying to the company code of conduct, I acknowledge that:

- I have read the entire code of conduct and understand my responsibilities related to it
- I have had the opportunity to ask questions to clarify any unclear aspects of the code
- I agree to abide by its principles
- I agree to report to my supervisor or the Compliance Coordinator any violations of the code
- I agree to cooperate in any investigations of violations of the code

*Name printed* \_\_\_\_\_

*Signature* \_\_\_\_\_ *Date* \_\_\_\_\_