

Humility of Mary Health Partners Policy and Procedure

Notice to Agents, Corporate Responsibility Program

LD-34

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Review Date: 6/02; 6/07

Policy Statement:

Humility of Mary Health Partners (HMHP) provides services to patients and the community and operates its business in accordance with HMHP's mission and core values. HMHP operates within and according to the highest ethical and moral standards, in compliance with all applicable laws and regulations, including those that govern federally funded health care programs.

Therefore, it is the policy of HMHP to provide appropriate notice to all potential agents of their obligations under the HMHP Corporate Responsibility Program (CRP) to obtain the agent's commitment to comply with all pertinent portions of the CRP prior to entering into any contract with said agent.

Purpose Statement:

HMHP acknowledges that the success and effectiveness of the Corporate Responsibility Program requires that agents of the organization, like employees, adhere to program requirements. For the purpose of this policy and other Corporate Responsibility Program policies and procedures, an "agent" means:

- A medical staff member with privileges at any HMHP facility or organization who is not an employee of HMHP or any HMHP entity;
- Consultants;
- Any other third parties engaged by contract by HMHP or any organization or entity with HMHP; to perform services on behalf of the organization;
- BUT does not include associates who are employ by HMHP or any organization or entity within HMHP.

Procedure:

1. Provide a "Notice to Agents" that explains HMHP's commitment to an effective Corporate Responsibility Program to those persons and entities desiring to contract with or provide services to HMHP in any capacity other than by employment as an associate.
2. Items to be contained in the notice include the following:
 - a. Requirement for the agent to certify, before a contract can be initiated, that the agent is eligible to participate in Federal and state-funded health care programs, that the agent is not now under any suspension or debarment from such programs, that the agent is eligible to contract with the Federal and state government and that the agent has not been convicted of a health care related crime.

- i. HMHP makes reasonable inquiry for verification purposes into whether any and all prospective agents have been listed by a federal agency as excluded, debarred, suspended or otherwise ineligible to participate in federal health care programs.
 - ii. Such inquiries include, but are not limited to, databases mentioned in the “Notice to Agents, Vendors and Contractors” letter.
- b. Requirement for the agent to promptly notify HMHP’s Corporate Responsibility Office if the agent becomes aware that the agent:
 - i. May be barred, excluded or suspended from eligibility to participate in Federal or state-funded health care programs; or,
 - ii. Is being prosecuted for a health care related criminal offense; or,
 - iii. Learns that the agent has been placed on a barred bidders list by the Federal or state government for health care related actions.
- c. Requirement that, upon receipt of above notice from the agent or if HMHP becomes aware of such information on it own, HMHP will immediately remove the agent from direct responsibility for or involvement in any federally or state-funded health care program and/or suspend all further transactions with the agent, pending a final resolution of the status of the agent.
- d. Requirement HMHP will investigate to confirm eligibility stat of any agent when such status is brought into question. Confirmation of uninterrupted eligibility for participation in Federal and state-funded health care programs or Federal contracting and the absence of a conviction for federal or state health care related criminal offenses, will result in immediate resumption of previous responsibilities or resumption of transactions, as applicable.
- e. Requirement that investigations that result in confirmation of suspension, exclusion or debarment from participation in Federal or state-funded health care programs, debarment from participation in Federal or state contracting for health care related actions or conviction of a federal or state health care criminal offense will result in immediate forfeiture of medical staff membership and privileges (for provider agents) or termination of all future transactions with the affected agent.
- f. Requirement for the agent to commit in writing that they will comply with the provisions of HMHP Corporate Responsibility Program that are contained within this notice.
- g. The obligation of the agent to promptly report any errors, mistakes or violations of laws, regulations, ethical business practices, false claims, fraud and abuse, Stark Rule or other Corporate Responsibility Program standard or policies to HMHP’s Corporate Responsibility Officer.
- h. Notice that it is HMHP’s policy that retaliation against any individual for a good faith report of a question, concern or potential violation under the CRP is strictly prohibited. Any person believing that they have been retaliated against for making a report under the CRP should contact HMHP’s Corporate Responsibility Officer for assistance.

- i. Overview of HMHP's policy on solicitation or acceptance of gifts, discounts, gratuities or referral fees by any HMHP associate or other agents acting on behalf of HMHP.

ACKNOWLEDGMENT: To document HMHP's efforts with respect to notifying agents as to the Corporate Responsibility Program and their obligations thereunder, agents acknowledge their acceptance and understanding of the Corporate Responsibility Program and its requirements in their written agreements with the organization.

ENFORCEMENT: Failure to follow the standards of the Corporate Responsibility Program (including the duty to report misconduct) may be considered to be a violation of the agent's arrangement with the organization and may be grounds for corrective action by HMHP, including termination.

RECOMMENDER:

Corporate Compliance and Privacy Officer
Humility of Mary Health Partners

APPROVED BY:

VP, Legal Services
Humility of Mary Health Partners