



## **Waverly Heights Corporate Compliance and Ethical Code of Conduct**

Waverly Heights trustees, employees, service providers and contractors will conduct all business in an ethical manner. We will maintain a high level of integrity and honesty in business conduct and will avoid any conduct that could reflect adversely on Waverly Heights.

### **Confidentiality**

We do not disclose or discuss information about residents or employees with others except as allowed or required by law. We do not violate the privacy rights of our residents and employees.

### **Referrals**

We do not pay for referrals of residents to Waverly Heights, nor do we accept payment for referring residents to hospitals, hospices or other facilities or organizations.

### **Billing and Medical Records**

We maintain current and accurate medical records. We bill only for services that are actually provided and are medically necessary. We take care to assure that all billings to government, clients and private insurance payers reflect truth and accuracy and are in accordance with billing requirements for government programs and other third-party payers.

### **Physicians**

All business arrangements with physicians must ensure compliance with Waverly Heights' legal requirements and laws.

### **Relations with Government**

We deal honestly with government officials. We comply with all federal, state, and local laws and are knowledgeable about them as they apply in our own field of expertise.

### **Record Keeping**

We are each responsible for the integrity and accuracy of Waverly Heights' documents and records.

### **Conflict of Interest**

We avoid any conflict of interest that can affect the way we perform our duties. We comply with Waverly Heights' policies on accepting gifts from residents, families, referral sources or vendors. We disclose any personal or business interests or relationships that may influence how we perform our duties.

### **Compliance with Antitrust and Tax Laws**

We do not enter into agreements or understandings with a competitor that unlawfully limit or restrict competition, nor do we enter into agreements or understandings that restrict or limit the purchasing decisions of Waverly Heights. We comply fully with all federal and state tax laws.

### **Marketing**

We will present Waverly Heights through its marketing activities in a manner consistent with its mission and capabilities. We will not engage in unethical or illegal marketing or advertising practices in connection with the offering or provision of health care services. We present truthful and non-deceptive information to potential residents and the community.

### **Human Resources**

We will not employ or contract with any individual who has been convicted of any barrier crimes, as defined by healthcare and elder care laws, or who is listed by a federal agency as debarred, excluded or otherwise ineligible to participate in federally funded health care programs. We will verify the credentials of physicians, nurses, and other health care professionals engaged by Waverly Heights for providing services to residents.

### **Workplace Conduct**

We are committed to providing an equal opportunity work environment, treating everyone with fairness, dignity and respect.

Each employee has the right to work in an atmosphere that is free of harassment.

We are committed to ethical and lawful conduct.

No error or deficiency should be ignored or covered up.

We are committed to an alcohol-free, drug-free and smoke-free work environment.

If you identify a situation which you believe does not conform to our policies, you should bring it to the attention of your department director, Vice President of Human Resources or the President. If after a reasonable period of time, you feel appropriate action has not been taken, you are encouraged to call the Corporate Compliance Hotline. This call will initiate a specific review of the situation to determine any necessary corrective action.

**The Corporate Compliance Hotline number is 855-350-9399. This number may also be used to report any fraud related concerns. You may also report situations online at a secure, third party website: [waverlyheights.ethicspoint.com](http://waverlyheights.ethicspoint.com).**

You may call anonymously, however, all calls to the compliance hotline will be treated as confidentially as possible. Your concern will be taken seriously and you can feel confident to report a situation / problem without any fear of retaliation.

Employees found not to be in compliance with company compliance policies or applicable legal requirements will be subject to progressive discipline, up to and including termination. Any act of retaliation related to a compliance call will not be tolerated and will result in progressive discipline, up to and including termination.

## **Fraud and Abuse**

Waverly Heights takes health care fraud and abuse very seriously. It is our policy to provide information to all employees, and contractors about the federal and state false claims acts, remedies available under these acts and how employees and others may use them, and about whistleblower protection available to anyone who claims a violation of the federal or state false claims act. We also will advise our employees, and contractors of the steps the community has in place to detect health care fraud and abuse.

The Federal False Claims Act allows a civil action to be brought against a health care provider who:

- Knowingly presenting or causing to be presented a false claim to the federal government;
- Knowingly making or using, or causing to be made or used, a false record or statement in order to have a false or fraudulent claim paid or approved by the government;
- Conspiring to defraud the government by getting a false or fraudulent claim allowed or paid; and
- Knowingly making or using, or causing 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.

## **Whistleblower Protection**

If any employee has knowledge or information that any such activity may have taken place, the employee should notify his or her supervisor or director or call the Corporate Compliance Hotline at 855-350-9399. Information may be reported to the hotline anonymously. In addition, federal and state law policy prohibit any retaliation or retribution against persons who report suspected violations of these laws to law enforcement officials, or who file “whistleblower” lawsuits on behalf of the government. Anyone who believes that he or she has been subject to any such retribution or retaliation should also report this to the Corporate Compliance Hotline.

Administrative remedies may include:

- A federal false claims action may be brought by the U.S. Department of Justice;
- A qui tam action taken by the individual on behalf of the government;
- Civil penalty of between \$5,500 and \$11,000 per false claim, plus three times the amount of damages incurred by the government.

Under the False Claims Act, the statute of limitations is six years after the date of violation or three years after the date when the material acts are known or should have been known by the government, but no later than ten years after the date on which the violation was committed.