

# Policy / Procedure

Document Number:	CP_01
Document Name:	General Standards of Conduct
Effective Date:	May 1, 2018
Document Status:	Approved
Approved:	10/5/18

## 1. Purpose

Coherent personnel shall adhere to high standards of ethical conduct and will comply with and assist Coherent in complying with all applicable laws and regulations and third-party payor program requirements.

## 2. Policy Details

Coherent personnel shall comply with the following policies and standards:

1. Ethical and professional standards. Coherent personnel shall comply with and perform their services consistent with high ethical and professional standards. They shall treat patients, co-workers, and others in a professional manner with honesty, fairness, dignity and respect.
2. Coherent policies and procedures. Coherent personnel shall comply with all applicable Coherent policies and procedures, including but not limited to those policies and procedures relevant to the Compliance Program.
3. Laws, regulations, and program requirements. Coherent personnel shall comply with all applicable federal and state laws, regulations, and third-party payor program requirements.
4. Non-discrimination. Coherent personnel shall not discriminate against other Coherent personnel, patients, or others on the basis of race, color, sex, religion, age, national origin, ancestry, disability, or sexual orientation.
5. Offering or receiving items of value to induce referrals. Federal and state laws prohibit paying, offering or receiving anything of value to induce referrals for healthcare business unless certain conditions are met. Coherent personnel shall not offer, solicit, pay or accept anything of value in exchange for healthcare referrals without first obtaining approval from the Compliance Officer. This applies to offering or receiving any money, gifts, free or discounted items or services, professional courtesies, or other arrangements with the intent to induce referrals. This applies to any such transactions involving potential referral sources, including transactions with other health care providers, vendors, or patients. Violations may subject the Coherent and its personnel to criminal and administrative penalties.

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6. Financial relationships with physicians and other referral sources. Federal and state laws affect contracts, agreements, and other financial relationships with physicians, practitioners, vendors and other referral sources.
  - a. Coherent personnel shall not enter any contract or other financial arrangement with or give or receive anything of value to or from, an outside physician, a physician's family member, or other referral source without the prior approval of the Compliance Officer. If Coherent has a contract or other financial relationship with an outside physician or a member of the physician's family, Coherent personnel shall not bill for any items or services referred by that physician without the prior approval of the Compliance Officer.
  - b. Coherent personnel must strictly comply with the terms of any approved contract or other financial arrangement with outside physicians, their family members, or referral sources. Failure to perform or improper modifications of such contracts or arrangements may violate applicable laws.
7. Improper inducements to Medicare, Medicare Advantage (MA) or Medicaid beneficiaries. Inducements to Medicare, MA, Medicaid, or other government beneficiaries may violate applicable law. Coherent personnel shall not waive or discount government beneficiary co-pays unless such discount complies with Coherent's charity care policy. Coherent personnel shall not offer any other discount, gift, free items or service, or other inducements to government beneficiaries without first obtaining approval from the Compliance Officer.
8. Professional courtesies. Coherent personnel shall not offer or receive any free or discounted items or services to or from other health care providers, their family members, or their office staff unless such offer is consistent with Coherent's Professional Courtesy Policy or the offer has been approved by the Compliance Officer.
9. Improper billing activities. Coherent personnel and contracted physicians shall not engage in false, fraudulent, improper, or questionable billing practices. Such improper activities include, but are not limited to:
  - a. Billing for items or services that were not actually rendered.
  - b. Billing for or rendering items or services that were not medically necessary.
  - c. Submitting a claim for physician services when the services were rendered by a non-physician, or where a physician failed to provide the level of supervision required by applicable laws or regulations.
  - d. Submitting a claim for payment without adequate documentation to support the claim.

- e. Signing a form for a physician without the physician's authorization.
- f. Improperly altering medical records.
- g. Prescribing medications and procedures without proper authorization.
- h. Using a billing code that provides a higher payment rate than the correct billing code (i.e., "upcoding").
- i. Submitting bills in fragmented fashion to maximize reimbursement even though third-party payors require the procedures to be billed together (i.e., "unbundling").
- j. Submitting more than one claim for the same service (i.e., "duplicate billing").

If Coherent personnel have a question about the proper standard or procedure for documenting or submitting a claim, they should contact the Compliance Officer as described below.

- 10. Unfair competition and deceptive trade practices. Federal and state antitrust laws prevent certain anti-competitive conduct, including collusive agreements among competitors to set prices; divide patient care or services; boycott other entities; etc. Coherent personnel should not engage in collusive discussions with competitors over such things as prices, employee wages, services to be rendered or eliminated, or division of patients or patient services without the Compliance Officer's prior approval. Similarly, Coherent personnel should not discuss exclusive arrangements with third-party payors, vendors, and providers without first discussing the matter with the Compliance Officer. Finally, Coherent personnel should not engage in any deceptive acts or practices relating to Coherent.
- 11. Privacy and confidentiality. Coherent personnel shall maintain the confidentiality of patients' protected health information as required by Coherent's privacy policies and applicable law, including but not limited to the Health Insurance Portability and Accountability Act ("HIPAA") and its accompanying regulations, 45 C.F.R. part 164. Coherent personnel should not access patient information unless they have a need to access the information because of their job duties. To the extent feasible and allowed by law, Coherent personnel shall maintain the confidentiality of communications and records containing confidential information concerning co-workers; communications and records relating to Coherent's confidential financial or business operations, trade secrets, credentialing or peer review actions; documents prepared in anticipation of litigation; and communications with legal counsel for Coherent. This section shall not be construed to prohibit activity protected by the National Labor Relations Act.
- 12. Entities that contract with Coherent. Coherent personnel shall ensure that vendors and other entities which contract with Coherent comply with the Compliance Program and cooperate with Coherent's compliance efforts. If a contract or

arrangement with an outside entity implicates any of the compliance concerns discussed above, Coherent personnel should refer the contract or matter to the Compliance Officer for review. Nothing in this policy or Compliance Program shall be construed as an undertaking by Coherent to inspect, assume liability for or guarantee the performance of work or activities by independent contractors or other agents.

13. Questions concerning the Compliance Program. Coherent personnel shall seek clarification from or approval by the Compliance Officer before engaging in actions or transactions if there is any question concerning whether the action or transaction complies with applicable laws, regulations, program requirements, or Coherent policies.
14. Report suspected violations. Coherent may have an obligation to promptly repay money it improperly receives from third party payors within 60 days. It is essential that Coherent personnel:
  - a. Comply with applicable laws, regulations, and policies; and
  - b. Immediately report suspected violations or compliance concerns to their supervisor, department leader, or the Compliance Officer as set forth in the Policy CP04\_Communication About Compliance Issues.
  - c. Reports may be submitted anonymously. The failure to report a suspected violation may subject Coherent personnel to appropriate discipline.
15. Non-retaliation. Coherent personnel shall not retaliate against any person for reporting a suspected violation of any law, regulation, program requirement or Coherent policy relevant to the Compliance Program.

All Coherent personnel shall be required to review these Standards of Conduct and sign the related attestation form, Acknowledgement of General Standards of Conduct (Form CP01\_Attestation)

## 3. Policy Scope

This policy applies to:

1. All Coherent employees working directly or indirectly with Medicare Advantage Membership.
2. All Consultants/Business Associates working with or for Coherent on projects involving the MA Membership.
3. All Coherent First Tier, Downstream, and Related Entities (FDRs) and their Associates.

## 4. Related Policies

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CP00\_Coherent Compliance Program

CP04\_Communication About Compliance Issues

## 5. Policy Owner

The Coherent Compliance Officer is responsible for ensuring the policy is revised to include CMS modifications as required. The Compliance Officer will have the policy updated within 30 days of notification that there is a need for revision.

## 6. Procedures

All Managers, Directors and Executive Leadership shall:

- A. Ensure that employees, business associates and other entities doing business with Coherent are aware of, understand, and have received a copy of these General Standards of Conduct.

## 7. Exhibits / Appendices / Forms

Form CP01\_Acknowledgement of General Standards of Conduct.

## 8. Document History

Revision Date	Reason for Revision:	Revised by:
5/1/18	Original	A. Gable