



Indiana Signal Health Group Skilled

EMPLOYEE HANDBOOK

2020

Employee Policies And Handbook

The policies and procedures in this manual are not intended to be contractual commitments by Indiana Signal Health Group Skilled and employees shall not construe them as such.

The policies and procedures are intended to be guides to management and are merely descriptive of suggested procedures to be followed. Our Agency reserves the right to revoke, change or supplement guidelines at any time without notice.

No policy is intended as a guarantee of continuity of benefits or rights. No permanent employment or employment for any term is intended or can be implied from any statements in this manual.

TABLE OF CONTENTS

Introduction to Indiana Signal Health Group Skilled.....	5
Recruitment.....	6
Announcement Of New Positions.....	6
Employee Selection And Development.....	7
Recruiting — Recruiting involves a variety of factors:.....	7
Interviewing — Interviewing also involves a variety of factors:.....	7
Hiring.....	8
Evaluation.....	9
Sexual Harassment.....	9
Illegal Drug Abuse/Alcohol Abuse.....	10
Smoking.....	11
Employment Classifications.....	12
Employee Safety.....	12
Return To Work After Serious Injury Or Illness.....	12
Performance Improvement.....	13
Verbal Counseling.....	13
Written Counseling.....	13
Probation.....	13
Involuntary Termination.....	14
Minor Violations.....	14
Major Violations.....	15
Termination.....	15
Resignation.....	15
Dismissal.....	15
Layoff.....	15
Resignation.....	16
Substandard Performance.....	16
Misconduct.....	16
Layoff.....	16
Termination Processing Procedures.....	16
Grievance Procedure.....	17
Employment Disputes.....	17
Compensation.....	17
Equal Pay:.....	17
Job Descriptions:.....	17
Workday:.....	17
Payday:.....	18
Rest Periods:.....	18
Performance Review:.....	18
Salary Administration:.....	19
Payroll Deductions:.....	19
Employee Benefits:.....	19
Insurance:.....	20
When paid benefits are offered in the future, Eligibility will be:.....	20
Vacation:.....	20
Holidays:.....	20
Sick Days:.....	20
Leave of Absence and Military Leave.....	20
Military:.....	21
Personal:.....	21

Indiana Signal Health Group Skilled

Return to Work:.....	21
Benefits During Approved Leave Of Absence.....	21
Bereavement Leave.....	22
Jury Duty.....	23
Voting.....	23
Employee-Incurred Expenses And Reimbursement.....	23
Travel Reimbursement.....	23
Use Of Rental Car On Company Business.....	23
Miscellaneous Policies.....	24
Software Usage Policy.....	25
Personal Use.....	25
Participation in On-Line Forums.....	27
Software.....	27
Security/Appropriate Use.....	27
Encryption.....	28
Confidential Information.....	28
Violations.....	28
Procedures.....	28
Conflict Of Interest.....	28
Gratuities To Government Employees Or Officials.....	28
Gratuities To Customer Or Supplier Representatives.....	29
HIPAA.....	29
Employee Privacy.....	29
False Claims Laws/Whistleblowers Protections.....	30
Telephone.....	35
Dress Code.....	35
Do's And Don'ts Of Home Care.....	35
Kitchen/Break Room.....	35
Visitors.....	36
Emergency Closings.....	36
Social Media Policy.....	37

Our Company

Introduction to Indiana Signal Health Group Skilled

Welcome Letter

Dear New Employee,

Welcome to the Indiana Signal Health Group Skilled family. As the newest member of our Agency's family, I want to personally thank you for choosing us over many other companies. You are joining a team of highly experienced, motivated and dedicated associates who are committed to the highest standards of service. We do not view you as just another employee but an essential addition to our team. Like keys on a keyboard, each employee plays an indispensable role in the company.

At our Agency, we are strongly committed to delivering the highest quality of service to our patients. We are also equally committed to giving our employees the best working environment possible. We believe happy employees make happy patients. As a member of our team, we want you to know that this is your company. We want you to feel free to make any contributions that you feel can improve our delivery of service and make your work more enjoyable.

Best Regards,

Company History

Indiana Signal Health Group Skilled was formed for the purpose of providing excellent Home Health Care for patients of all age groups and disability levels.

A strategic decision was made to form a new company dedicated to quality homecare. The Agency has recruited a senior management team very experienced in Home Health administration, its operation and management. The foundation of our contract work comes from employees with long standing experience servicing the elder community.

We are committed to operating our home health agency with the highest quality standards, ethics and service.

Company Goals

Short Term Goals:

1. Hire the necessary workforce that will be needed to service our large elder community.
2. Establish our first office as our corporate location.
3. Establish all our processes to achieve “the well-oiled machine”.
4. Obtain and maintain our Medicare provider number and Home Health accreditation to continue providing full home health services.

Long Term Goals:

- Duplicate our excellent business model in other locations.

Continuity of Policies - Right to Change or Discontinue

The policies and procedures in this manual are not intended to be contractual commitments by our Agency and employees shall not construe them as such. They are intended to be guides to management and merely descriptive of suggested procedures to be followed.

Our Agency reserves the right to revoke, change, or supplement these guidelines at any time without notice. Such changes shall be effective immediately upon approval by management unless otherwise stated.

No policy is intended as a guarantee of continuity of benefits or rights. No permanent employment or employment for any term is intended or can be implied by statements in this manual.

Our Agency is an Equal Opportunity employer.

No employee of the company will discriminate against an applicant for employment or a fellow employee because of race, creed, color, religion, gender, national origin, ancestry, age or any physical or mental disability. No employee of the company will discriminate against any applicant or fellow employee because of the person's veteran status.

This policy applies to all employment practices and personnel actions including advertising, recruitment, testing, screening, hiring, selection for training, upgrading, transfer, demotion, layoff, termination, rates of pay and other forms of compensation or overtime.

Recruitment

Our Agency aggressively recruits to attract top caliber individuals to all levels of the organization. Company positions may be filled by either transfer or promotion of existing employees or by new employees who are recruited or apply. Recruitment may be conducted through advertising, employment agencies, schools, Career Centers, employee referrals or technical and trade referrals or word of mouth networking. Supervisors/managers should consider the most appropriate method of recruitment for filling departmental positions. All recruitment shall be conducted in an ethical, professional and non-discriminatory manner.

Our Agency provides equal employment opportunity to all applicants on the basis of demonstrated ability, experience and training.

A list of current openings will be posted to all employees on our website.

Announcement Of New Positions

Every effort will be made to announce the availability of all open or upcoming job openings within the

organization prior to outside recruitment for any position. The job requisition giving job title, class, department, job functions and qualifications will be posted on our website and in the hiring office's bulletin board system. The posting will thus be available to all employees.

An applicant must have at least six (6) months experience in his or her current position before applying for another company position. All present employees are encouraged to review the requirements for each position and apply for those positions in which they are interested. All applications will be given the same consideration as outlined in the company recruitment policy. Application for an open or upcoming position does not guarantee acceptance into the role but rather assures a qualified employee seeking the new position the right to interview without prejudice.

Employee Selection And Development

Our Agency provides equal opportunity to all applicants on the basis of demonstrated ability, experience, training, and potential. Qualified persons are selected without prejudice or discrimination as stated in the company's Equal Opportunity Policy.

The employment requisitions, initiated by the supervisor/manager, will define the job-related tasks and qualifications necessary to assume the position. The defined tasks and stated qualifications will be the basis for screening applications. The supervisor/manager will conduct structured initial interviews limited to job-related questions to assess each candidate's experience, demonstrated ability and training. The telephone may be used for these initial interviews.

Recruiting is only one part of continued employee development, which is a five-part process designed to help retain good workers. The employment development process includes (1) recruiting, (2) interviewing, (3) hiring, (4) training and (5) evaluation.

Recruiting — Recruiting involves a variety of factors:

- Developing a job description
- Finding candidates through:
 - job boards
 - advertising in trade magazines and the general media
 - executive recruiters
 - Presentations to graduating classes in local colleges/proprietary schools.
 - Career Centers (unemployment offices)
 - Networking

Interviewing — Interviewing also involves a variety of factors:

- Telephone screening to determine if candidates meet the job description
- Initial one-on-one interviews
- Checking references and criminal backgrounds
- Gaining the consensus of interviewers to hire or not to hire

Before extending an employment offer and upon the applicant's prior agreement, at least one applicant reference must be checked. Every attempt is made to obtain two references. Inquiries are to be made in a professional manner requesting only factually verifiable and job-related information. The reference data is used only as supplemental information for the hiring decision.

All staff shall have criminal background checks completed on hire. Each return is reviewed on a case by case basis. It is the usual practice of our Agency not to hire candidates who have conviction for: larceny, violent crimes, drug use/abuse, and elder abuse charges.

Professional licensed staff shall have printed evidence from the Registry Board website identifying license in good standing status.

Paraprofessional staff (CNA/HHA) shall have written documentation from the Nurse Aide Registry stating the candidate is in "good standing".

Hiring

— Once the manager has made a decision to make the offer and has confirmed key terms, the next step involves making the offer culminating in the employee's first day as a member of the Agency's team. Following employment, the references and interview ratings must be retained for up to one year and then may be destroyed. Our Agency does not issue a written employment contract prior to the start of employment. No severance arrangements are made or agreed to for field staff.

After candidate interviews, verification of employment history, checking the criminal background and reference inquiries, the hiring manager is responsible for the employment offer. The criminal background check must be free of **convictions** related to violence, assault and/or battery, sexual offenses, larceny and elder/child abuse. From time to time there may be charges on a background check but the case was dismissed etc. in this case our Agency may elect to hire the employee if there is full disclosure of extenuating circumstances where no conviction was merited.

In addition to the criminal background checks, the para professional (CNA/HHA) shall be submitted to the Nurse Aide registry check for validation of "good standing" in the registry. **NO PARA WILL BE ALLOWED TO START DIRECT PATIENT CARE UNTIL THE CLEARED REGISTRY CHECK IS IN THE PERSONNEL FILE.**

Professional staff shall have license check done online through the professional licensure check site. A print out of "license is current and in good standing" shall be in the personnel file prior to the start of the first visit.

All employees will be checked through the OIG Medicare Fraud site for any fraudulent listing and the validation of "no information found" will be in the personnel file prior to the start of work.

After the verbal offer has been made and the candidate has agreed to the essential terms of the offer (typically the position, employee classification, salary or rate, and the starting date), a notice of start date will be given.

The candidate shall be deemed as having accepted the verbal offer by reporting to the assigned office on the start date for orientation. Signing and dating of the hiring documents are evidence of the date of hire. Full time salaried staff shall be given a written employment offer letter. The offer letter does NOT contain severance arrangements. Hiring is probationary for up to 90 days. At any time during the probationary 90 day period our Agency may determine continued employment to not be a good fit and in this case our Agency may terminate based on Employment At Will status.

After the candidate has accepted the employment offer, she or he will be required to provide documentation of identity and employment eligibility in accordance with federal law. Form I-9, shall be used for this purpose.

Orientation is conducted for the following purposes:

1. completion of the personnel file
2. introduction to our Agency's paperwork
3. introduction to our Agency's philosophy, mission and vision
4. expectations of your position
5. reporting structure (how and what to report and to whom)
6. review of your job description
7. explanation of "benefit eligible" and completion of paperwork related to benefits if applicable

Orientation is designed to acquaint the new employee with the company and its policies.

Supervisors/managers will be responsible for ensuring the attendance of new employees at the company orientation sessions.

Here is a brief outline of the first week:

- Orientation on Day 1
- Supervisor/manager identifies specific roles and responsibilities of employee on Day 1
- Supervisor/manager reviews company history, products, customers and competition within 1st week of employment
- HR Coordinator verifies that all necessary hiring documents are in place.
- HR Coordinator transfers the new employee to the Scheduling Department where work

Indiana Signal Health Group Skilled

assignments are developed collaboratively with the employee.

Reminder:

You are new to our Agency. Although we have interviewed you and believe that you meet the necessary qualifications and have demonstrated reliability and dependability, we truly don't know you yet. Therefore in building your work schedule to whatever number of working hours you desire, we will start you slowly with only a few hours the first week. We do this intentionally to demonstrate after hiring that you will in fact be the reliable worker we expected. As you service these hours at the scheduled times and days and do not alter the patient's plan of care, we will begin to increase your work hours.

It is essential that you understand that once you have received and accepted a patient assignment **YOU MAY NEVER CHANGE THE ASSIGNED TIME OR DAY WITHOUT NOTIFYING THE OFFICE**. Our employees are reminded that **ONLY** the scheduling coordinator may call the patient with schedule changes. This includes telling the patient you are running late, car broke down etc.

Further, you must understand that home care patients are **NOT** your family. You have a professional relationship with the patient and therefore must **NEVER** bring your own personal problems to the patient's visit. The professional relationship with the patient also assures that you only visit our patient when scheduled and never on your own even if have you "just wanted to help". If the patient needs more services than what is being provided you are mandated to report that to the office and then let the legal procedures for increasing services go forward. If an increase in services cannot be achieved you must realize that you may still **NOT** service the patient in unscheduled hours.

Finally, you must understand that Home Health patients are only serviced by you for the company. The patients do **NOT** "belong" to you and therefore should you ever decide to leave the company for any reason, patients you service may **NOT** be transferred to another agency of your choice. Any effort on your part to do such would cause immediate referral to our legal department for action and potential monetary fines. Patients always have choice of their agency but patients may **NOT** be coerced or encouraged to leave our service solely for your gain.

Evaluation

— Giving constructive feedback at various times during the employment relationship is the final stage of the employment development process. New and existing employees will be provided with feedback at different times during the year.

Supervisors will provide the following:

- New employees will be provided performance evaluation criteria before the end of the 90th day of employment
- Annual Performance Reviews for all employees (on anniversary date of hire)
- Other interim feedback sessions may occur if information comes to us indicating a need for such (ie. patient/family complaints or concerns)
- Anecdotal notes may be kept by your supervisors to document questionable behavior that could signify the beginning of a pattern. Although anecdotal notes are not part of a formal discipline process the collection of such could end up as the beginning of the disciplinary process.
- If the Agency operates in an "employment at will" state, at any point the employment relationship could end with or without cause.

All new employees automatically enter a 90 day "probationary" time period where necessary skills, reliability, compliance and "good fit" are evaluated.

Leadership:

Manager level and above are especially reviewed for "good fit". This means that the manager demonstrates reasonable relational skills to command the necessary respect that are critical for reporting staff to follow.

Sexual Harassment

Our Agency will not allow any form of sexual harassment within the work environment.

Sexual harassment interferes with work performance and creates an intimidating, hostile or offensive

Indiana Signal Health Group Skilled

work environment. Sexual harassment influences or tends to affect the career, salary, working conditions, responsibilities, duties or other aspects of career development of an employee or prospective employee. It will not be tolerated.

Sexual harassment, as defined in this policy, includes, but is not limited to, sexual advances, verbal or physical conduct of a sexual nature, visual forms of a sexual or offensive nature (e.g., signs and posters) or requests for sexual favors.

Any intentional sexual harassment is considered to be a major violation of company policy and will be dealt with accordingly by corrective counseling and/or suspension or termination, depending upon the severity of the violation.

- **Sexual Abuse/Harassment:** Our Agency prohibits and has a zero tolerance Policy for sexual abuse in the workplace or in any organizational related activity by anyone associated in any way with the Agency. The organization provides procedures for employees, volunteers, family members, board members, patients, victims of sexual abuse, or others to report sexual abuse and disciplinary penalties for those who commit such acts. No employee, volunteer, patient or third party, no matter his or her title or position has the authority to commit or allow sexual abuse.

Reporting of Suspected Sexual Abuse: If you are aware of or suspect sexual abuse taking place, it must be immediately reported to the Administrator or another person designated such as a human resource person. If the suspected abuse is to an adult, it shall be reported to the state Adult Protective Services Agency. If it is a child who is the victim it should be reported to the state Child Abuse Agency or you can call the Child Help's National Child Abuse Hotline, 1-800-422-4453.

Appropriate family members should be notified of alleged instances of sexual abuse.

The Agency shall also report the alleged sexual abuse incident to their insurance agent.

Anti-retaliation:

Indiana Signal Health Group Skilled prohibits retaliation made against any employee, volunteer, board member or patient who reports a good faith complaint of sexual abuse or who participates in any related investigation. Making false accusations of sexual abuse in bad faith can have serious consequences for those who are wrongly accused. Our Agency prohibits making false and/or malicious sexual abuse allegations, as well as deliberately providing false information during an investigation. Anyone who violates this rule is subject to disciplinary action, up to and including termination.

Investigation and Follow Up:

Indiana Signal Health Group Skilled will take all allegations of sexual abuse seriously and will promptly and thoroughly investigate whether sexual abuse has taken place. The organization will use an outside third party to conduct an investigation. If the organization has a trained internal investigation team in place, the team will be used to investigate the incident. We will cooperate fully with any investigation conducted by law enforcement or other regulatory agencies. It is the organization's objective to conduct a fair and impartial investigation. The Agency provides notice that they have the option of placing the accused on a leave of absence or on a reassignment to non-patient contact.

The organization will make every reasonable effort to keep the matters involved in the allegation as confidential as possible while still allowing for a prompt and thorough investigation.

Illegal Drug Abuse/Alcohol Abuse

This policy is implemented because we believe that the impairment of any of our Agency's employees, due to his or her use of illegal drugs or due to alcohol abuse, is likely to result in the risk of injury to patients, other employees, the impaired employee, or to third parties, such as customers or business guests. Moreover illegal drug abuse adversely affects employee morale and productivity.

"Impairment" or "being impaired" means that an employee's normal physical or mental abilities or faculties while at work have been detrimentally affected by the use of illegal drugs or alcohol.

The employee who begins work while impaired or who becomes impaired while at work is guilty of a major violation of company rules and is subject to severe disciplinary action. Severe disciplinary action can include suspension without pay, dismissal or any other penalty appropriate under the circumstances. Likewise the use, possession, transfer or sale of any illegal drugs on company premises or in any

Indiana Signal Health Group Skilled

Agency storage area or job site is prohibited. Employees who violate this rule are subject to severe disciplinary action including termination. In all instances disciplinary action to be administered shall be at the sole discretion and determination of the company.

When an employee is involved in the use, possession, transfer or sale of illegal drugs in violation of this policy, the company may notify appropriate authorities. Such notice will be given only after such an incident has been investigated and reviewed by the employee's supervisor and the HR director. Our Agency is aware that illegal drug abuse is a complex health problem that has both physical impact and an emotional impact on the employee, his or her family, and social relationships. A drug abuser is a person who uses illegal drugs, as defined above, for non-medical reasons, and this use affects job performance detrimentally or interferes with normal social interaction at work. Illegal drug abuse is both a management and a medical problem.

A supervisor/manager who suspects a drug or alcohol abuse case should discuss the situation immediately with his or her Administrator. Because each case is usually different, the handling and referral of the case must be coordinated with the supervisor/manager and the personnel director.

Applicants who have a past history of substance abuse (SA) and who have demonstrated an ability to abstain from the substance, or who can provide medical assurance of acceptable control, may be considered for employment as long as they are otherwise qualified for the position for which they are applying. The Home Health setting is more problematic for past/present history of SA as elders frequently have many medications in their home and Home Health workers generally are alone in the home with the patient increasing the temptation factor. Due to this aspect of our industry, our Agency must have more than the usual "medical assurance of control" over SA. Our Agency will not schedule a worker with a history of SA for 6 months after "medical assurance of control" over SA is received by our office. In this case, the employee enters an unpaid leave of absence status until the 6 month benchmark is achieved. The assignment of cases at this point will occur once a second "continued medical assurance of control" over SA is received by the employee's private MD. Our Agency does not pay for medical care to achieve the status of "medical assurance of control" over SA.

Management has chosen to adopt an alcoholic beverage policy in keeping with the concern for and the risks associated with alcohol use. Alcoholic beverages shall not be served or used on the Agency's premises at any time. Alcoholic beverages shall not be used in conjunction with any company business meeting. Our Agency enforces strict policy related to alcohol and its patients:

1. employee may not purchase alcohol for any patient of any age group
2. employee may not engage socially with an Agency patient at a function where alcohol is being served
3. employee may never function in the capacity of "designated driver" for a patient

Social activities held off-premises and paid for on a personal basis are not affected by this policy. If management considers it appropriate, light alcoholic beverages may be served at company-sponsored events held off-premises and for purely social reasons. The service must be managed in good taste and with good judgment.

The company is concerned with its employee's privacy, especially when matters regarding medical and personal information are involved. As long as the information is not needed for police or security purposes, the company shall maintain employee medical and personal information in confidence and release this information to authorized company personnel on a "need to know" basis. An exception to this policy is when the employee signs a release for the transfer of such information on forms acceptable to the company to designated persons or agencies.

Nothing contained in this section shall eliminate or modify the company's right to terminate any employee at any time for any reason.

Smoking

No smoking will be allowed in the office area at any time. Smoking shall be allowed in outside designated areas only. This policy is for the health and safety of all employees. Employees who do smoke are prohibited from smoking at or during any contact with company patients or on the patient's property. Our public image is extremely important and we depend on you to present our "best face"

when out in the community. We therefore request that you refrain from smoking in overt public areas whenever possible. Before or after a scheduled visit, please smoke only in your vehicle, NEVER on the sidewalk outside the patient's home.

Administrative staff are allowed two 15 minute breaks (morning and afternoon) where smoking is allowed in designated areas only. Frequent leaving of your work area is not allowed even though we understand that smoking a cigarette may only take 1-2 minutes. Managers are required to discipline the activity of "frequent breaks".

Employment Classifications

There are seven classifications of employees:

Regular Full-time — An employee who works a minimum 40-hour workweek on a regularly scheduled basis.

Regular Part-time — An employee who works less than a normal workweek on either a regularly scheduled basis or on an irregular basis.

Per Diem - An employee who works on an "as needed" visit by visit basis on either a regularly scheduled basis or on an irregular basis and is not benefit eligible.

Benefit Eligible Per Diem - An employee who works on an "as needed" visit by visit basis on a regularly scheduled basis and consistently works an average of 32 hours a week over a four week period is considered "full benefit eligible". Eligibility begins when the employee reaches and sustains 32 hr per week over a 4 week period.

Temporary — An employee hired for a position required for only a specific, known duration, usually less than six months, and who is not entitled to regular benefits. A temporary employee may be full-time or part-time. In addition to the use of this classification for secretarial or clerical positions, it applies to students working part-time and those who work during the summer.

All employees are classified as exempt and nonexempt according to these definitions:

Salaried Exempt — Positions of a managerial, administrative or professional nature, as prescribed by federal and state labor statutes, which are exempt from mandatory overtime payments.

Salaried Nonexempt (hourly) — Positions defined by statute, which are covered by provisions for overtime payments.

If you are uncertain as to your status, please contact your supervisor/manager.

Employee Safety

Our Agency strives to provide its employees with a safe and healthful workplace environment. To accomplish this goal, both management and field employees must diligently undertake efforts to promote safety.

All job-related injuries or illnesses are to be reported to your supervisor immediately (within 24 hours), regardless of severity. In the case of serious injury, an employee's reporting obligation will be deferred until circumstances reasonably permit a report to be made. Employees must report injury within **24 hours** of the occurrence. Failure to timely report an injury or illness may preclude or delay the payment of any benefits to the employee and could subject our Agency to fines and penalties.

Return To Work After Serious Injury Or Illness

As a joint protection to the employee and the company, employees who have been absent from work because of serious illness or injury are required to obtain a doctor's release specifically stating that the employee is capable of performing his or her normal duties or assignments. A serious injury or illness is defined as one that results in the employee being absent from work for more than one (1) week (5 consecutive days) or one which may limit the employee's future performance of regular duties or assignments. (Also see Medical/Family Leave policy.) An MD note is required to be submitted to HR prior to the anticipated return to work date.

Agency management shall ensure that employees who return to work after a serious injury or illness are physically capable of performing their duties or assignments without risk of re-injury or relapse.

If the cause of the employee's illness or injury was job-related, the employee's supervisor/manager will make every reasonable effort to assign the returning employee to assignments consistent with the instructions of the employee's doctor until the employee is fully recovered. A doctor's written release is required before recovery can be assumed.

Performance Improvement

There are two types of Performance Improvement:

Individual Performance Improvement

One that is directly concerned with the individual performance of an employee and subsequent improvement should evaluation or disciplinary action warrant.

Company Performance Improvement

A system of evaluating processes, reviewed and monitored by specific committees and implementing specific improvement strategies designed to affect the improvement to overall areas of practice.

Individual Performance Improvement:

Performance improvement may be suggested whenever company management believes that an employee's performance is less than satisfactory and can be resolved through adequate counseling. Corrective counseling is completely at the discretion of company management. The company desires to protect its investment of time and expense devoted to employee orientation and training whenever that goal is in the company's best interests. The company expressly reserves the right to discharge "at will." Even if corrective counseling is implemented, it may be terminated at any step, at the discretion of management. Management, in its sole discretion, may warn, reassign, suspend or discharge any employee at will, whichever it chooses and at any time.

The goal of our Agency relative to disciplinary action is to change poor behaviors, work patterns or work ethics. Our Agency never chooses termination over rehabilitation of poor choices.

The supervisor/manager will determine the course of action best suited to the circumstances.

The steps in performance improvement are as follows:

Verbal Counseling

— As the first step in correcting unacceptable performance or behavior, the supervisor/manager should review pertinent job requirements with the employee to ensure his or her understanding of them. The supervisor/manager should consider the severity of the problem, the employee's previous performance appraisals and all of the circumstances surrounding the particular case. Stating that a written warning, probation or possible termination could result if the problem is not resolved should indicate the seriousness of the performance or misconduct. The employee should be asked to review what has been discussed to ensure his or her understanding of the seriousness of the problem and the corrective action necessary. The supervisor/manager should document the verbal counseling for future reference immediately following the review.

Written Counseling

— If the unacceptable performance or behavior continues, the next step should be a written warning. Certain circumstances, such as violation of a widely known policy or safety requirement, may justify a written warning without first using verbal counseling. The written warning defines the problem and how it may be corrected. The seriousness of the problem is again emphasized, and the written warning shall indicate that probation or termination or both may result if improvement is not observed. Written counseling becomes part of the employee's personnel file, although the supervisor/manager may direct that the written warning be removed after a period of time, under appropriate circumstances.

Probation

— If the problem has not been resolved through written counseling or the circumstances warrant it, or both, the individual should be placed on probation. Probation is a serious action in which the employee

is advised that termination will occur if improvement in performance or conduct is not achieved within the probationary period. The employee's supervisor/manager, after review of the employee's corrective counseling documentation, will determine the length of probation. Typically, the probation period should be at least two weeks and no longer than 30 days, depending on the circumstances. A written probationary notice to the employee is prepared by the supervisor/manager. The letter should include a statement of the following:

- The specific unsatisfactory situation;
- A review of oral and written warnings;
- The length of probation;
- The specific behavior modification or acceptable level of performance;
- Suggestions for improvement;
- A scheduled counseling session or sessions during the probationary period; and
- A statement that further action, including termination, may result if defined improvement or behavior modification does not result during probation. "Further action" may include, but is not limited to, reassignment, reduction in pay, grade or demotion.

The supervisor/manager should personally meet with the employee to discuss the probationary letter and answer any questions. The employee should acknowledge receipt by signing the letter. If the employee should refuse to sign, the supervisor/manager may sign attesting that it was delivered to the employee and identifying the date of delivery. The probationary letter becomes part of the employee's personnel file.

On the defined probation counseling date or dates, the employee and supervisor/manager will meet to review the employee's progress in correcting the problem which led to the probation. Brief written summaries of these meetings should be prepared with copies provided to the employee.

At the completion of the probationary period, the supervisor/manager will determine whether the employee has achieved the required level of performance and to consider removing the employee from probation, extending the period of probation or taking further action. The employee is to be advised in writing of the decision. Should probation be completed successfully, the employee should be commended, though cautioned that any future recurrence may result in further disciplinary action.

Involuntary Termination

— The involuntary termination notice is prepared by the supervisor/manager with notification of the Accounting department. The employee is notified of the termination by the supervisor/manager and will be directed to report to the Human Resource department for debriefing and completion of termination documentation. Involuntary termination is reserved for those cases that cannot be resolved by corrective counseling or in those cases where a major violation has occurred which cannot be tolerated.

The following definitions and classification of violations, for which corrective counseling, performance improvement or other disciplinary action may be taken, are merely illustrative and not limited to these examples. A particular violation may be major or minor, depending on the surrounding facts or circumstances.

Minor Violations

— Less serious violations that have some effect on the continuity, efficiency of work, safety, and harmony within the company. They typically lead to corrective counseling unless repeated or when unrelated incidents occur in rapid succession. Here are some examples of minor violations:

- Excessive tardiness;
- Unsatisfactory job performance;
- Defacing company property;
- Interfering with another employee's job performance;
- Excessive absenteeism;
- Failure to observe working hours, such as the schedule of starting time, quitting time, rest and

meal periods;

- Performing unauthorized personal work on company time;
- Failure to notify the supervisor/manager of intended absence either before or within one hour after the start of a shift; and
- Unauthorized use of the company telephone or equipment for personal business.
- Failure to follow the written assignment for patients (schedule), specifically, changing the assigned time or day without notifying the office of the intended change.

Major Violations

— These more serious violations would include any deliberate or willful infraction of company rules and may preclude continued employment of an employee. Here are some examples of major violations:

- Ongoing No Call No Show (subject to immediate termination)
- Failure to immediately notify the office should the employee arrive at the patient assignment and no one answers the door. (Possible medical emergency in progress).
- Fighting on company premises;
- Repeated occurrences of related or unrelated minor violations, depending upon the severity of the violation and the circumstances;
- Any act which might endanger the safety or lives of others;
- Departing company premises during working hours for personal reasons without the permission of the supervisor/manager;
- Bringing firearms or weapons onto the company premises;
- Deliberately stealing, destroying, abusing, or damaging company property, tools, or equipment or the property of another employee or visitor;
- Disclosure of confidential company or patient health information or trade secrets to unauthorized persons;
- Willfully disregarding company policies or procedures;
- Willfully falsifying any company records;
- Willfully deleting any files and company records;
- Employee's conviction for or confession to fraud, misappropriation, embezzlement, theft or the like against the company;
- Employee's conviction of a felony or a crime involving moral turpitude;
- If Employee performs any intentional act which, under the reasonable man standard, damages the reputation of the company;
- Employee's conviction for or confession to sexual harassment in any form towards employees of the company or anyone affiliated with the company; or
- Employee's excessive absence from performing his duties for the company, as determined by the company, in the company's sole and absolute discretion.

Termination

Terminations are to be treated in a confidential and professional manner by all concerned. The supervisor/department manager must assure thorough, consistent and evenhanded termination procedures. This policy and its administration will be implemented in accordance with the Agency's equal opportunity statement.

Terminated employees are entitled to receive all earned pay, including vacation pay. Accrued sick time is not paid out upon termination.

Employment with the Agency is normally terminated through one of the following actions:

Resignation

— voluntary termination by the employee

Dismissal

— involuntary termination for substandard performance or misconduct; or

Layoff

— termination due to reduction of the work force or elimination of a position

Resignation

— An employee who wants to terminate employment, regardless of employee classification, is expected to give as much advance notice as possible. Two weeks or ten working days is generally considered to be sufficient notice time. If an employee resigns to join a competitor, if there is any other conflict of interest or if the employee refuses to reveal the circumstances or relationship of his or her resignation and the future employer, the manager may require the employee to leave the company immediately rather than work during the notice period. This is not to be construed as a reflection upon the employee's integrity but an action in the best interests of business practice.

Substandard Performance

— An employee may be discharged if his or her performance is unacceptable. The supervisor/manager shall have counseled the employee concerning performance deficiencies, provided direction for improvement, and warned the employee of possible termination if performance did not improve within a defined period of time. The supervisor/manager is expected to be alert to any underlying reasons for performance deficiencies such as personal problems or illegal drug abuse. The management team must concur in advance of advising the employee of discharge action. Documentation to be prepared by the supervisor/manager shall include reason for separation, performance history, corrective efforts taken, alternatives explored and any additional pertinent information.

Misconduct

— An employee found to be engaged in activities such as, but not limited to, theft of company property, insubordination, conflict of interest or any other activities showing willful disregard of company interests or policies will be terminated as soon as the supervisor/manager and management team have concurred with the action.

Termination resulting from misconduct shall be entered into the employee's personnel file. The employee shall be provided with a written summary of the reason for termination. No salary continuance or severance pay will be allowed.

Layoff

— When a reduction in force is necessary or if one or more positions are eliminated, employees will be identified for layoff after evaluating the following factors:

1. Agency work requirements;
2. Employee's abilities, experience, and skill;
3. Employee's potential for reassignment within the organization; and
4. Length of service.

The immediate supervisor/manager will personally notify employees of a layoff. After explaining the layoff procedure, the employee will be given a letter describing the conditions of the layoff, such as the effect the layoff will have on his or her anniversary date at time of call-back, the procedure to be followed if time off to seek other employment is granted and the company's role in assisting employees to find other work.

Termination Processing Procedures

— The supervisor/manager must immediately notify the management team of the termination so that a termination checklist can be initiated. The management team will approve and direct the termination procedure.

On the final day of employment, the supervisor/or personnel director must receive all keys, nursing or HHA bags and company equipment, and company property from the employee.

The supervisor/manager shall conduct an exit interview with the employee.

The employee will pick up his or her final payroll check at the time of the exit interview. The final check shall include all earned pay and any expenses due the employee.

Grievance Procedure

Our Agency recognizes the value of a grievance procedure that provides for the timely review of employee grievances in a fair yet workable manner. A grievance is considered to be any dispute between an employee and the company which impacts on an employee's ability to perform his or her job.

Although purely personal matters between employees would not ordinarily give rise to a grievance subject to this grievance procedure, any matter that adversely affects an employee's ability to perform his or her job could be the subject of a grievance. Use good individual judgment and common sense as your guide.

An employee may express a verbal grievance to his or her immediate supervisor/manager. If the concern is not resolved to the employee's satisfaction within one week, the employee may put in writing the details of his or her grievance and submit the grievance to the immediate supervisor/manager.

The **Administrator** will decide the matter, and will review the written statement. The employee and his or her supervisor/manager will request a hearing with the Administrator for resolution of the problem. The problem will be discussed in the presence of the employee and supervisor/manager. Final resolution of the grievance will be made by the Administrator and discussed with the employee and supervisor/manager.

The decision will be reduced to writing, a copy given to the employee and supervisor/manager, with the original kept by the personnel director. A copy will be filed in the employee's personnel file when appropriate. A copy will be forwarded to the corporate HR Director for review.

Employment Disputes

Any dispute or claim that arises out of or that relates to employment with our Agency or that arises out of or that is based on the employment relationship (including any wage claim, any claim for wrongful termination or any claim based on any employment discrimination or civil rights statute, regulation or law), including tort or harassment claims (except a tort that is a "compensable injury" under workers' compensation law), shall be resolved by arbitration in accordance with the then effective commercial arbitration rules of the American Arbitration Association by filing a claim in accordance with the Association's filing rules, and judgment on the award rendered pursuant to such arbitration may be entered in any court having jurisdiction thereof. The process of Arbitration will be assigned to the company's legal counsel. All Arbitration matters shall be handled only by this designated legal counsel.

Compensation

Equal Pay:

Our Agency will not pay wages to any employee at a rate less than the company pays employees of the opposite sex for work that is substantially equivalent requiring comparable skills.

This policy is to be construed in accordance with applicable federal and state laws and regulations.

Job Descriptions:

Job descriptions are available in each Branch location for all positions in the Agency. The items included in each position description are the following:

1. Title of position;
2. Position qualifications (essential qualifications including job experience, skills, and education);
and
3. Job summary or overview;
4. Assigned duties and responsibilities;
5. Person who the employee directly reports to.

Position descriptions are used to determine employee selection, job requirements, performance criteria, organizational structure, and the relative worth of jobs in relation to each other. Company management annually reviews all company positions to ensure equity and consistency in our Personnel system. Each

Indiana Signal Health Group Skilled

new employee read and initialed their respective job description(s) during orientation.

Workday:

Office hours at our Agency are: 9-5 PM Monday through Friday. However the nature of our business sometimes demands workday or workweek hours different than those set forth above. Variation to the schedule will be made or approved by department managers.

After-hours (after 5 PM and all day/night on weekends and holidays) are covered by our answering service. Calls made after-hours will be triaged and given to the on call HHA or on call nurse depending on the nature of the call.

Payday:

Our Agency recognizes the workweek as starting on Friday and ending on Thursday each week.

Paydays will take place on Friday on an every other week basis and will include pay for the previous two work weeks. Notification of the workforce shall be given in advance of any Friday holiday where office closure could be anticipated. In the event of an emergency office closure on a designated payday, all paychecks shall be mailed at the earliest possible convenience.

Should an employee desire that a family member or designated “other” person pick up their paycheck for them, a written authorization must be on file in the personnel record.

Direct Deposit:

Employees can opt to have their paycheck sent directly to their bank account(s).

Pay Advances:

It is our policy to decline all requests for early paychecks or pay advances for personal reasons.

Overtime Compensation:

Nonexempt salaried (hourly) employees will be paid at the rate of one and one-half times their regular hourly rate of pay for all time worked in excess of 40 hours in any one workweek.

Overtime is never at the employee’s discretion. It shall only be incurred and paid at the request of the company through the employee’s supervisor/manager. Supervisors/managers shall ensure that no unauthorized overtime hours are worked.

Rest Periods:

Nonexempt employees are permitted two paid rest periods. Rest periods are to be scheduled as near the middle of the morning and afternoon as possible. Per Diem field staff are encouraged to work a lunch period into their schedule by working with the scheduling coordinator. Regardless of scheduled patients, field staffs are not allowed to eat or take their meals during the assigned patient visit time.

Performance Review:

Our Agency has adopted a management by objective approach to performance appraisal. It is the supervisor’s/manager’s responsibility to develop and maintain a work environment in which employees can openly discuss performance and develop plans. The evaluation process will be written by the employee’s supervisor with feedback from meaningful and pertinent other parties who can contribute to the evaluation. Once the evaluation is complete, the employee will be notified and an evaluation meeting will be scheduled where the supervisor and the employee can review the findings and formulate upcoming goals for the next review period. The employee, as well as the supervisor/manager, is to bring the following to the review meeting:

- A summary statement of the progress made toward meeting his or her employment goals;
- Examples of job-related areas demonstrating greatest strengths and identifying areas where additional training is needed;
- An outline of job-related tasks in which the employee can participate to improve performance;
- A recommendation of job responsibilities and goals to be established for the next review period;
- A summary of overall employment performance.

The supervisor/manager is responsible for establishing a relaxed atmosphere at the performance review and encouraging two-way communication. The discussion should be conducted in a positive manner, in complete privacy and with no interruptions. The supervisor/manager shall verify that the employee is familiar with his or her job duties, previous goals and the appraisal criteria or factors. At the conclusion of the performance appraisal, the employee will be requested to sign the appraisal verifying that he or

Indiana Signal Health Group Skilled

she participated in the evaluation. The employee should be encouraged to submit comments about the appraisal that will become part of the record. A date for the next appraisal shall be agreed upon and noted on the appraisal form. The employee must be given a signed copy of the appraisal. The appraisal is then submitted for review by the next level of management.

Our Agency believes that pay increases should be related to an employee's performance. Following performance reviews, the supervisor/manager will rank the employee's performance according to his or her relative level of contribution to the company. Factors will include how well the employee has met the objectives agreed upon in the last review and the employee's level of contribution to the success of the department/division relative to other employees. The supervisor/manager will rank all department/division employees in one of five groupings:

1. Outstanding
2. Very Good
3. Good
4. Marginal
5. Unsatisfactory

Any employee receiving a rating of 4 or 5 must be put on warning with a corrective action plan to address the issues identified. No merit increase shall be given for these rankings.

Salary Administration:

It is our Agency's policy to award annual merit increases of 0%-3% to employees for their dedication to the growth of the company based on their skills, improvement and outstanding performance. Every employee is eligible for a merit increase. However merit increases are not automatic. Following the employee's performance review, the manager will rank the employee's performance according to his or her relative level of contribution to the company. Factors will include, without limitation, how well the employee has met the objectives agreed upon in the last review and the employee's level of contribution to the success of the department relative to other employees. Employees will be ranked as:

1. Outstanding
2. Very Good
3. Good
4. Marginal
5. Unsatisfactory

The manager will forward a merit increase recommendation with the appraisal to the Administrator for final approval. Any merit increase will be retroactive to the date of the performance review.

A decision relating to the employee's merit increase in pay will be made by the supervisor/manager after the review and ranking process has been completed. The supervisor/manager will forward a merit increase recommendation with the appraisal to the next level of management. Merit increases in pay are neither automatic nor periodic. They are reserved for employees who show skills improvement and higher than average performance. Information about rates of pay and merit increases in pay, if any, are deemed to be confidential matters between the company and each employee and are not to be discussed among employees.

Payroll Deductions:

The following mandatory deductions will be made from every employee's gross wages: federal income tax, Social Security FICA tax and applicable state taxes.

Every employee must fill out and sign a federal withholding allowance certificate, IRS Form W-4, on or before his or her first day on the job. This form must be completed in accordance with federal regulations. The employee may fill out a new W-4 at any time when his or her circumstances change. Employees who paid no federal income tax for the preceding year and who expect to pay no income tax for the current year may fill out an Exemption from Withholding Certificate, IRS Form W-4E. Employees are expected to comply with the instructions on Form W-4. Questions regarding the propriety of claimed deductions may be referred to the IRS in certain circumstances.

Other optional deductions include the portion of group health insurance not paid by the company, which is deducted from each payroll check. Other voluntary contributions (if applicable), such as pension (401k) plan, are also deducted each pay period.

Indiana Signal Health Group Skilled

Every employee will receive an annual Wage and Tax Statement, IRS Form W-2, for the preceding year on or before January 31. Any employee, who believes that his or her deductions are incorrect for any pay period, or on Form W-2, should check with the Accounting department immediately.

Employee Benefits:

Due to the startup nature of Our Agency we are unable to offer paid benefits to our employees at this time. We will re-visit this policy in the future and establish benefits as soon as we are financially able to do so.

Insurance:

Our Agency may or may not offer group medical insurance plans at this time. We will re-visit this policy in the future and establish benefits as soon as we are financially able to do so.

When paid benefits are offered in the future, Eligibility will be:

1. The employee is a field employee who consistently works 32 hours per week or greater over a 60 day period. Coverage is effective on the first day of the month following the date of eligibility and completion/submission of the enrollment forms.
2. The employee is a full time salaried employee and therefore coverage is effective on the first day of the month following the date of full-time employment.

Changes to the employee's health insurance benefits can be made at any time for reasons of life-event changes such as the birth of a child, divorce, loss of coverage through the spouse's employer, etc. All other changes can only take place during the open enrollment period which is the month prior to the Company's insurance anniversary date.

Our Agency reserves the right to change insurance companies or to modify or terminate eligibility requirements, benefits, or coverage at any time.

Vacation:

All full-time employees are entitled to 1 week paid vacation from anniversary date to anniversary date.

Holidays:

Our Agency provides 8 paid holidays each year for full time (40 hr/wk) employees. The company is officially closed on these days:

January	New Year's Day
May	Memorial Day
July	Independence Day
September	Labor Day
November	Thanksgiving Day
December	Christmas Day

* If these holidays fall on Saturday, the proceeding Friday will be a holiday. If they fall on Sunday, the following Monday will be a holiday.

Only regular full-time employees are eligible for full holiday pay. Per Diem employees are not eligible for holiday pay.

If a designated holiday falls within an employee's vacation period, the holiday is not considered a vacation day.

Sick Days:

Paid benefits are not offered at this time. We will re-visit this policy in the future and establish benefits as soon as we are financially able to do so. A medical statement from the employee's doctor may be requested by the company when an employee is absent from work for more than five working days.

Leave of Absence and Military Leave

A leave of absence is time off in a non-pay status. Upon receipt of a formal written request for leave of absence from regular full-time employees, management will determine whether a leave of absence will be granted. (Also see Medical/Family Leave policy.)

The employee is expected to request leave of absence with as much advance notice as possible. Leaves of absence will not be granted for periods less than two weeks in duration. Vacation or sick leave should be used for such absences.

The reason for leave should fall into one of the following categories:

1. Military
2. Personal

The leave classifications are defined as follows:

Military:

— To protect the employment rights of employees entering the armed forces of the United States and to ensure conformance with the applicable federal laws, a leave of absence must be granted to all employees, except temporary, who enter military service for active duty as a result of the following:

Initial enlistment in the armed services of the United States;

Initial training period in the National Guard;

Being ordered to active military service, as a member of the Reserves or National Guard for an indefinite period or for a periodic training period up to ten working days; and any service requirements under the Selective Service Act.

Personal:

— Except for those situations covered under the Medical/Family Leave policy, personal leaves may be granted to employees having special non-medical personal needs for an extended period of absence. Each case will be evaluated on its own merits, and the following will be taken into consideration:

1. The reason for the request;
2. The amount of time required; and
3. The employee's length of service and past record. Normally personal leaves are granted for periods of up to 90 days.

Return to Work:

See Medical/Family Leave policy paragraph 3.5 and paragraph 6 for details on reporting during leave and return from leave. Exceptions to this policy are for those employees who are granted military leave of absence. They are entitled to full re-employment rights subject to the governing federal and state laws.

Employees who do not return to work after any leave of absence will be terminated effective on the last day of work or paid leave, whichever is later.

Benefits During Approved Leave Of Absence

Holidays — to be paid for a holiday, an employee must be in active pay status the day before and the day after the holiday. Employees are not eligible to receive pay for any holiday during the leave period.

Vacation — No vacation hours are earned during the leave period. Employees requesting a leave of absence for medical or military reasons may choose to use all earned vacation before beginning leave of absence. Employees requesting personal leave of absence must use all earned vacation before beginning leave of absence.

Sick or Personal — No sick or personal hours are accumulated during the leave period.

Insurance — The Agency will continue the employee's insurance benefits on a leave of absence approved only under the Medical/Family Policy described below, provided that the employee continues to pay his or her portion of the premiums. In the case of military leaves, insurance benefits will be continued for up to ten working days per year starting with the day military leave begins.

Medical/Family Leave

Our Agency understands that its employees on occasion will have the need to take an extended period of time away from work to care for their child after birth or adoption or foster care placement, to care for their spouse, child or parent with a serious health condition, or because of a serious health condition of their own. In recognition of this need, the Company has voluntarily adopted the following **Medical and Family Leave Policy** as a benefit of employment.

1. Eligibility Requirements. To qualify for leave under this policy, you must have been employed by our Agency for at least 12 months and you must have worked 1250 or more hours in the previous 12 months.

1.1 Up to 12 weeks of unpaid medical and family leave is allowed under the conditions described in paragraph 4.

2. Reasons for Leave. Leave under this policy may be taken:

Indiana Signal Health Group Skilled

- 2.1 To care for your child after birth or adoption or after state placement of a child with you for foster care;
- 2.2 To care for your spouse, child or parent who has a serious health condition; or
- 2.3 For a serious health condition that makes you unable to perform the essential functions of your job.

3. Procedures

- 3.1 **Notice.** You must provide the Agency with thirty days' notice if the absence is foreseeable. If the leave of absence is not reasonably foreseeable you must notify our Agency as soon as practicable. Any failure to give a timely notice may cause your leave to be delayed.
- 3.2 **Request.** To request family/medical leave, you should obtain, complete, and sign a Medical/Family Leave Request Form ("Request Form") and submit it to Personnel or your supervisor.
- 3.3 **Doctor's Certification.** If the reason for the leave request involves a serious health condition (either yours or your family member's), you must also obtain and submit a completed and signed Certification of Health Care Provider ("Certification Form") within 15 days of submitting the Request Form.
 - 3.3.1 **Second Opinion.** Should our Agency disagree with the opinion given by your health care provider, the Agency reserves its right to require opinions from second or third health care providers at the company's expense.
 - 3.3.2 **Third Opinion.** If the two doctors disagree about your condition, a third health care provider, agreed upon by you and the company, will render a binding decision.
- 3.4 **Notice of Designation.** After receiving the completed forms, Personnel will designate the leave as either Medical/Family Leave or non-Medical/Family Leave, and provide you with a Notice of Medical/Family Leave Rights and Responsibilities ("Medical/Family Leave Notice") reflecting that designation.
- 3.5 **Reporting During Leave.** You will be required to furnish our Agency reports on your status, intent to return and recertification of the serious health condition every 30 days.

4. **Substitution of Other Kinds of Leave.** Our Agency requires that you use all available paid leave time, such as sick leave, vacation or personal time before your twelve weeks on unpaid Medical/Family leave takes effect.

5. **Benefits during Leave:** No benefits are offered at this time.

6. Return from Leave

- 6.1 **Failure to Return.** When Medical/Family Leave expires, your failure to return to work will be grounds for immediate termination unless a written extension is obtained from your supervisor.
- 6.2 **Fitness for Duty Certificate.** Where your leave was taken because of your own illness or injury, you must provide a fitness-for-duty certification from a health care provider before your return. A failure to do so may cause a delay or denial in your reinstatement.
- 6.3 **Reinstatement.** Upon your return, you will be entitled to reinstatement to your current position or to an equivalent position with the same pay and benefits, subject to the Agency's business needs.
 - 6.3.1 **Exception.** If you are a salaried exempt employee paid in the top 10 percent of Agency's employees within 75 miles of your facility you may forfeit your right to reinstatement under certain conditions. You will be informed of this possibility when notice is given or as soon thereafter as practical under the circumstances.

7. **False Claims.** An employee who fraudulently obtains Medical/Family Leave from our Agency is not protected by this policy's restoration or maintenance of health benefits provisions and will be subject to appropriate disciplinary action including discharge.

Bereavement Leave

The company will provide unpaid time off in the event of death of the following immediate family members:

Spouse/Significant Other

Grandchild

Sister

Indiana Signal Health Group Skilled

Parent or step parent

Grandparent

Father-in-law

Child or Stepchild

Brother

Mother-in-law

The employee and supervisor/manager will determine the amount of time the employee will be absent from work. The maximum leave is **three (3) days** in addition to all other paid leave or comp time accrued.

Leave for attendance at the funeral of a non-immediate family member or person with an especially close relationship may be granted without pay.

Jury Duty

Our Agency will grant employees time off for mandatory jury duty or court appearances as a witness when the employee must serve or is required to appear as a result of a court order or subpoena. A copy of the court order or subpoena must be supplied to the employee's supervisor/manager when requesting time off.

The employee is entitled to full pay for each day of jury duty or service as a witness up to a maximum of **three (3) days** per year, in addition to any other paid leave. However time off for court appearances as a party to any civil or criminal litigation shall not be compensated and the employee must arrange for time off without pay or use accrued vacation or personal leave for such appearances.

Voting

Our Agency encourages all employees to vote. Employees are encouraged to use flextime hours for this purpose or to take advantage of polling hours prior to the beginning or following the end of your workday.

If this cannot be arranged, your supervisor/manager will approve time off to vote either at the beginning or end of your workday, provided that you give at least one day's notice to your supervisor/manager.

Employee-Incurred Expenses And Reimbursement

Our Agency will pay all actual and reasonable business-related expenses incurred by supervisors/managers in the performance of their job responsibilities. All items purchased or charged by the supervisor/manager are to be itemized on the approved company expense report. His or her direct report must approve all such expenses incurred by a supervisor/manager before the accounting department will make payment.

Expense reports are to be submitted to the Accounting department and supported by evidence of proof of purchase, e.g., receipts. Expense reports are due in the Accounting department prior to the last working day of each month.

Expenses submitted after the last working day of the month in which they are incurred will be paid on a deferred basis.

Travel Reimbursement

This policy establishes the general guidelines and procedures to be followed when pre-approved business travel is required:

1. Travel-related expenses are to be detailed on the company travel reimbursement form;
2. Employees who use their personal vehicles on company business will be reimbursed at \$0.40 per mile, assuming that the time and distance involved is reasonable under the circumstances;
3. All parking expenses and highway tolls incurred as a result of business travel will not be reimbursed;

Use Of Rental Car On Company Business

Employees (usually management) required to travel long distances because of their job responsibilities may rent a car upon receiving the approval of their supervisor/manager. Car rental does not apply to the regular home care visits performed regardless of the distance required to service.

An economy or compact size car will be the employee's first choice in obtaining a rental car. Our Agency is insured for damage to rental cars used on company business. Any additional insurance

charges offered as an option by the rental company are not reimbursable.

A copy of the rental car agreement must accompany the employee's monthly travel expense report.

Conferences and Meetings

Employees may request time off or company financial support or both to attend conferences or meetings sponsored by institutions or professional organizations. The subject matter to be presented must relate directly to the employee's position or provide beneficial information to be shared in the employee's department.

The employee's supervisor/manager and the Administrator must approve the employee's participation in the conference or meeting.

The company will pay for the following expenses if attendance is approved: registration fees, travel costs, lodging and meal expenses not covered by registration.

Time off for attendance and travel during normal working hours will be paid at the normal rate of pay.

Relocation Of Current Or New Employees

Our Agency shall not provide reimbursement for moving expenses incurred by any new or current employee without prior written approval by the President.

Required Management Approval

All employee travel, mileage, purchase requisitions and other business-related expense reports must have a supervisor's/manager's approval. Employees are required to request approval in advance of expenditures whenever possible to ensure no delay in company reimbursement. All expense reports are due in the Accounting department prior to the final working day of each month. Prior to being honored by the Accounting department, these reports must have the employee's signature and date and must be approved by the employee's supervisor/manager. Expense Reports are reimbursed in total for the previous month's activities.

Miscellaneous Policies

Confidentiality of Agency Information

It is the responsibility of all Agency employees to safeguard sensitive company information. All employees sign nondisclosure agreements upon accepting employment with the company. In cases of conflict, these agreements supersede the Policy Manual guidelines that follow.

The nature of our business and the economic well-being of our company are dependent upon protecting and maintaining proprietary company information and patient health information (HIPAA). Continued employment with the company is contingent upon compliance with this policy. Each company supervisor/manager bears the responsibility for the orientation and training of his or her employees to ensure enforcement of company confidentiality. Sensitive company information is defined as trade secrets or confidential information relating to products, processes, know-how, customers, designs, drawings, formulas, test data, marketing data, accounting, pricing or salary information, business plans and strategies, negotiations and contracts, inventions and discoveries.

All such information shall be appropriately marked or verbally identified to each employee. When such information is transferred from one employee to another, the transferor must do all of the following:

1. Determine that the transfer is necessary and in the interest of regular company business;
2. Determine that the transferee has a need to know the information and has the necessary clearance;
3. Ensure that all cover sheets or markings which identify the information as proprietary, or classified, are conspicuous;
4. Give the information directly to the transferee and verbally identify the proprietary or classified information as such. Do not give it to a non-cleared employee, such as a secretary or office colleague, and do not leave it on the transferee's desk unattended.

In consideration of their employment with our Agency, employees will be exposed to information and materials which are confidential and proprietary and of vital importance to the economic well-being of

the company. Employees will not at any time disclose or use, either during or subsequent to their employment, any information, knowledge or data, patient information which they receive or discover during their employment which is considered proprietary by our Agency or which relates to the trade secrets of the company. Such information, knowledge or data includes the following which is by example only: processes, know-how, designs, drawings, diagrams, formulas, test data, accounting or financial data, pricing or salary data, marketing data, business plans and strategies, negotiations and contracts, research, customer, employee, patient or vendor lists, inventions and discoveries.

Upon termination of their employment with our Agency employees must promptly return any and all documents containing the above information, knowledge or data, or anything relating thereto, to the company.

Software Usage Policy

1. Purpose

- a) To remain competitive, better serve our customers and provide our employees with the best tools to do their jobs, our Agency (“the Company”) makes available to our workforce access to one or more forms of electronic media and services, including but not limited to: computers, software, printers, copiers, files, databases, cellular phone, pager, email, telephones, voicemail, fax machines, external electronic bulletin boards, wire services, online services, intranet, Internet and the World Wide Web.
- b) Our Agency encourages the use of these media and associated services because they can make communication more efficient and effective and because they are valuable sources of information about vendors, customers, technology, and new products and services. However, all employees and everyone connected with the organization should remember that electronic media and services provided by the company are company property and their purpose is to facilitate and support company business. All computer users have the responsibility to use these resources in a professional, ethical, and lawful manner.
- c) To ensure that all employees are responsible, the following guidelines have been established for using email and the Internet. No policy can lay down rules to cover every possible situation. Instead, it is designed to express our Agency philosophy and set forth general principles when using electronic media and services.

2. Authorization

Access to the Agency’s technology resources is within the sole discretion of the Company. Generally, employees are given access to the Company's various technologies based on their job functions. Only employees whose job performance will benefit from the use of the Company's technology resources will be given access to the necessary technology. Additionally, employees must successfully complete company-approved training before being given access to the Agency’s technology resources.

3. Prohibited Communications

Electronic media cannot be used for knowingly copying, transmitting, retrieving, or storing any communication that is:

- ☐ Discriminatory or harassing;
- ☐ Derogatory to any individual or group;
- ☐ Obscene, sexually explicit, pornographic, defamatory or threatening;
- ☐ In violation of any license governing the use of software;
- ☐ Engaged in for any purpose that is illegal or contrary to Agency's policy or in a manner contrary to the best interests of the Company, in any way that discloses confidential or proprietary information of the Company or third parties, or for personal or pecuniary gain; or
- ☐ Protected by copyrights laws unless the employee has the author's permission or is accessing a single copy only for the employee's reference.

4. Professional Considerations

It is important to maintain a proper spirit and tone to your communications over the system. The following guidelines are suggested:

Indiana Signal Health Group Skilled

- ☐ Make your communications positive, constructive, complete, factual.
- ☐ Don't write when angry and edit before sending.
- ☐ Be careful with humor – they can't see you wink☺.
- ☐ Always avoid sarcastic humor.
- ☐ Never use all caps – that is perceived as “SHOUTING!”
- ☐ Avoid belaboring disagreements in email – there is a time for face-to-face meetings.
- ☐ Always guide your recipient in responding by stating what you need and by when.
- ☐ Pay attention to grammar and spelling, both to protect your own reputation and intelligence, and to avoid irritating your recipients who are distracted by careless mistakes.

Personal Use

The computers, electronic media and services provided by our Agency are primarily for business use to assist employees in the performance of their jobs. As long as personal use does not interfere with the employee's duties, is not done for pecuniary gain, does not conflict with the Company's business, and does not violate any Company policy, occasional, or incidental use of electronic media (sending or receiving) for personal, non-business purposes is understandable and acceptable, and all such use should be done in a manner that does not negatively affect the systems' use for their business purposes. However, employees are expected to demonstrate a sense of responsibility and not abuse this privilege.

The Company assumes no liability for loss, damage, destruction, alteration, disclosure, or misuse of any personal data or communications transmitted over or stored on the Company's technology resources. The Company accepts no responsibility or liability for the loss or non-delivery of any personal electronic mail or voicemail communications or any personal data stored on any Company property. The Company strongly discourages employees from storing any personal data on any of the Company's technology resources.

5. Access to Employee Communications

- a) Generally, electronic information created and/or communicated by an employee using email, word processing, utility programs, spreadsheets, voicemail, telephones, Internet and bulletin board system access, and similar electronic media is not reviewed by the company. However, the following conditions should be noted:

Our Agency does routinely gather logs for most electronic activities or monitor employee communications directly, be it:

- i) **Telephone Use and Voicemail:** Records are kept of all calls made from and to a given telephone extension. Although voicemail is password protected, an authorized administrator can reset the password and listen to voicemail messages.
- ii) **Electronic Mail:** Electronic mail is backed-up and archived. Although electronic mail is password protected, an authorized administrator can reset the password and read electronic mail.
- iii) **Desktop Facsimile Use:** Copies of all facsimile transmissions sent and received are maintained in the facsimile server.
- iv) **Document Use:** Each document stored on Company computers has a history, which shows which users have accessed the document for any purpose.
- v) **Internet Use:** Internet sites visited, the number of times visited, and the total time connected to each site is recorded and periodically monitored.

Our Agency reserves the right, at its discretion and without notice, to review any employee's electronic files and messages to the extent necessary to ensure electronic media and services are being used in compliance with the law, this policy and other company policies, or to investigate misconduct, to locate information, or for any other business purpose.

- b.) Employees should understand, therefore, that they have no right of privacy with respect to any messages or information created or maintained on the Company's technology resources, including personal information or messages. Accordingly, if they have sensitive information to transmit, they should use other means.

All messages sent and received, including personal messages, and all data and information stored on the Company's electronic-mail system, voicemail system, or computer systems are Company

property regardless of the content. As such, the Company reserves the right to access all of its technology resources including its computers, voicemail, and electronic-mail systems, at any time, in its sole discretion.

Passwords do not confer any right of privacy upon any employee of the Company. Employees are expected to maintain their passwords as confidential. Employees must not share passwords and must not access coworkers' systems without express authorization.

Deleting or erasing information, documents, or messages maintained on the Company's technology resources is, in most cases, ineffective. All employees should understand that any information kept on the Company's technology resources may be electronically recalled or recreated regardless of whether it may have been "deleted" or "erased" by an employee. Because the Company periodically backs-up all files and messages, and because of the way in which computers re-use file storage space, files and messages may exist that are thought to have been deleted or erased. Therefore, employees who delete or erase information or messages should not assume that such information or messages are confidential.

6. The Internet and On-Line Services

The Company provides authorized employees access to on-line services such as the Internet. The Company expects that employees will use these services in a responsible way and for business-related purposes only. Under no circumstances are employees permitted to use the Company's Technology Resources to access, download, or contribute to the following:

- ☐ gross, indecent, or sexually-oriented materials;
- ☐ sports sites;
- ☐ job-search sites;
- ☐ entertainment sites including Dating Services
- ☐ gambling sites;
- ☐ games, humor;
- ☐ illegal drug-oriented sites;
- ☐ personal pages of individuals; and
- ☐ politically-oriented sites or sites devoted to influencing the course of legislation or public policy.

Additionally, employees must not sign "guest books" at Websites or post messages to Internet news groups or discussion groups at Websites. These actions will generate junk electronic mail and may expose the Company to liability or unwanted attention because of comments that employees may make. The Company strongly encourages employees who wish to access the Internet for non-work-related activities to get their own personal Internet access accounts.

Participation in On-Line Forums

- a) Employees should remember that any messages or information sent on company-provided facilities to one or more individuals via an electronic network – for example, Internet mailing lists, bulletin boards, and online services – are statements identifiable and attributable to our Agency.
- b) Our Agency recognizes that participation in some forums might be important to the performance of an employee's job. For instance, an employee might find the answer to a technical problem by consulting members of a news group devoted to the technical area.

Software

To prevent computer viruses from being transmitted through the company's computer system, unauthorized downloading of any unauthorized software is strictly prohibited. Only software registered through our Agency may be downloaded. No employee may load any software on the Company's computers, by any means of transmission, unless authorized in advance by Our Agency system administrator.

Security/Appropriate Use

- c) Employees must respect the confidentiality of other individuals' electronic communications. Except in cases in which explicit authorization has been granted by company management, employees are prohibited from engaging in, or attempting to engage in:

Indiana Signal Health Group Skilled

- ☐ Monitoring or intercepting the files or electronic communications of other employees or third parties;
 - ☐ Hacking or obtaining access to systems or accounts they are not authorized to use;
 - ☐ Using other people's log-ins or passwords; and
 - ☐ Breaching, testing, or monitoring computer or network security measures.
- d) No email or other electronic communications can be sent that attempt to hide the identity of the sender or represent the sender as someone else.
- e) Electronic media and services should not be used in a manner that is likely to cause network congestion or significantly hamper the ability of other people to access and use the system.
- f) Anyone obtaining electronic access to other companies' or individuals' materials must respect all copyrights and cannot copy, retrieve, modify or forward copyrighted materials except as permitted by the copyright owner.
- g) The Company has installed a variety of programs and devices to ensure the safety and security of the Company's technology resources. Any employee found tampering or disabling any of the Company's security devices will be subject to discipline up to and including termination.

Encryption

Employees can use encryption software supplied to them by the systems administrator for purposes of safeguarding sensitive or confidential business information. Employees who use encryption on files stored on a company computer must provide their supervisor with a sealed hard copy record (to be retained in a secure location) of all of the passwords and/or encryption keys necessary to access the files.

Confidential Information

The Company is very sensitive to the issue of protection of trade secrets and other confidential and proprietary information of both the Company and third parties ("Confidential Information"). Therefore, employees are expected to use good judgment and to adhere to the highest ethical standards when using or transmitting Confidential Information on the Company's technology resources.

Confidential Information should not be accessed through the Company's technology resources in the presence of unauthorized individuals. Similarly, Confidential Information should not be left visible or unattended. Moreover, any Confidential Information transmitted via technology resources should be marked with the following confidentiality legend:

"This message contains confidential information. Unless you are the addressee (or authorized to receive for the addressee), you may not copy, use, or distribute this information. If you have received this message in error, please advise [EMPLOYEE'S NAME] immediately at [EMPLOYEE'S TELEPHONE NUMBER] or return it promptly by mail."

Violations

Any employee who abuses the privilege of their access to email or the Internet in violation of this policy will be subject to corrective action, including possible termination of employment, legal action, and criminal liability.

Procedures

Procedures for accessing the Voicemail, Email and Internet system, as well as the guidelines for how to properly send and retain information, may be obtained by contacting our President or designee.

The Voicemail/Email/Internet policies and procedures should be reviewed by each employee on a semi-annual basis.

Questions concerning the use of the Voicemail/Email/Internet system should be directed to the systems administrator. Questions concerning the improper use of the system should be directed to the employee's immediate supervisor, and if not satisfied with the response, to the systems administrator.

Conflict Of Interest

No employee of our Agency shall engage in the same or a similar line of business or research as that carried on by the company. An employee shall not have a financial interest in a company which is a competitor of or supplier to the company.

Financial interests held by an employee or by his or her immediate family members in such companies

are to be disclosed immediately to the company so that a determination can be made as to whether a conflict exists. Members of the employee's immediate family include spouse, children, and any other relative sharing the same home as the employee. Violation of this policy will result in immediate dismissal.

Gratuities To Government Employees Or Officials

In adherence to government regulations, no employee may offer a gratuity to any government employee or official on behalf of, or in pursuance of, our Agency's business. Gratuities are defined as meals, drinks, gifts, expenses, cash or any other item of value, including personal service.

Our Agency strictly forbids any form of a business gift to federal, state, or municipal employees. Management is charged with the responsibility of informing all employees of this policy and maintaining adherence to it.

Violation of this policy will be treated as a major violation and, depending on the circumstances, may be grounds for immediate termination or other appropriate action.

Gratuities To Customer Or Supplier Representatives

Employees of our Agency may not offer to give or accept a gift, cash or other item of value, including personal service, from an existing or prospective patient/family, supplier or a representative of either in pursuance of business or in conjunction with negotiating business on behalf of this company.

Violation of this policy in any form will require immediate disciplinary action.

Political Activities

In recognition of its responsibilities as a business citizen, our Agency encourages its employees to accept the personal responsibility of good citizenship, including participation in civic and political activities, in accordance with their interests and abilities.

Our Agency accepts without reservation the basic democratic principle that all employees are free to make their own individual decisions in civic and political matters. Therefore no employee's status with the company will be affected, in any way whatsoever, because of participation or non-participation in lawful civic and political activities.

Participation in civic and political activities is considered to be a personal matter and, as such, is generally to be carried on outside of normal working hours. No political activities or solicitations will be carried on within company premises.

Political activities are defined for purposes of this policy as activities in support of any partisan political issue or activities in support of, or in concert with, any individual candidate for political office, or of a political party, which seek to influence the election of candidates to federal, state, or local offices. The definition includes employees who are or may be candidates for political office.

HIPAA

(Health Insurance Portability and Accountability Act)

PHI (Protected Health Information) is protected information and remains under the strictest of confidentiality and "need to know" sharing. Our Provider protects this information according to federal and state regulation. It is the responsibility of each and every member of the organization to be oriented to HIPAA and practice best practice standards to protect PHI. The Administrator has enforcement responsibility.

While making your client visits, all client information (schedules, notes etc) are to be kept concealed inside a box within your vehicle. No information should be able to be seen by "looking into" your vehicle.

Random trunk inspections may be done to assure compliance with this requirement.

Employee Privacy

Our Agency recognizes our employees' rights to privacy. In achieving this goal, the company adopts

these basic principles:

1. The collection of employee information will be limited to that which the company needs for business and legal purposes;
2. The confidentiality of all personal information in our records will be protected;
3. All in-house employees involved in record keeping will be required to adhere to these policies and practices. Violations of this policy will result in disciplinary action;
4. Internal access to employee records will be limited to those employees having an authorized, business-related, need-to-know basis. Access may also be given to third parties, including government agencies, pursuant to court order or subpoena;
5. The company will refuse to release personal information to outside sources without the employee's written approval, unless legally required to do so;
6. Employees are permitted to see the personal information maintained about them in the company records. They may correct inaccurate factual information or submit written comments in disagreement with any material contained in their company records.

False Claims Laws/Whistleblowers Protections

AGENCY POLICY: Corporate Compliance/Ethical Business Practices

It is the determined policy of our Agency to adhere to sound and lawful business practices and comply with all program requirements, federal & state regulations and guidelines.

Our Agency's Corporate Compliance Program will oversee the ethical business practices of our Agency.

PROCEDURE:

1. CORPORATE COMPLIANCE:

The Agency polices that address Corporate Compliance include:

- Administrative
- Clinical Policies
- Corporate
- QA
- Finance

It is the responsibility of all staff to adhere to best business & ethical practices when conducting Agency business. Overseeing the compliance program is under the responsibilities of the Administrator, who is also the Corporate Compliance Officer (CCO). The Administrator may also delegate this position within the Agency.

Staff are trained on hire (orientation) and ongoing regarding the Agency's Corporate Compliance program/plan. All employees, contractors or independent contractors of the Agency will comply with the tenants of the CCO Plan. Employees & contracted employees will be required to sign a CORPORATE COMPLIANCE STATEMENT to indicate receipt and understanding of the plan.

a. COMMITTEE SPECIFICS:

- i. The Corporate Compliance Committee will meet once per year.
- ii. The GB will designate a Corporate Compliance Committee which will be composed of:
 - 1) A member of the Governing Body
 - 2) Administrator
 - 3) Chief Financial Officer (if in place)
 - 4) HR Director (if in place)
 - 5) Ad Hoc members

b. MEETING TOPICS:

At the meeting, The Corporate Compliance Committee will review:

- i. The report of the Corporate Compliance Officer (CCO).
- ii. Any fraud alerts issued by the Officer of the Inspector General (OIG).
- iii. Topical issues with respect to corporate compliance in the general health care industry and in the Home Health Care industry in particular.
- iv. "Hot-line referrals" made to the CCO.
- v. It will make recommendations with respect to the improvement of compliance efforts, which will be subject to final approval by the GB.
- vi. It will review the effectiveness of recommendations that were implemented as the result of previous committee meetings.

c. Basis of our Corporate Compliance Program include:

- i. Reporting abuse and reporting to appropriate authorities any and all abuse that does occur.
- ii. Investigating promptly any abuse or violation of policy or complaint and taking corrective action.
- iii. Maintaining integrity in all Agency Operations.

Indiana Signal Health Group Skilled

- iv. Maintaining confidentiality of Agency, personnel and patient records.
- v. Avoiding unauthorized use of Agency assets.
- vi. Maintaining job accountability at every position.
- vii. Avoiding any conflicts of interest personally and professionally.
- viii. Assuring that patients are aware of their all of their rights as a home care patient and advising them who to call if they have a question/concern/complaint about their care.
- ix. Following the Patient Plan of Care and all regulations/guidelines concerning the administration of care.
- x. Abstaining from misrepresentation in any manner.
- xi. Abstaining from the engagement in illegal or unfair trade practices such as the solicitation.
- xii. Complying with all financial standards regarding billing/invoicing.
- xiii. Utilizing accepted accounting for all Agency financial reports.
- xiv. Complying with all state and federal labor/employment laws.
- xv. Complying with all payroll practices.
- xvi. Maintaining a corporate business environment that is safe and free of abuse/harassment.
- xvii. Preventing individuals involved in illegal activities from exercising any authority within the Agency by careful screening them at the time they submit an employment application.
- xviii. Committing to abide by all state and Federal laws/regulations including, but not limited to the following:
 - 1) Federal False Claims Act
 - 2) Stark Bill
 - 3) State False Claims Laws
 - 4) Federal, state and local Civil Rights Laws

d. CORPORATE COMPLIANCE OFFICER RESPONSIBILITIES:

The CCO will have the responsibility to:

- i. Assure all employees receive information, at Orientation and ongoing, about the Agency Corporate Compliance Plan.
- ii. Provide information to employees regarding updates or changes to the plan.
- iii. Ongoing review of agency policies to ensure compliance with the plan.
- iv. Employees will direct questions/issues/violations regarding Corporate Compliance to the CCO.
- v. The CCO shall annually review all reported violations or incidents of misconduct/compliance and business ethics policies, and report such to the GB.
- vi. Prepare minutes/reports of the CCO meetings.
- vii. Keep open lines of communication with Agency personnel for receiving complaints and protecting callers from retaliation.

e. INTERNAL REPORTING PROCESS:

Reports of any misconduct, unethical business practice or violation of program regulation or guidelines can be made by any employee or other person, without fear of retaliation. These occurrences must be reported, in writing or verbally, to a Supervisor or Agency Administrator immediately and will be kept in strict confidence. This report must include the name of the person(s), act(s), and date(s) of the suspected violation(s). The person reporting the incident can also make the initial report to the Compliance Officer: in writing, in person or by phone or fax. In all cases the person making the report must identify themselves.

- i. Upon receipt of a reported incident the Supervisor and Administrator will alert the CCO and must investigate the allegation within five (5) days of the report. The Compliance Officer must make a referral to the Administrator/CEO for an investigation within five (5) days of the report or investigate the allegation independently within five (5) days of the report.
- ii. If, in the judgment of the Corporate Compliance Officer, an incident is deemed a significant event, a report to the Governing Body may be made immediately upon the completion of the

Indiana Signal Health Group Skilled

investigation. Otherwise, all reported violations and their resolutions will be reported to the Compliance Committee immediately for presentation to the Governing Body.

- iii. Failure, by any employee, to report unethical business practices or unlawful actions by the organization and its employees is misconduct warranting disciplinary action up to and including termination. The Governing Body has the final determination on appropriate disciplinary action for the failure to report.

f. **TO ENSURE CORPORATE COMPLIANCE**, our Agency:

- i. Educate Agency employees, upon hire & ongoing as needed, regarding ethical business practices & the Agency's commitment to our Corporate Compliance program. Employees will sign a Corporate Compliance statement upon hire.
- ii. Foster open communication between the CCO and/or Committee and the Agency staff for receiving complaints and protecting callers from retaliation.
- iii. Will look to the GB for final authority on all business ethics/compliance determinations.
- iv. Has Business Ethics that delineates expected conduct.
- v. Will annually conduct internal audits to ensure adherence to all laws, regulations, program requirements/guidelines/policies. The results are to be reported at least annually to the GB for review.
- vi. Prohibits kickbacks of any kind.
- vii. Complies with all Federal HIPAA/State regulations regarding PHI. All staff connected with our Agency shall sign a Confidentiality Agreement. Each patient will receive a privacy statement that will be explained to them and they will acknowledge.
- viii. Include a Corporate Compliance information in new hire orientation and have the CC statement be signed, dated and kept in the individual personnel record. All staff shall have access to current program regulations and requirements at all times.
- ix. Include the Business Ethics/Compliance policy in the annual agency evaluation so that all public and referral sources may access.
- x. Ensure that reports of any violation of program guidelines can be generated by anyone. These occurrences must be reported immediately, in writing or verbally, to a Supervisor/Administrator and are confidential. The report will include the:
 - 1) Name of the person(s), act(s), and date(s) of the suspected violation(s). The person reporting the incident can also make the initial report to the Compliance Officer, **in** writing, in person or by phone.
 - 2) Upon receipt of a report, the Supervisor/Administrator will investigate within five (5) days of receipt. The CCO must make a referral to the GB for an investigation within five (5) days of the report or investigate the allegation independently within five (5) days of the report.
 - 3) If an incident is deemed a *significant* event, a report to the GB may be made immediately upon the completion of the investigation. Otherwise, all reported violations/resolutions are reported to the Corporate Compliance Committee.
- xi. Failure to report unethical business practices/unlawful actions is misconduct necessitating disciplinary action. The GB has the final determination on appropriate action for the failure to report.

2. ETHICAL BUSINESS PRACTICE

a. FALSE CLAIMS LAWS:

➤ FEDERAL US FALSE CLAIMS ACT:

The False Claims Act (FCA), 31 U.S.C. §§ 3729 - 3733 was enacted in 1863 by a Congress. The FCA provided that any person who knowingly submitted false claims to the government was liable for double the government's damages plus a penalty for each false claim. Since then, the FCA has been amended several times. In 1986, there were significant changes to the FCA, including increasing damages from double damages to treble

damages and raising the penalties from \$2,000 to a range of \$5,000 to \$10,000. The FCA has been amended three times since 1986.

The FCA sets forth FCA liability for any person who knowingly submits a false claim to the government or causes another to submit a false claim to the government or knowingly makes a false record or statement to get a false claim paid by the government.

This statute provides that one who is liable must pay a civil penalty for each false claim (those amounts are adjusted from time to time; the current amounts are \$5,500 to \$11,000) and treble the amount of the government's damages. Where a person who has violated the FCA reports the violation to the government under certain conditions, the FCA provides that the person shall be liable for not less than double damages.

A person does not violate the False Claims Act by submitting a false claim to the government; to violate the FCA a person must have submitted, or caused the submission of, the false claim (or made a false statement or record) with knowledge of the falsity.

➤ **STATE FALSE CLAIMS ACT:**

1. The agency will abide by all state generated False Claims Act that apply as part of our participation in state/federally funded health care programs.

The enactment of the federal & state False Claims Acts serve to preventing fraud, waste & abuse.

b. PENALTIES FOR SUBMITTING FALSE OR FRAUDULENT CLAIMS/STATEMENTS:

Whoever:

- knowingly/willfully makes/causes to be made any false statement or representation of a material fact in any application for any benefit or payment under a Federal health care program,
- at any time knowingly/willfully makes/causes to be made any false statement or representation of a material fact for use in determining rights to such benefit or payment,
- having knowledge of the occurrence of any event affecting an initial or continued right to any such benefit or payment, or the initial or continued right to any such benefit or payment of any other individual in whose behalf he has applied for or is receiving such benefit or payment, conceals or fails to disclose such event with an intent fraudulently to secure such benefit or payment either in a greater amount or quantity than is due or when no such benefit or payment is authorized,
- having made application to receive any such benefit/payment for the use/benefit of another and having received it, knowingly/willfully converts such benefit or payment or any part thereof to a use other than for the use and benefit of such other person,
- presents or causes to be presented a claim for a physician's service for which payment may be made under a Federal health care program and knows that the individual who furnished the service was not licensed as a physician, or
- for a fee knowingly/willfully counsels or assists an individual to dispose of assets (including by any transfer in trust) in order for the individual to become eligible for medical assistance under a State plan under title XIX, if disposing of the assets results in the imposition of a period of ineligibility for such assistance under the laws, shall:
- in the case of such a statement, representation, concealment, failure, or conversion by any person in connection with the furnishing (by that person) of items or services for which payment is or may be made under the program, be guilty of a felony and upon conviction thereof fined not more than \$25,000 or imprisoned for not more than five years or both, or
- in the case of such a statement, representation, concealment, failure, conversion, or provision of counsel or assistance by any other person be guilty of a misdemeanor and upon conviction thereof fined not more than \$10,000 or imprisoned for not more than one year, or both.

In addition, in any case where an individual who is otherwise eligible for assistance under a Federal health care program is convicted of an offense under the preceding provisions of this subsection, the administrator of such program may at its option (notwithstanding any other provision of such program) limit, restrict, or suspend the eligibility of that individual for such period (not exceeding one year) as it deems appropriate; but the imposition of a limitation, restriction, or suspension with respect to the eligibility of any individual under this sentence shall not affect the eligibility of any

other person for assistance under the plan, regardless of the relationship between that individual and such other person.

Whoever knowingly/willfully:

- charges, for any service provided to a patient under a State plan approved under title XIX, money or other consideration at a rate in excess of the rates established by the State, (or, in the case of services provided to an individual enrolled with a Medicaid managed care organization under title XIX under a contract or under a contractual, referral, or other arrangement under such contract, at a rate in excess of the rate permitted under such contract), or
- charges, solicits, accepts, or receives, in addition to any amount otherwise required to be paid under a State plan approved under title XIX, any gift, money, donation, or other consideration (other than a charitable, religious, or philanthropic contribution from an organization or from a person unrelated to the patient) as a precondition of admitting a patient or as a requirement for the patient's continued stay in such a facility,

when the cost of the services provided therein to the patient is paid for (in whole or in part) under the State plan, shall be guilty of a felony and upon conviction thereof shall be fined not more than \$25,000 or imprisoned for not more than five years, or both.

b. Whistleblowers Protections

The Whistleblower Protection Act of 1989 (WPA) is a US Federal law that protects federal government employees in the United States from retaliatory action for voluntarily disclosing information about dishonest or illegal activities occurring at a government organization.

A whistleblower is an employee that reports an employer's misconduct. There are laws that protect whistleblowers from being fired or mistreated for reporting misconduct.

An agency violates the Whistleblower Protection Act if agency takes (or threaten to take) retaliatory personnel action against any employee or applicant because of disclosure of information by that employee or applicant. Whistleblowers may file complaints that they believe reasonably evidences a violation of a law, rule or regulation; gross mismanagement; gross waste of funds; an abuse of authority; or a substantial and specific danger to public health or safety.

Retaliation is about making people afraid to complain or to assert their rights. It is a subtle, but important distinction

3. AGENCY PROCEDURES TO DETECT/PREVENT FRAUD, WASTE, & ABUSE:

Our Agency has systems in place to monitor & detect fraud, waste & abuse that include:

- a. Fiscal Audits: ongoing with reporting to the Administrator/Governing Body, reconciliation of services rendered to services billed & vendor payments match goods/services received.
- b. Clinical Chart Audits: ongoing to determine compliance with established Agency policy, CMS/state regulations, appropriate delivery of services based upon diagnosis & benefits.
- c. PAC Program: oversight of clinical service delivery.
- d. QA Committee: oversight of Agency quality measures.
- e. Corporate Compliance Committee: ongoing monitoring of ethical business practices.
- f. Management Meetings: ongoing with departmental reports of activity.

Telephone

Occasional, necessary personal calls of short duration may be received and made at your desk or workstation. Personal telephone call privileges are subject to change or termination at any time. For instance, if the company telephone lines become overloaded with calls or an employee is found spending more than just limited time on personal calls, this privilege will be revoked either generally or specifically as to the offending employee. Personal cell phone calls are prohibited. Office employees should keep their cell phones in their vehicles or turned off while on duty.

Field Staff are not permitted to give their personal phone numbers, cell phone numbers, etc. to patients or families. Patients are to be instructed to call the office when there is a need of reaching you.

Dress Code

Employee dress should be neat in appearance. Our Agency employees are invited to dress “business casual” in a manner consistent with a professional atmosphere. The impression made on customers, visitors and other employees and the need to promote company and employee safety should be kept in mind.

Although not required, our Agency strongly encourages its field staff to wear scrubs. Scrubs both present a professional “medical” image and protect your good clothes from damage and/or wear. Our Agency does not replace clothing damaged from normal on the job usage while providing home care services to our patients.

In all situations, jeans (of any color) are not allowed. No scanty tops or see through clothing is permitted.

Good individual judgment is the best guideline.

All field staff must wear their Agency picture ID badge on their person while making home visits. Should your ID be lost or damaged it is your responsibility to come to the office for a replacement.

Do's And Don'ts Of Home Care

While making your assigned visits please be aware that the following guidelines are always in place:

Do's

- Be courteous and pleasant at all times
- Wear your Agency ID badge while making your visits
- Try to do all you can to bring joy to your patients (positive attitude)
- Report any unusual occurrence to your office immediately
- Call the office immediately if the patient does not answer their door for a scheduled visit
- Follow your schedule WITHOUT MAKING CHANGES at all times
- Interact with your scheduling coordinator often, especially if you are available to work but do not have scheduled visits.

Don't

- Do not bring your own personal issues to your patients
- Do not use a patient's phone for personal calls
- Do not ever borrow money from a patient for any reason
- Do not agree to lifting or moving furniture
- No scrubbing of floors on hands and knees
- No window washing (except an occasional wipe down of a window the patient commonly sits and looks out from)
- No drapes or curtain washing
- No hauling heavy trash barrels

Kitchen/Break Room

Our Agency provides a kitchen/break room for the benefit of its employees. Employees shall be responsible to keep the area clean, including the washing of personal dishes and utensils.

Indiana Signal Health Group Skilled

All trash should be disposed of in the trash container. Any empty aluminum cans or glass bottles shall be disposed of in the trash container marked “Aluminum Cans Only” or “Glass Bottles Only,” whichever is applicable.

Any food left in office refrigerator at close of business every Friday will be thrown away.

Visitors

The safety regulations for visitors should be established in accordance with the building safety regulations.

Law enforcement or government officials, including health or fire inspectors, shall be directed immediately to the Branch Manager/Administrator who shall determine proper governmental authority, review court orders or subpoenas, and assist the law enforcement or government officials in a manner which provides full cooperation with minimal disruption to company operations.

No other visitors except for the above mentioned shall be permitted access into the office. We are responsible for HIPAA compliance and therefore preventing access is of utmost importance. Employees are not considered “visitors”. Please have your children wait in the reception area for you while coming into the office.

Outside Employment

Employees are expected to be working for our Agency. Any outside employment should be promptly disclosed to the Branch Manager/Administrator. We understand that many para-professionals work for more than one agency but our expectation is that you cover our cases first and “fill in” around our patients as your schedule permits. Therefore, in certain circumstances, outside employment will be approved, but the company retains the right to review and evaluate each situation on an individual basis.

Emergency Closings

Except for regularly scheduled holidays, our Agency will be open for business on Mondays through Fridays during normal business hours. The company recognizes that circumstances beyond its control, such as inclement weather, national crisis or other emergencies do occur. On such occasions the company may close for all or part of a regularly scheduled workday.

In such event the company will endeavor to notify all supervisory personnel for the purpose of contacting employees. Employees may also contact their supervisor/manager or company offices. Any closing longer than one full work shift shall be assessed against employee’s sick leave or vacation time, whichever may be applicable and, if none, the closing shall be regarded as unpaid personal leave.

Social Media Policy

POLICY:

At Indiana Signal Health Group Skilled, we understand that social media can be a fun and rewarding way to share your life and opinions with family, friends and co-workers around the world. However, use of social media also presents certain risks and carries with it certain responsibilities. To assist you in making responsible decisions about your use of social media, we have established these guidelines for appropriate use of social media.

This policy applies to all personnel, direct hire or contracted, who provide care and services on behalf of Indiana Signal Health Group Skilled to patients on our service.

To be in compliance of HIPAA regulations, it is the policy of our Agency, that, at no time, shall any type of patient information of any kind, be included in any social media utilized by Agency staff.

PROCEDURES:

In the rapidly expanding world of electronic communication, social media can mean many things. Social media includes all means of communicating or posting information or content of any sort on the Internet, including to your own or someone else's web log or blog, journal or diary, personal web site, social networking or affinity web site, web bulletin board or a chat room, whether or not associated or affiliated with Indiana Signal Health Group Skilled, as well as any other form of electronic communication.

Before creating online content, consider some of the risks and rewards involved. Keep in mind that any of your conduct that adversely affects your job performance, the performance of fellow associates or otherwise adversely affects members, customers, suppliers, people who work on behalf of Indiana Signal Health Group Skilled or the legitimate business interests of Indiana Signal Health Group Skilled, or violated any HIPAA privacy laws, may result in disciplinary action up to and including termination. Carefully read these guidelines, our Agency Ethics Policy, HIPAA Information, and Discrimination Policy, and ensure all of your postings are consistent with these policies. The same principles and guidelines found in our policies and three basic beliefs apply to your activities online:

- **BE Fair**
- **Be Respectful**
- **BE Honest**

Be Respectful

Inappropriate postings that may include discriminatory remarks, harassment, and threats of violence or similar inappropriate or unlawful conduct will not be tolerated and may subject you to disciplinary action up to and including termination. **Online discrimination and harassment is prohibited.**

Be Fair

Always be fair and courteous to fellow associates, customers, members, suppliers or people who work on behalf of Indiana Signal Health Group Skilled. Also, keep in mind that you are more likely to resolved work-related complaints by speaking directly with your co-workers or by utilizing our Open Door Policy, than by posting complaints to a social media outlet. Nevertheless, if you decide to post complaints or criticism, avoid using statements, photographs, video or audio that reasonably could be viewed as malicious, obscene, threatening or intimidating, that disparage customers, members, associates or suppliers, or that might constitute harassment or bullying or violate any HIPAA laws. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment on the basis of race, sex, disability, religion or any other status protected by law or company policy.

Be Honest & Accurate

Make sure you are always honest and accurate when posting information or news, and if you make a mistake, correct it quickly. Be open about any previous posts you have altered. Remember that the Internet archives almost everything; therefore, even deleted postings can be searched. Never post any

Indiana Signal Health Group Skilled

information or rumors that you know to be false about Indiana Signal Health Group Skilled, fellow associates, members, customers, suppliers, or people working on behalf of our Agency or competitors. And NEVER about clients or patients of our Agency. To do so is in violation of HIPAA privacy laws.

Indiana Signal Health Group Skilled SOCIAL MEDIA GUIDANCE

Maintain the confidentiality of our Agency private & confidential information. This may include information regarding the development of systems, processes, products, know-how and technology and any & all patient information. Do not post internal reports, policies, procedures or other internal business-related confidential communications.

Respect financial disclosure laws. It is illegal to communicate or give a “tip” on inside information to others so that they may buy or sell stocks or securities. Such online conduct may also violate the Insider Trading Policy.

Do not create a link from your blog, website or other social networking site to a Indiana Signal Health Group Skilled website without identifying yourself as a Indiana Signal Health Group Skilled associate.

Express only your personal opinions. Never represent yourself as a spokesperson for Indiana Signal Health Group Skilled. If our Agency is a subject of the content you are creating, be clear and open about the fact that you are an associate and make it clear that your views do not represent those of Indiana Signal Health Group Skilled, fellow associates, members, customers, suppliers or people working on behalf of our Agency. If you do publish a blog or post online related to the work you do, make it clear that you are not speaking on behalf of Indiana Signal Health Group Skilled. It is best to include a disclaimer such as “The postings on this site are my own and do not necessarily reflect the views of Indiana Signal Health Group Skilled.”

Refrain from using social media while on work time or on equipment we provide, unless it is work-related as authorized by your manager or consistent with the Company Equipment Policy. Do not use Indiana Signal Health Group Skilled email addresses to register on social networks, blogs or other online tools utilized for personal use.

Retaliation is prohibited. Indiana Signal Health Group Skilled prohibits taking negative action against any associate for reporting a possible deviation from this policy or for cooperating in an investigation. Any associate who retaliates against another associate for reporting a possible deviation from this policy or for cooperating in an investigation will be subject to disciplinary action, up to and including termination.

Media contacts. Associates should not speak to the media on Indiana Signal Health Group Skilled’s behalf without contacting the Administrator. All media inquiries should be directed to them.