



Corporate Code of Conduct

Finger Lakes Performing Provider System (FLPPS)
Greater Rochester Health Home Network (GRHHN)

A guide to business ethics, workplace conduct and compliance



Contents

FLPPS Vision	3
FLPPS Brand	3
FLPPS Principles	3
Ethics.....	3
Conduct in the Workplace	4
Equal Employment.....	4
Freedom from Harassment	4
A Safe Environment	5
Conflict of Interest.....	5
Confidentiality	5
Once employment or contract term with FLPPS has ended	6
Use of FLPPS Funds and Resources	6
Gifts and Gratuities and Entertainment.....	6
Gifts.	6
Nominal Value	7
Gifts and Incentives to Medicaid Beneficiaries.....	7
Reporting of Gifts/Entertainment	7
Prohibition on Political Gifts.....	7
Agreements with Vendors.....	8
Maintenance of Records	8
Falsification of Records (in accordance with CP006 False Claims Act and Whistle Blower Protections)	8
Expense Records.....	8
Retention of Records.....	8
Information Security.....	8
Illegal Activities	9
Fraud	9
Kickbacks and Rebate.....	9
Antitrust and Unfair Competition	9
Federal and State Programs	9
Governmental Investigations.....	9
External Audits and Reviews	9
Responsibilities of Employees and Contracted Non-Employees	10
Reporting Violations	10
Resolution, Communication and Non-Retaliation	10
Corrective Action and/or Discipline	11
Seeking Guidance	11
References.....	11



FLPPS Vision

To create an accountable, coordinated network of care that improves access, quality and efficiency of care for the safety net population.

FLPPS Brand

- Strategic
- Trusted
- Collaborative
- Adaptive
- Results-Oriented

FLPPS Principles

- Focus on the Safety Net Population
- Provide excellent Partner Value
- Accountability, Transparency, and Trusting Partnerships
- Capacity & Capability for Managed Care of a Population

Finger Lakes Performing Provider System¹ (and its subsidiary, the Greater Rochester Health Home Network (hereinafter, altogether FLPPS) commitment is to deliver outstanding organizational outcomes, and to ensure our behaviors are consistent with our values by operating ethically and with integrity.

The Code of Conduct applies to all employees, Contractors, and Board Members¹ who are affected by FLPPS' risk areas. Risk areas are areas of operation affected by the compliance program and must apply to: (1) billings; (2) payments; (3) ordered services; (4) medical necessity; (5) quality of care; (6) governance; (7) mandatory reporting; (8) credentialing; (9) contractor, subcontractor, agent or independent contract oversight; (10) other risk areas that are or should reasonably be identified by the provider through its organizational experience.

To guide our actions, we rely on this Code of Conduct, which describes our expectations concerning standards of behavior/conduct, avoiding conflicts and commitment to compliance, both the letter and spirit of the laws, rules, regulations and company policies. These basic principles provide a framework for our business decisions. Use them as a guide to support the FLPPS brand and our fundamental commitment to fostering an ethical work environment.

While these standards addressed in the Code of Conduct are intended to be a guide, they do not replace any policies and procedures. There may be instances that are not addressed by the Code of Conduct or existing policies and procedures, or activities that may conflict with these standards. Seek direction from management, Human Resources or the Compliance Officer in these instances. Immediately report any alleged violations of wrongdoing, and assist executives, directors, and managers (herein referred to as "Management") and compliance personnel in investigating allegations of wrongdoing.

Ethics

FLPPS is governed by the conviction that ethical business conduct is equally important as exceptional business performance. Our behavior in the workplace affects our success and shapes our reputation. It also communicates our stance on ethics, integrity honesty and respect.

¹ For purposes of this Corporate Code of Conduct, where it says that it applies to "Employees, Contractors and Board Members" that phrase is defined as "[A]ll persons who are affected by FLPPS' risk areas including FLPPS' employees, the chief executive and other senior administrators, managers, contractors, agents, subcontractors, independent contractors, care management agencies, and governing body and corporate officers."



Consequently, we must strive to maintain the highest ethical standards when carrying out our daily work activities.

Conduct in the Workplace

FLPPS is committed to creating a safe and professional workplace where Employees, Contractors and Board Members and others are treated with dignity and respect and without regard to their race, sex, age, religion, national origin, color, marital status, disability, or other protected characteristics. Unlawful discrimination or harassment of any sort violates these values. We must exhibit and promote respect, integrity, trust, and teamwork in the workplace and must comply with this policy prohibiting discrimination and harassment in all facets of FLPPS work.

FLPPS is committed to promoting service that is culturally and linguistically appropriate for our diverse population. We work to ensure that our philosophy of cultural and linguistic diversity is embraced in all levels of our organization. Culturally competent services are required from both our Employees, Contractors and Board Members and our partners.

Equal Employment

FLPPS makes decisions about hiring, promotion, placement, assignment of duties, training, termination, benefits, compensation, and other work terms without regard to race, color, national origin, age, gender, religious preference, marital status, reproductive health decision making, sexual orientation, handicap or disability. We are committed to equal employment practices and compliance with all laws, regulations and policies related to non-discrimination.

Freedom from Harassment

FLPPS prohibits any form of harassment. This includes harassment based on race, color, religion, gender, marital status, national origin, age, sexual orientation, disability or any other basis protected by law.

Harassment means different things to different people, so the expectation is to refrain from any offensive or inappropriate behavior and focus on respectful behavior. Examples of inappropriate behavior may include degrading jokes, intimidation, innuendo, slurs, and sexual harassment.

Sexual harassment includes harassment on the basis of sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity, and the status of being transgender.

Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other physical or verbal conduct based on an individual's sex constitutes sexual harassment when:

- Submission to the conduct is an explicit or implicit term or condition of employment; or
- Submission to or rejection of the conduct is used as the basis for decisions affecting an individual's employment; or
- The conduct has the purpose or effect of creating an intimidating, hostile, or offensive working environment.



We fully expect Employees to report violations to their manager, Human Resources, Compliance Officer, or the Compliance Hotline (1 833-209-1969). All other affected individuals are also expected to report violations to the FLPPS' Compliance Hotline or report violations to the Compliance Officer, Executive Director or to any Director at FLPPS. Reports of harassment will be promptly investigated, and Employees, Contractors and Board Members proven to be engaging in this behavior will be disciplined.

A Safe Environment

- Everyone is responsible for creating a safe and professional working environment at FLPPS. Please report any potential or actual hazards to Management.. Hazards include security violations or criminal activity that takes place on company premises. In addition, please report any injuries or illnesses to Management.
- Violence has no place in the workplace and will not be tolerated. This includes intimidation, violent acts and threats of violence.

Conflict of Interest

- It is important to ensure that outside activities do not in any way conflict with or pose a hazard to FLPPS. There are some simple guidelines to follow when determining whether a conflict of interest exists. First, avoid personal outside activities or associations that might influence business decisions or the ability to do your job objectively. Also, avoid doing business with competitors or making significant personal financial investments in competitors, suppliers or customers.
- As outlined in the Conflict of Interest Policy (CP002 Officers, Directors, Members of a Committees with governing board-delegated powers, and Key Persons must complete a Conflict of Interest form annually. Refer to the Conflict-of-Interest Policy for complete details.
- Contracted Care Management Agencies must comply with GRHHN's Conflict of Interest Policy 5.03 related to client referrals and dual services.
- If you are unsure as to whether an outside activity represents a conflict of interest, ask Management, Human Resources or the Compliance Officer.

Confidentiality

FLPPS is committed to preserving the right of privacy for all staff, partners, partners' patients and protecting FLPPS interests. Be sure to follow all applicable laws and policies when using or sharing the following examples of information including but not limited to:

- Patient's protected health information, including diagnose and treatments, personal data, billing and contact information;
- Employee information including personnel files, evaluations and disciplinary matters;
- Business information such as financial, statistical data, budgets, mergers, acquisitions or significant reorganizations; bid proposals and contract negotiations; strategies; research and development. This company-specific information is referred to as "intellectual property" or "proprietary information."
- Partner financial or workforce information



All Employees, Contractors, and Board Members, are required to comply with Confidentiality and Non-Disclosure Statement. Upon employment or engagement and annually thereafter an attestation of understanding is signed and maintained in Compliance. If you have any questions concerning confidential information, contact Management or the Compliance Officer.

Once employment or contract term with FLPPS has ended

- You may not use any confidential information gained from your employment, affiliation, or contract with FLPPS for your or another company's benefit. You may not take copies of any reports, documents, or any other property belonging to FLPPS.
- At the end of your employment or contract term with FLPPS, you must return all FLPPS property including, but not limited to, copies of documents, notes, and other records containing confidential information; all computer technology; FLPPS ID; keys and credit cards.
- Failure to maintain confidentiality could subject you or FLPPS to civil and/or criminal liability.

Use of FLPPS Funds and Resources

- We protect and preserve company property and refrain from using it for personal gain. Company property includes funds, equipment, inventory, and office supplies, but also includes concepts, business plans and strategies, information about people we serve, financial information, computer property rights, and other business information about FLPPS.
- You are expected to act responsibly, reasonably and maturely, and to use good judgement in the use of all company property including but not limited to provided-communications and computing devices in conjunction with the IT002 Acceptable Use policy. FLPPS resources should not be used to transmit, store or download materials that are threatening, maliciously false or obscene.
- Use of FLPPS funds or assets for any improper purpose is strictly prohibited. If you are aware of or have reason to believe that funds or assets are being improperly used, you must report this immediately to Management or the Compliance Officer

Gifts and Gratuities and Entertainment

Employees, Contractors, and Board Members shall not offer, give, or accept money, or anything of value to or from any person or entity with whom FLPPS has or is seeking any business or regulatory relationship except as described below.

Gifts.

Employees, Contractors, and Board Members may never give or accept gifts in exchange for business or related to the purchase or referral for any health care item or service provided by its partners or related to any current or potential contract entered into by FLPPS.



Nominal Value

- Subject to the foregoing, Employees, Board Members and Contracted Non-Employees may give or accept non-cash gifts or entertainment of “truly nominal value” if the gift or entertainment is clearly and completely unrelated to past or future business relationships or contracts with FLPPS or partner referrals and is very unlikely to influence a contract or other business relationship with FLPPS or referrals between FLPPS partners.
- For this purpose, any gift or provision of entertainment of less than \$75 on a single occasion and no more than \$300 over the course of a calendar year will be presumed to be of truly nominal value. Whether a proposed gift in excess of these amounts is of “truly nominal value” will be determined on a case-by-case basis by the Compliance Officer.
- Employees, Contractors and Board Members must consult with the Compliance Officer prior to offering or accepting such a gift or entertainment and must keep records related thereto.

Gifts and Incentives to Medicaid Beneficiaries

- Gifts and incentives to beneficiaries are allowable but subject to the requirements outlined in a Special Advisory Bulletin issued by the NYS Office of the Inspector General, Federal Register, Vol. 67, No. 169, Friday, August 30, 2002.
- Medicaid providers are permitted to offer beneficiaries inexpensive gifts (other than cash or cash equivalents) or services which are those that have a retail value of no more than \$15 individually, and no more than \$75 in the aggregate annually per patient as updated by the and Office of Inspector General Policy Statement Regarding Gifts of Nominal Value dated 12/7/2016.
- Any partner that wants to offer gifts should consult their own legal counsel for a complete analysis of the facts and circumstances prior to providing any gift or incentive to a Medicaid beneficiary.

Reporting of Gifts/Entertainment

Employees, Contractors and Board Members must promptly report the offering or acceptance of any gift above a nominal value to their manager. For this purpose, nominal value is defined as no more than \$75.00 on a single occasion and no more than \$300.00 over the course of a calendar year.

Prohibition on Political Gifts

Employees, Contractors and Board Members may never directly or indirectly authorize, pay, promise, deliver, or solicit any payment, gratuity or favor for the purpose of influencing any political official or government employee in the discharge of that person’s responsibilities. Employees Contractors and Board Members alike shall not entertain government personnel in connection with FLPPS business.



Agreements with Vendors

FLPPS must assure that agreements with vendors and independent contractors clearly and accurately describe the services to be performed or items to be purchased. Performance standards, and the applicable compensation, if any, must be reasonable in amount, not be excessive in terms of industry practice, and must equal the value of the services rendered.

Maintenance of Records

There is an expectation to record and report all FLPPS, partner, and financial information fully, accurately, and honestly. Records include, but are not limited to, records of the partners, documentation of services, accounting books or records, financial statements, timesheets or records, expense reports, vouchers, bills, payroll, correspondence, and any other method of communication. Additionally, there is an expectation to be honest and forthcoming with regulatory agencies, and internal and external auditors.

Many of FLPPS forms are legal documents used to prove that a task was completed, or to record specific happenings. You must document accurately and honestly, and only for those tasks you completed or those events you were involved in.

Falsification of Records (in accordance with CP006 False Claims Act and Whistle Blower Protections)

- False entries in any of FLPPS records or in any public record for any reason is prohibited.
- Altering any permanent entries in FLPPS records is prohibited.
- Creation of or participation in the creation of any records that are intended to mislead or to conceal anything that is improper is prohibited.

Expense Records

- Expenses must be accurately recorded, and appropriate evidence provided in accordance with the FN009 Travel and Expense Reimbursement policy.

Retention of Records

- The retention, disposal, or destruction of records of or pertaining to FLPPS must always comply with legal and regulatory requirements as referenced in the CP014 Record Creation, Retention and Document Destruction policy.

Information Security

- Computers, Internet access, email, or other office communications systems are intended for business-related purposes only and not for uses that may be disruptive, offensive, harassing, or harmful to others.
- Do not share your system user name, logon ID, computer password, and other credentials (hereinafter 'credentials') with another person or allow another to access the computer with your password in accordance with the IT002 Acceptable Use policy.
- If you have any questions concerning information security, contact your manager or IT Management.

Illegal Activities

Conducting business with providers, contractors, suppliers, partners, and competitors may pose ethical problems. We are expected to deal fairly with providers, contractors, suppliers, partners, and competitors. We will not engage, directly or indirectly, in any corrupt business practices or other illegal activities. Such activities include, but are not limited to, fraud, embezzlement, kickback arrangements and drug use.

Fraud

Fraud includes such things as falsifying timecards and expense reports. Health care fraud occurs when someone schemes to defraud any health benefit program. This includes seeking to obtain any money, goods or services by false pretenses, and making false representations or promises to get money or property owned by any health care program in connection with the delivery of, or payment for, benefits, goods or services.

Kickbacks and Rebate

Kickback arrangements involve accepting or offering bribes or payoffs intended to induce, influence or reward favorable decisions of any person or entity in a position to benefit FLPPS. Such persons or entities include Partners, contractors, vendors and government personnel. Kickbacks and rebates in cash, credit, or other forms are prohibited. They are not only unethical, but in many cases, illegal.

Antitrust and Unfair Competition

Antitrust laws make sure competition between companies is fair. These laws also protect the public against business competitors who band together or “collude” to unfairly set prices. You could be breaking these laws if you do things as simple as discuss with Partners, vendors or suppliers pricing and/or terms and conditions of contracts.

Federal and State Programs

FLPPS is committed to complying with all federal and state laws and regulations that govern our work. Policies and procedures, the Compliance Plan, and this Code of Conduct are developed to provide guidance. We must abide by the policies and procedures and the standards set by FLPPS and always act in the best interest of the patients, Partners and FLPPS.

Governmental Investigations

There may be times that FLPPS is asked to cooperate with an investigation by a Federal or State governmental agency, or to respond to a request for information. A request may be formally addressed to FLPPS or an individual within FLPPS. Employees, Contractors and Board Members must report any requests for information or cooperation with an investigation to the Compliance Officer immediately.

External Audits and Reviews

From time to time, we will have outside parties on site to perform financial and regulatory audits and reviews of our financial statements, operations and business practices. These outside parties



include independent auditors and federal and state government regulators and inspectors. It is the organization's policy to fully cooperate with these auditors and provide them with all necessary information. During these audits or inspections, you must never conceal, destroy or alter any documents or give any false or misleading statements to inspectors. Also, you should never provide inaccurate information or obstruct, mislead or delay communication of information or records about a possible violation of law.

Responsibilities of Employees, Contractors and Board Members

- Attend required training, and read and understand the Compliance Plan, Code of Conduct, Compliance Policies and Procedures, Non-Harassment and Non-Sexual Harassment Policies
- Follow the Code of Conduct and abide by all policies and procedures, guidelines, and federal and state laws and regulations.
- Be alert to any situation that could violate the Code of Conduct, policies and procedures, guidelines, and/or federal and state laws and regulations.
- Promptly report any issues, concerns, violations, or suspected violations to Management, Human Resources, Compliance Officer, or the Executive Director using the process below.

Reporting Violations

- Actual or suspected violations of this Code of Conduct, any applicable law or regulation, or any policy and procedure must be reported to Management, Human Resources or the Compliance Officer.
- The Compliance Hotline is also available for confidential or anonymous reporting of such issues. The Hotline is available toll-free 24 hours a day, seven days a week, at **1-833-209-1969**. Reports can also be made using the Compliance mailbox at compliance@flpps.org.
- When an actual or suspected violation of this Code of Conduct, any applicable law or regulation, or any organizational policy and procedure is reported, it must be promptly referred to the Compliance Officer. Steps will be taken to protect confidentiality and anonymity, when appropriate and warranted. FLPPS will not tolerate any form of retaliation against a person who makes a good-faith report in accordance with this Code of Conduct.
- We must cooperate fully and honestly in any investigation into a reported violation of this Code of Conduct, any applicable law or regulation, or policy, procedure, or practice.

Resolution, Communication and Non-Retaliation

Once a problem or suspected violation has been reported, FLPPS pledges to quickly investigate and resolve the problem. FLPPS will not retaliate against you for reporting ethics or compliance violations in good faith. In addition, we will provide ongoing communication to those who report problems.



Corrective Action and/or Discipline

FLPPS will be thorough and fair when investigating possible ethics or compliance violations.

Employees, Contractors and Board Members, who are deemed to have committed violations or knowingly failed to report a violation will be subject to appropriate disciplinary action, up to and including immediate termination of employment or affiliation.

Seeking Guidance

If you need more information, you are encouraged to explore the following resources as applicable:

FLPPS Intranet

The Intranet, available to all Employees and some temporary or contracted resources contains extensive information on company policies and procedures and other company standards and resources that affect your work activities.

References:

18 NYCRR 521-1

U.S. Sentencing Guidelines §8B2.1

New York Consolidated Laws, Not-For-Profit Corporation Law - NPC § 102

New York Consolidated Laws, Not-For-Profit Corporation Law - NPC § 715, 715-a

26 USC Section 501(c)(3), Internal Revenue Code

Health Insurance Portability and Accountability Act 45 CFR Part 160 and Part 164

Anti-Kickback Statute 42 U.S.C. § 1320a-7b(b)