
Fraud, Waste, and Abuse Policy

Purpose

In addition to general legal compliance, Lifeworks must ensure at all times that conduct does not violate applicable fraud and abuse laws, including the federal and state False Claims Act, as well as section 1902(a)(68)(A) of the Social Security Act. These laws help prevent and detect fraud, waste, and abuse in the public health care programs that support services, and benefit the public and the people Lifeworks serves by ensuring public programs pay for legitimate and quality health and social services.

Scope

This policy applies to all employees, officers, Board members, contractors, volunteers, business associates, and other stakeholders ("Personnel").

Policy

It is the Policy of Lifeworks that all Personnel will comply with applicable laws and best practice respecting the prevention, detection and reporting of fraud, waste and abuse in connection with Lifeworks programs and the provision of services to Lifeworks clients.

In particular, no Lifeworks Personnel shall engage in (or assist other to engage in) any of the following prohibited practices:

- Submitting false or misleading claims to the government or to a third party or other payer. This would include submitting claims for services that were not actually provided, claims which characterize the service differently than the service actually provided, or claims which do not otherwise comply with applicable billing rules.
- Making false representations to any person or entity to obtain payment for any service or to gain or retain participation in a program. All communication with government and third party or their payers must be truthful and accurate. Lifeworks receives government money – all time cards, time studies, attendance records, and other applicable documentation must be filled out accurately.

- Failing to properly document service provided.
- Offering anything, in cash or in kind, to obtain or encourage referrals. Any arrangement, contract, gift, or social engagement with anyone who may be a referral source (such as a case manager) must be approved by the President of Lifeworks or Senior Vice President of Services and Operations.
- Offering anything, in cash or in kind, to any individual we serve or potential client to influence the individual to attend a program or otherwise receive services from Lifeworks.

In addition, all Personnel shall promptly report any suspected violations of these prohibitions to the Director of Quality, Compliance and Continuous Improvement and shall cooperate with any investigations of such matters by the Director of Quality, Compliance and Continuous Improvement and legal counsel.

Rights & Responsibilities

The penalties for violating this Policy, even unintentionally, can be extremely high for Lifeworks and potentially for those involved in the violation. Accordingly, compliance with this Policy will be the responsibility of all employees, as well as all directors, Board members, officers, volunteers, and contractors.

Lifeworks must maintain documentation that upon employment and annually thereafter, staff providing a service have attested to reviewing and understanding the following statement: "It is a federal crime to provide materially false information on service billings for medical assistance or services provided under a federally approved waiver plan as authorized under Minnesota Statutes, sections 256B.0913, Section 256B.092, and 256B.49."

The Board will be responsible to understand the content of this Policy and exercise reasonable oversight.

The Chief Executive Officer (CEO) will serve as the Compliance Officer, having responsibility for enterprise-wide compliance, ethics, and business practices, including this policy. The CEO will designate a Director of Quality, Compliance and Continuous Improvement to monitor and report on matters pertaining to compliance with this policy.

The members of the Executive Leadership Team will be responsible for assuring the implementation of this policy in their respective management areas.

The Director of Quality, Compliance and Continuous Improvement will: (1) provide and coordinate training of personnel relative to the organization's procedures for addressing allegations of fraud, waste, abuse and other wrongdoing; (2) investigate all reports of violations of this Policy; (3) as required by law (and with advice of counsel, as appropriate) report any violations of this Policy to appropriate

authorities; and (4) have authority and ability to report violations of this Policy by the CEO or other high-level managers directly to the Board of Directors.

At least once per year, the CEO and/or the Director of Quality, Compliance and Continuous Improvement will report to the Board any substantiated fraud, waste, or abuse situations and subsequent reports to the DHS Office of the Inspector General (OIG).

Disregarding or failing to comply with this Policy could lead to disciplinary action, up to and including, possible termination.

Resources

CARF Accreditation Handbook

Fraud, Waste and Abuse Policy from the State of Minnesota

Deficit Reduction Act of 2005

Employee Handbook

Internal Review Procedure