

# **LANDIS COMMUNITIES**

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Compliance and Ethics Program

## Code of Conduct

# Code of Conduct

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# LANDIS COMMUNITIES

## Scope of our Program

Our Compliance and Ethics Program Code of Conduct covers the compliance issues, laws and regulations and guidelines that are relevant to a provider of senior services including Senior Living Communities that may provide a wide range of healthcare services. This includes but is not limited to Medicare and Medicaid regulatory issues, guidelines from the Office of Inspector General, Internal Revenue Service, Office of Civil Rights of the Department of Health and Human Services, Occupational Safety and Health Administration as well as other regulatory and business issues. The program fosters a culture of compliance that promotes legal and ethical behavior in the workplace by creating processes that detect and prevent fraud, waste, abuse, and policy violations. **The Code of Conduct is supported by our compliance policies and procedures and should be read and understood jointly with those policies and procedures.**

We use the term associate to define the various individuals who are associated with Landis Communities. All individuals, including team members, vendors, contractors, volunteers, directors and officers are members of our team in providing care and services to our residents. We use the term resident or client to refer to individuals who receive the various types of healthcare and other services that we provide.

Any questions regarding the policies in this Code of Conduct, compliance policies or related references should be directed to your immediate supervisor, the Compliance Official or member of the Compliance Committee or the Compliance Officer.

Landis Communities is a 501c (3) organization, classified as a Human Services - Multipurpose and Other organization. Landis Communities is a holding company that serves as the supporting organization for the following entities:

- Landis Homes
- Landis HCBS, which operates Landis at Home, Landis Adult Day Services and Pathways Institute for Lifelong Learning. It also functions as a partner organization to Friends LifeCare and Lancaster Downtowners.
- Landis Quality Living, which operates Quality Living Choices (Steeple View Lofts, Landis Place on King)
- Welsh Mountain Home, which operates Mountain View Terrace

The following services are provided by one or more of the Landis Communities affiliates:

Skilled Nursing  
Personal Care  
Residential Living (CCRC, market rate and affordable options)  
Adult Day Services  
In-home Services

## Compliance Officer

The Friends Services Alliance (FSA) Vice President of Compliance, Karla Dreisbach, CHC, CHPC serves as our Compliance Officer. She has the responsibility to assist the Compliance Official, the CEO and the Board of Directors in designing and overseeing efforts in establishing, maintaining and monitoring compliance within our organization.

The Compliance Officer works with the CEO and the Compliance Official and has direct reporting responsibility to the Board of Directors. The Compliance Officer is responsible for continued coordination with the Compliance Official for the development, implementation, training, monitoring and enforcement activities related to the overall compliance program. The Compliance Officer is assisted by FSA Compliance Managers and Compliance Specialists in providing services to our organization.

## Compliance Program Management

Our Board of Directors, through the CEO, carries the overall responsibility for creating a culture that values and emphasizes compliance and integrity.

The Director of Risk Management and Compliance has been appointed by the CEO and Board of Directors as the **Compliance Official** and is responsible for coordinating the day-to-day compliance activities in conjunction with the Compliance Officer. These activities include audits, responses to hotline calls and leading the organization's Compliance Committee. As a function of this role, the Compliance Official also functions as the Privacy Officer.

The Landis Communities **Compliance Committee** is comprised of members of the management team, directors and other key team members. The Compliance Official is the chairperson for this committee. The committee meets at least quarterly and more frequently as needed.

## FROM THE PRESIDENT/CEO

Dear Team Members:

We have a long tradition of providing services to older adults in a way that demonstrates Landis Communities' commitment to Christian love and compassion. We strive to follow our faith-based heritage of ethical and moral decision making in the care we provide. This heritage enables us to share our values with the residents, clients and families we serve.

The healthcare industry is constantly changing and being impacted by numerous laws and regulations. It is our desire to establish a workplace that complies with these laws and regulations. As part of this effort, we have developed a Compliance and Ethics Program that supports **Landis Communities** team members in making the right decisions. This document, called the Landis Communities Code of Conduct, represents the primary focus for our Compliance and Ethics Program. The Code of Conduct not only reflects our heritage and values but also serves as a bold statement influencing how we enhance residents and client's quality of life.

The Compliance and Ethics Program and the Code of Conduct exist to guide our normal decisions that are both ethical as well as compliant with applicable laws, statutes, and regulations. Our Code of Conduct does not replace each person's obligation in making wise, fair, and honest decisions. It is intended to explain our personal and organizational responsibility and to reflect those areas in which improper or unwise decisions can harm our entire organization and impair our commitment to those we serve.

We value your contribution to the residents and appreciate your support in properly maintaining the most ethical workplace possible. We commend you for your commitment to honesty and integrity, which are also part of Landis Communities' values. Each team member is responsible for helping to protect our work environment and its compliance with laws and regulations. I thank you for your commitment and contribution to our mission, values and, most importantly, to our residents.

Sincerely,  
Larry Zook  
President/CEO, Landis Communities

## **Mission**

Following God's Call to creatively serve the diverse needs and interests of older adults by developing opportunities and collaborative relationships.

## **Vision**

Enriching Lives

## **Guiding Values**

*We commit to these values as we honor God in our service to others.*

### **Joy**

Nurturing an atmosphere which is positive, hopeful and thankful, while delighting in serving others, fulfilling responsibilities and celebrating life.

### **Compassion**

Demonstrating Christ-like love and concern in our relationships, serving one another with grace, humility, gentleness and sensitivity in a manner which respects diversity and honors the dignity and worth of everyone.

### **Integrity**

Committing ourselves to be honest, sincere, trustworthy and accountable in relationships, communication and decision-making, with a respect for confidentiality.

### **Stewardship**

Devoting ourselves to faithful and responsible use of resources entrusted to our care, upholding high standards of performance and quality, striving for excellence and serving beyond expectations.

### **Community**

Relating with a spirit which is characterized by cooperation, teamwork, encouragement and mutual respect, valuing each person, affirming gifts and abilities, and seeking improvement through learning, creativity and openness to change.

# LANDIS COMMUNITIES

## Code of Conduct

### Introduction

The Code of Conduct is the foundation of the Compliance and Ethics Program. The Code of Conduct is a guide to appropriate workplace behavior; it will help you make the right decisions if you are not sure how to respond to a situation. This Code of Conduct applies to everyone including all team members, management, board of directors, volunteers, contractors and vendors. ALL TEAM MEMBERS must comply with both the spirit and the letter of all federal, state and local laws and regulations that apply to the healthcare and other services that the organization provides, as well as, all laws that apply to our business dealings. Violations of these laws and regulations can result in severe penalties for us and the individuals we do work with including financial penalties, exclusion from participation in government programs and in some cases imprisonment.

As associates we share a commitment to legal, ethical and professional conduct in everything that we do. We support these commitments in our work each day, whether we care for residents or clients, order supplies, prepare meals, keep records, take physician orders, pay invoices or make decisions about the future of our organization.

***The success of Landis Communities as a provider of healthcare and other services depends on you, your personal and professional integrity, your responsibility to act in good faith and your obligation to do the right things for the right reasons.***

The Compliance and Ethics Program provides principles and standards to guide you in meeting your legal, ethical and professional responsibilities. As an associate, you are responsible for supporting the Compliance and Ethics Program in every aspect of your workplace behavior. Your continued working relationship with our organization includes understanding and adhering to the Compliance and Ethics Program

This Code of Conduct supplements the team member Handbook and the specific Policies and Procedures that apply to departmental job responsibilities. As a business partner or contracted partner it provides guidelines and expectations for our continued relationship. The Code of Conduct discusses the importance of:

***Care Excellence*** – providing quality, compassionate, respectful and clinically appropriate care.

***Professional Excellence*** – maintaining ethical standards of healthcare and business practices.

***Regulatory Excellence*** – complying with federal and state laws, regulations and guidelines that govern healthcare, housing services and other services we provide.

## A Shared Responsibility

Because we are in the business of caring for and providing services for others, it is critical that each of us adheres to appropriate standards of behavior. As individuals and as an organization we are responsible to many different groups. We must act ethically and responsibly in our relations with:

- Residents, Clients and their families;
- Colleagues and coworkers;
- Volunteers and affiliated colleagues;
- Healthcare payors, including the federal and state governments;
- Regulators, surveyors and monitoring agencies;
- Physicians, Nurse Practitioners, Physician Assistants;
- Vendors and contractors;
- Business associates; and
- The Communities we serve.

Any compromise in our standards could harm our residents, our coworkers and our organization. Like every organization that provides healthcare, we do business under very strict regulations and close governmental oversight. Fraud, waste and abuse are serious issues. Sometimes even an innocent mistake can have significant consequences that could result in substantial penalties to Landis Communities.

ALL TEAM MEMBERS are required to complete training and all associates receive a copy of the Code of Conduct and the Compliance and Ethics Program as a condition of employment and business relationship. You must follow the Code of Conduct to remain employed or to continue your business relationship. The Code of Conduct sets forth mandatory standards.

***There is no justification for departing from the Code of Conduct no matter what the situation may be.***

Every associate is responsible for ensuring that he or she complies with the Code of Conduct and all policies and procedures. Any associate who violates any of these standards and/or policies and procedures is subject to discipline up to and including termination.

## A Personal Obligation

As we are each responsible for following the Code of Conduct in our daily work, we are also responsible for enforcing it. This means that you have a duty to report any problems you observe or perceive, regardless of your role.

As an associate, you must help ensure that you are doing everything practical to comply with applicable laws. If you observe or suspect a situation that you believe may be unethical, illegal, unprofessional or wrong, or you have a clinical, ethical or financial concern, you must report it. You are expected to satisfy this duty by complying with the **Three-Step Reporting Process**.

If you fail to report noncompliance with the Code of Conduct, policies and procedures, or applicable federal or state laws, you will be subject to discipline up to and including termination. We have a zero tolerance for retaliation. No one may retaliate against a member who reports a concern in good faith.

## Reporting Compliance Concerns

### The Three Step Reporting Process

**First**, talk to your supervisor. He or she is most familiar with the laws, regulations, and policies that relate to your work.

**Second**, if you do not want to talk to your supervisor, seek out another member of the leadership team or someone from human resources.

**Third**, if you still have a concern, contact the Compliance Official, a member of the organization's Compliance Committee, or the Compliance Officer.

**You may also call the toll free Compliance Line number at any time.**

## Compliance Line

### Compliance Line at 800-211-2713

**All calls are confidential and you may call *ANONYMOUSLY* if you choose.**

The Compliance Line is available 24 hours a day, 7 days a week, for callers to report compliance-related issues. Concerns that are reported to the Compliance Line are taken seriously.

You can make calls to the Compliance Line without fear of reprisal, retaliation, or punishment for your actions. Anyone, including a supervisor who retaliates against a TEAM MEMBER for contacting the Compliance Line or reporting a compliance issue in any other manner, will be disciplined.

## Care Excellence

Our most important job is providing quality care to our residents and clients. This means offering compassionate support to them and working toward the best possible outcomes while following all applicable rules and regulations including the Medicare Conditions of Participation.

## Resident and Client Rights

Residents and Clients receiving healthcare and other services have clearly defined rights. A document describing these rights is provided to each resident upon admission and is posted in conspicuous locations throughout the organization for the residents' and your reference. To honor these rights, we must:

- Make no distinction in the admission, transfer or discharge of a resident or client, or in the care we provide on the basis of race, gender, age, religion, national origin, disability, color, marital status, veteran status, medical condition, sexual orientation or other protected class status, insurance or financial status;
- Treat all residents and clients in a manner that preserves their dignity, autonomy, self-esteem and civil rights;
- Protect every resident and client from physical, emotional, verbal or sexual abuse or neglect;
- Protect all aspects of resident and client privacy and confidentiality;
- Respect residents' and clients' personal property and money and protect it from loss, theft, improper use and damage;
- Respect the right of residents/ clients, and/or their legal representatives to be informed of and participate in decision about their care and treatment;
- Respect the right of residents and clients and/or their legal representatives to access their medical records as required by the Health Information Portability and Accountability Act (HIPAA);
- Recognize that residents and clients have the right to consent or refuse care and the right to be informed of the medical consequences of such refusal;
- Protect residents' and clients' rights to be free from physical and chemical restraints; and
- Respect the residents' and clients' right to self-determination and autonomy.

## Abuse and Neglect

Types of abuse or neglect may include physical, emotional, verbal, financial or sexual. Residents and clients must be protected from abuse and neglect by TEAM MEMBERS, family members, legal guardians, friends or any other person. This standard applies to all residents and clients at all times. We will not tolerate any type of resident or client abuse or neglect.

Federal law defines abuse as the willful infliction of injury, unreasonable confinement, intimidation, or punishment with resulting physical harm, pain, or mental anguish. This presumes that instances of abuse of all residents, even those in a coma, cause physical harm, or pain or mental

anguish. Neglect means failure to provide goods and services necessary to avoid physical harm, mental anguish, or mental illness. The failure to follow a resident's care plan may constitute abuse.

The Commonwealth of Pennsylvania defines abuse as the following: the infliction of injury, unreasonable confinement, intimidation or punishment with resulting physical harm or pain or mental anguish, or deprivation by an individual, including a care taker of goods or services that are necessary to attain or maintain physical, mental and psychosocial well-being. This presumes that an instance of abuse of all residents, even those in a coma, cause physical harm, or pain or mental anguish. The term includes the following:

- Verbal Abuse - Any use of oral, written, or gestured language that willfully includes disparaging and derogatory terms to residents, clients or their families, or within their hearing distance, regardless of age, ability to comprehend or disability;
- Sexual Abuse – includes sexual harassment, sexual coercion or sexual assault;
- Physical Abuse – Includes hitting, slapping, pinching, kicking. The term also includes controlling behavior through corporal punishment or deprivation
- Mental Abuse – include humiliation, harassment, threats of punishment or deprivation;
- Involuntary Seclusion – Includes separation of a resident from other residents from his or her room or confinement to his or her room against the resident's will or the will of the resident's legal representative;
- Neglect – The deprivation by a caretaker of goods or service which are necessary to maintain physical or mental health.
- Misappropriation of property – the deliberate misplacement, exploitation, or wrongful, consent.

*Any TEAM MEMBER who abuses or neglects a resident is subject to termination. In addition, legal or criminal action may be taken. Abuse and neglect **must be reported immediately** to your supervisor or other member of management*

## Elder Justice Act

*The Elder Justice Act requires timely reports of any reasonable suspicion of a crime against a resident of a long term care facility. You must report your reasonable suspicion to the Pennsylvania Department of Health and local law enforcement within two (2) hours if the suspected crime involves serious bodily injury or within 24 hours if the suspected crime does not involve serious bodily injury.*

***DO NOT*** call the Compliance and Privacy Line for issues of abuse or neglect.  
***Report them immediately to your supervisor!***

## Resident and Client Confidentiality/HIPAA

ALL TEAM MEMBERS and associates must use and disclose medical, financial, or personal information only in a manner consistent with the HIPAA Privacy policies and procedures and state and federal law. You are responsible for keeping resident protected health information (PHI) confidential. PHI is defined as individually identifiable health information that is transmitted or maintained in any form or medium, including electronic health information.

Any unauthorized exposure of PHI which compromises the security or privacy of information is a potential breach.

**If you become aware of a breach of any protected or sensitive information it is important that you report it immediately to your supervisor or the Privacy Officer.**

If the disclosure results in a breach, Landis Communities must investigate and comply with all state and federal HIPAA regulations for breach notification.

## Resident and Client Property

Associates must respect residents' and clients' personal property and protect it from loss, theft, damage or misuse. Associates who have direct access to resident funds (e.g., resident trust funds) must maintain accurate records and accounts.

## Providing Quality of Care

As a provider of services and housing for older adults, our primary commitment is to provide the care, services and resources necessary to help each resident and client reach or maintain his or her highest possible level of physical, mental and psychosocial well-being. Landis Communities has policies and procedures and provides training and education to help each TEAM MEMBER strive to achieve this goal. As a TEAM MEMBER, you will learn about policies and procedures specific to your job responsibilities as part of your employment orientation and training.

Our care standards include:

- The honoring lives person centered care philosophy that includes accurately assessing the individual needs of each resident, or client, and developing interdisciplinary care plans that meet those assessed needs while honoring resident's and client's individualized wishes. We strive to create a homelike environment by individualizing care according to each resident's and client's rhythm of life.
- Reviewing goals and plans of care to ensure that the residents' and clients' ongoing needs are being met;
- Providing only medically necessary, physician prescribed services and products that meet the residents' and clients' clinical needs;

- Confirming that services and products (including medications) are within accepted standards of practice for the resident's clinical condition;
- Ensuring that services and products are reasonable in terms of frequency, amount and duration;
- Measuring clinical outcomes and resident and client satisfaction to confirm that quality of care goals are met;
- Providing accurate and timely clinical and financial documentation and record-keeping;
- Ensuring that residents' and clients' care is given only by properly licensed and credentialed providers with appropriate background, experience and expertise;
- Reviewing resident and client care policies and procedures and clinical protocols to ensure that they meet current standards of practice; and
- Monitoring and improving clinical outcomes through a Performance Improvement Committee utilizing the Quality Assurance Performance Improvement (QAPI) process with established benchmarks.

## **Medical Services**

We are committed to providing comprehensive, medically necessary services for our residents. The Medical Director provides oversight to physicians and other medical providers services and as defined by state and federal regulations. The Medical Director oversees the care and treatment policies and is actively involved in the Quality Assurance Performance Improvement process, as well as the Infection Control Committee.

## Professional Excellence

The professional, responsible and ethical behavior of every associate reflects on the reputation of our organization and the services we provide. Whether you work directly with residents or in other areas that support resident or client services you are expected to maintain our standards of honesty, integrity and professional excellence, every day and to adhere to our guiding values.

## Hiring and Employment Practices

Landis Communities is committed to fair employment practices. When hiring and evaluating, we:

- Comply with federal, state and local Equal Employment Opportunity laws, hiring the best qualified individuals regardless of race, color, religion, sex, national origin, age, disability, citizenship, military service, or any other legally protected characteristic. All promotions, transfers evaluations, compensation and disciplinary actions also follow this policy.
- Conduct employment screenings to protect the integrity of our workforce and welfare of our residents, clients, and associates.
- Require all who need licenses or certifications to maintain their credentials in compliance with state and federal laws; documentation of licenses or certifications must be provided.

## Employee Screening

Employees are screened in accordance with federal and state law to ensure the safety of our residents. Screening procedures have been implemented and are conducted prior to hire and at a minimum of quarterly thereafter.

As long as you are employed or affiliated with Landis Communities, you must immediately report to your supervisor:

- If you are arrested or indicted for a criminal offense;
- If you are convicted of an offense that would preclude employment in a healthcare facility;
- If action has been taken against your license or certification; or
- If you are excluded from participation in a federal or state healthcare program.

## Licensure, Certification and Exclusion Screening

We are committed to ensuring that only qualified professionals provide care and services to residents. Practitioners and other professionals treating residents must abide by all applicable licensing, credentialing and certification requirements. In addition, every effort is made to validate licenses and certification through the appropriate state or federal agency.

Landis Communities is prohibited by federal law from employing, retaining, or contracting with anyone who is excluded from any federal or state funded programs. Screening of all TEAM MEMBERS through the Office of Inspector General's List of Excluded Individuals and Entities, GSA's System of Award Management, and the Pennsylvania Medicaid Excluded Provider List database is conducted prior to hire and at a minimum of quarterly thereafter.

## **Team Member Relations**

To maintain an ethical, comfortable work environment, team members must:

- Refrain from any form of sexual harassment or violence in the workplace.
- Treat all colleagues and coworkers with equal respect, regardless of any personal characteristics, including but not limited to race, color, religion, sex, national origin, age, disability, citizenship, military service, or any other legally protected characteristic.
- Protect the privacy of other associates by keeping personal information confidential and allowing only authorized individuals access to the information.
- Not supervise or be supervised by an individual with whom they have a close family relationship; and
- Behave professionally and use respectful communication at all times.

## **Workplace Violence**

Every TEAM MEMBER has the right to work in a safe environment. Violence, abuse or aggressive behavior will not be tolerated.

## **Workplace Safety**

Maintaining a safe workplace is critical to the well-being of our residents and clients, visitors and coworkers. That is why policies and procedures have been developed that describes the organization's safety requirements. Every associate should become familiar with safety regulations and emergency preparedness procedures in their work area.

In addition to organizational policies, we must abide by all environmental laws and regulations. You are expected to follow organizational safety guidelines and to take personal responsibility for helping to maintain a secure work environment. If you notice a safety hazard, you must take action to correct it if you can, or report it to your supervisor immediately.

## **Drug and Alcohol Abuse**

We are committed to maintaining a workforce dedicated and capable of providing quality resident and client services. To that end, you are prohibited from consuming any substance that impairs their ability to provide quality services or otherwise perform their employment.

Associates may never use, sell or bring on company property, alcohol, illegal drugs and/or narcotics or report to work under the influence of alcohol, illegal drugs and/or narcotics. For an associate who appears to have work performance problems related to drug or alcohol use, a drug and alcohol screening will be conducted and appropriate action will be taken if necessary.

Illegal, improper or unauthorized use of any controlled substance that is intended for a resident is prohibited. If you become aware of any improper diversion of drugs or medical supplies, you must immediately report the incident to your department supervisor, the Compliance Official, the Compliance Officer or use the Compliance Line. Failure to report a known instance of noncompliance with this policy may result in disciplinary action against the TEAM MEMBER, up to and including termination.

## Organizational Relations

Professional excellence in organizational relations includes:

- Complying with federal tax law to maintain tax exempt status under section 501(c)(3) of the Internal Revenue Code;
- Maintaining company privacy and keeping proprietary information confidential;
- Avoiding outside activities or interests that conflict with responsibilities to Landis Communities and reporting such activity or interest prior to and during employment;
- Allowing only designated management staff to report to the public or media; and
- Requiring that Landis Communities comply with the licensing and certification laws that apply to its' business.

## Proprietary Information

In the performance of your duties, you may have access to, receive or may be entrusted with confidential and/or proprietary information, that is owned by Landis Communities and that is not presently available to the public. This type of information should never be shared with anyone outside the organization without authorization from a member of the Management Team and/or the Compliance Official.

Examples of proprietary information that should not be shared include:

- Resident and associate data and information;
- Details about clinical programs, procedures and protocols;
- Policies, procedures and forms;
- Training materials;
- Current or future charges or fees or other competitive terms and conditions;
- Current or possible negotiations or bids with payers or other clients;
- Compensation and benefits information for staff;
- Donor giving history. With the donor's permission, gift information may be listed in printed publications.
- Stocks or any kind of financial information; and/or
- Market information, marketing plans or strategic plans.
- **Strategic Plans.** Anything already shared with the supervisor group can be shared with others, unless otherwise indicated.
- **Projected resident/client rate increases.** These are not to be shared until a public announcement is shared at Landis Communities.

- **Competing program/service.** Information requested by another organization which may be used to develop a competing/service should first be discussed. We often work collaboratively with others, and may be willing to share information, but should first establish guidelines.
- **Complete Policy Manuals.** Sharing individual policies is acceptable, but sharing complete manuals should first be discussed
- **Resident/Client Addresses, Phone Numbers, and other personal information.** Minimum necessary requirements apply to all disclosures of Protected Health Information (PHI) except for treatment, payment, and health care operations. The Compliance Official or designee is responsible to review requests as needed to assure the practice of the minimal necessary standard is used.
- **Employee Addresses, Phone Numbers, and other personal information.** All related questions should be referred to Human Resources. No employee lists should be distributed without permission from Human Resources. At times approval may be granted to share some information with Landis Communities' team members, e.g. an address for an employee who is hospitalized for persons who wish to send a card.
- **Employment references** should all be referred to Human Resources. They will either complete the reference or give authorization for others to complete it.
- **Wage and Benefit information.** All questions should be directed to Human Resources.
- **Job Descriptions.** Job descriptions can be shared.
- **Public Directory.** Items on the computer public directory (M: drive) should not be shared outside of Landis Communities without first obtaining permission from the "owner" of the documents, e.g. the Director of the department from which the document originates (example: Dept. Action Plans).

## Gifts

Special relationships are readily developed as we serve residents, clients and their families. Consequently, they may wish to give you a gift expressing their appreciation. However, they are encouraged to show their gratitude through spoken and written words of appreciation rather than through personal gifts. Soliciting (asking/requesting) gifts of any kind should never happen.

As a matter of ethical conduct, team members generally may not accept tips, gratuities or gifts from residents, clients or families. Cash, cash equivalents and personal property of the resident/client should not be accepted. If the person insists on giving a gift of appreciation, they can be referred to the department director/supervisor. The resident, client, family member and/or other responsible party may need to be consulted in order to protect the interests of all parties.

Acceptance of holiday gifts, and the like, such as cookies/candy will be acceptable, but this practice is not to be expected nor encouraged. Consult with Human Resources whenever there is a question and to help insure consistent application of the policy.

## Additional Interpretation of the Policy:

Staff/team members may accept the following types of “holiday/special gifts” but should not solicit:

- Cards
- Perishable or consumable items, e.g. candy, chocolate
- Items that are not the resident or client’s personal property and have a value under twenty-five-dollars (for example – body wash, lotion).
- Gifts to an entire team (e.g. a household or department) can be received by the director/supervisor and then used for the benefit of the team.
- Modest gifts (more or less fit within the guidelines above) that are for “Life Celebration Events”, e.g. wedding gift, birth of a child. (May 21, 2009).

Associates may not accept any tip or gratuity from residents and clients; neither may they receive gifts from nor give gifts to residents and clients; nor may they borrow money from nor lend money to residents or clients; nor may they engage with residents or clients in the purchase or sale of any item.

## **Beneficiary and Power of Attorney**

Associates may not accept any gift from a resident or client under a will or trust instrument except in those cases where the associate and resident or client are related by blood or marriage.

Associates may not serve as a resident’s or clients’ executor, trustee, administrator, or guardian or provide financial services or act under a power of attorney for a resident or client except in those cases where the associate and resident or client are related by blood or marriage unless otherwise allowed by state law.

## **Business Courtesies**

Landis Communities prohibits a team member from offering, giving, soliciting, or accepting unreasonable business or professional courtesies including entertainment and gifts that could be interpreted as attempts to influence decision making.

In general, a business or professional courtesy is unreasonable if:

- It may appear to corrupt or influence the judgment of the recipient or to secure preferential treatment; or
- Public disclosure of the gift would be embarrassing to Landis Communities and/or the giver.

Team members may accept invitations to social events in order to further develop business relationships, provided that the associated costs are reasonable and appropriate. Travel and overnight lodging costs or costs for a family member may not be accepted.

Generally, a team member can accept non-cash gifts with a total value of \$50 or less in any year from a business associate or organization. However, business courtesies, regardless of value, that could influence or appear to influence an employee in the conduct of their duties must be declined.

Perishable or consumable gifts given to a department or group may exceed a total value of \$50 if it is of modest value.

Under no circumstances will a team member solicit or accept business courtesies, entertainment or gifts that depart from the Business Courtesies policy.

## **Conflict of Interest**

A conflict of interest exists any time your loyalty to the organization is, or even appears to be, compromised by a personal interest. There are many types of conflict of interest and these guidelines cannot anticipate them all, however the following provide some examples:

- Financial involvement with vendors or others that would cause you to put their financial interests ahead of ours;
- TEAM MEMBER/Officer participation in public affairs, corporate or community directorships, or public office;
- An immediate family member who works for a vendor or contractor doing business with the organization and who is in a position to influence your decisions affecting the work of the organization;
- Participating in transactions that put your personal interests ahead of Landis Communities or cause loss or embarrassment to the organization;
- Taking a job outside of Landis Communities that overlaps with your normal working hours at or interferes with your job performance; or
- Working for Landis Communities and another vendor that provides goods or services at the same time.

All TEAM MEMBERS must seek guidance and approval from our CEO or Compliance Official before pursuing any business or personal activity that may constitute a conflict of interest.

## **Use of Landis Communities Property**

We must protect the assets of the organization and ensure their authorized and efficient use. Theft, carelessness, and waste have a direct impact on the organization's viability. All assets must be used solely for legitimate business purposes.

Everyone must make sure that they:

- Only use property for the organization's business, not personal use;
- Exercise good judgment and stewardship when using supplies, equipment, vehicles and other property; and
- Respect copyright and intellectual property laws; or

- If unable to assess the copyright or intellectual property laws, never copy or download software. Downloads of upgrades to existing programs are allowed. Downloading and installing new software programs requires the approval of the IT department.

## Computers and the Internet

TEAM MEMBERS are expected to use computers, email and internet/intranet systems appropriately and according to the established policy and procedure. You are not permitted to use the Internet for improper or unlawful activity or download any games or music without prior approval on organization computers. Passwords are not to be shared.

Internet use can be tracked and how associates use their time on the Internet will be monitored. You should have no expectation of privacy when you use our computers, email, and internet/intranet system. Our organization has the right to sanction or discipline employees who violate the Code of Conduct in a digital, cyber, or other non-face-to-face environment. You should be familiar with our Social Media policy and abide by it.

## Vendor Relationships

We take responsibility for being a good client and dealing with vendors honestly and ethically. We are committed to fair competition among prospective vendors and contractors for our business. Arrangements between Landis Communities and its vendors must always be approved by management. Certain business arrangements must be detailed in writing and approved by management. Agreements with contractors and vendors who receive resident information, with the exception of care providers, will require a Business Associate Agreement (BAA) with the organization as defined by the Health Insurance Portability and Accountability Act (HIPAA). Contractors and vendors who provide resident care, reimbursement or other services to resident and client beneficiaries of federal and/or state healthcare programs are subject to the Code of Conduct and must:

- Maintain defined standards for the products and services they provide to Landis Communities and our residents and clients;
- Comply with all **policies** and procedures as well as the laws and regulations that apply to their business or profession;
- Maintain all applicable licenses and certifications and provide evidence of sanction screening, current workers compensation and liability insurance as applicable; and
- Require that their employees comply with the Code of Conduct and the Compliance and Ethics Program and related training as appropriate.

## Marketing and Advertising

We use marketing and advertising activities to educate the public, increase awareness of our services and recruit new associates. These materials and announcements, whether verbal, printed or electronic will present only truthful, informative, non-deceptive information. We abide by the

HIPAA privacy rules in our marketing practices and provide individuals instructions on how to opt out of future communications.

## Regulatory Excellence

**B**ecause we are in healthcare, we must follow the many federal, state and local laws that govern our business. Keeping up with the most current rules and regulations is a big job – and an important one. We are all responsible for learning and staying current with the federal, state and local laws, rules and regulations, as well as the policies and procedures that apply to our job responsibilities.

## Billing and Business Practices

We are committed to operating with honesty and integrity. Therefore, all associates must ensure that all statements, submissions and other communications with residents, prospective residents, the government, suppliers and other third parties are truthful, accurate and complete. We are committed to ethical, honest billing practices and expect you to be vigilant in maintaining these standards at all times. We will not tolerate any false or inaccurate coding or billing. Any associate who knowingly submits a false claim, or provides information that may contribute to submitting a false claim such as falsified clinical documentation, to any payer – public or private – is subject to termination. In addition, legal or criminal action may be taken.

Prohibited practices include, but are not limited to:

- Billing for services or items that were not provided or costs that were not incurred;
- Duplicate billing - billing for item or services more than once;
- Billing for items or services that were not medically necessary;
- Assigning an inaccurate code or resident status to increase reimbursement;
- Providing false or misleading information about a resident's condition or eligibility;
- Failing to identify and refund credit balances;
- Submitting bills without supporting documentation;
- Soliciting, offering, receiving or paying a kickback, bribe, rebate or any other remuneration in exchange for referrals; and/or
- Untimely entries into medical records.

**If you observe or suspect that false claims are being submitted or have knowledge of a prohibited practice, you must immediately report the situation to a supervisor, the Compliance Official, the Compliance Officer or the Compliance Hotline. Failure to report a known prohibited practice will subject you to disciplinary action up to and including termination.**

## **Referrals and Kickbacks**

TEAM MEMBERS and related entities often have close associations with local healthcare providers and other referral sources. To demonstrate ethical business practices, we must make sure that all relationships with these professionals are open, honest and legal.

Resident referrals are accepted based solely on the clinical needs and our ability to provide the services. Landis Communities never solicits, accepts offers or gives anything of value in exchange for resident referrals or in exchange for purchasing or ordering any good or service for which payment is made by a federal health care program. Anything of value includes any item or service of value including cash, goods, supplies, gifts, “freebies,” improper discounts or bribes.

Accepting kickbacks is not only against policies and procedures but also against the law. A kickback is anything of value that is received in exchange for a business decision such as a resident referral. To assure adherence to ethical standards in our business relationships, you must:

- Verify all business arrangements with physicians or other healthcare providers or vendors in a written document; and
- Comply with all state and federal regulations when arranging referrals to physician-owned businesses or other healthcare providers.

You cannot request, accept, offer or give any item or service that is intended to influence – or even appears to influence – the referral, solicitation, or provision of a healthcare service paid for any private or commercial healthcare payer or federal or state healthcare program, including Medicare and Medicaid, or other providers.

## **Inducements to Prospective Residents**

You may not provide anything of value including goods, services, or money to prospective residents or any beneficiary of a federal or state healthcare program that you know or should know will likely influence that person’s selection of a provider of healthcare services.

For the purposes of this policy, anything of value includes but is not limited to any waiver of payment, gift, or free service that exceeds a value of \$10 per item or \$50 annually in total. If you have a question about whether a particular gift or service would be considered “of value,” ask your supervisor or the Compliance Official.

## **Copyright Laws**

Most print and electronic materials are protected by copyright laws. TEAM MEMBERS are expected to respect these laws and not reproduce electronic print or printed material without the permission from the writer or publisher. When in doubt, ask your supervisor.

## **Financial Practices and Controls**

Ensuring that financial and operating information is current and accurate is an important means of protecting assets. Each of us must make sure that all information provided by bookkeepers, accountants, reimbursement staff, internal and external auditors and compliance staff are accurate and complete. This includes ensuring the accuracy of clinical documentation which supports our reimbursement. We must also comply with federal and state regulations when maintaining clinical records, accounting records and financial statements and cooperate fully with internal and external audits.

## **Fair Dealing**

All associates must deal fairly with residents, suppliers, competitors and other associates one another. No associate, manager or director shall take unfair advantage of anyone through manipulation, concealment, abuse of privileged information, misrepresentation of material facts, or any other unfair dealing practice.

## **Document Creation, Use and Maintenance**

Every associate is responsible for the integrity and accuracy of documents, records, and e-mails including, but not limited to, resident and client medical records, billing records, and financial records. No information in any record or document may ever be falsified or altered.

You must not disclose internally or externally, either directly or indirectly, confidential information except on a **need to know** basis and in the performance of your duties. Disclosure of confidential information externally must follow organization policies. Upon termination of employment you must promptly return all confidential information, medical and/or business, to the organization.

Examples of confidential business information includes potential or threatened litigation, litigation strategy, purchases or sales of substantial assets, business plans, marketing strategies, organizational plans, financial management, training materials, fee schedules, department performance metrics and administrative policies.

## **Voluntary Disclosure**

It is our policy to voluntarily report known overpayments and any improper/irregular conduct, including fraudulent conduct, which affects any federal or state healthcare program. Reporting will be completed within the time frames identified under the Patient Protection and Affordable Care Act.

## **Government Investigations**

We are committed to cooperating with requests from any governmental inquiry, audits or investigations. You are encouraged to cooperate with such requests, conscious of the fact that you have the following rights:

- You have the right to speak or decline to speak,
- You have the right to speak to an attorney before deciding to be interviewed; and
- You can insist that an attorney be present if you agree to be interviewed.

In complying with our policy you must not:

- Lie or make false or misleading statements to any government investigator or inspector;
- Destroy or alter any records or documents;
- Attempt to persuade another team member or any person to give false or misleading information to a government investigator or inspector; or
- Be uncooperative with a government investigation.

If you receive a subpoena or other written request for information from the government or a court, contact your supervisor, the Compliance Official or the Compliance Officer before responding.

## **Disciplinary Action**

Disciplinary action will be taken against anyone who fails to act in accordance with this Code of Conduct, the Compliance and Ethics Program, supporting policies and procedures and applicable federal and state laws. Disciplinary action may be warranted in relation to violators of the Compliance and Ethics Program and to those who fail to detect violations or who fail to respond appropriately to a violation, whatever their role in the organization. The Compliance Officer, in conjunction with the Chief Executive Officer and Human Resources Director, is empowered to initiate disciplinary action through the immediate supervisor and to monitor appropriate implementation of the disciplinary process. Disciplinary action will utilize standard disciplinary process for employees and termination of business relations and agreements. We will discipline anyone who engages in prohibited retaliatory conduct.

## **Compliance Questions**

The laws applicable to our operations are numerous and complicated. When you are not sure whether a particular activity or practice violates the law or the Compliance and Ethics Program, you should not “guess” the correct answer. Instead, you should immediately seek guidance from your department supervisor or the Compliance Official. You will not be penalized for asking compliance-related questions. In fact, we are intent on maintaining a culture in which you should feel comfortable asking the questions necessary to ensure that you understand the duties that are imposed upon you under this Code of Conduct, the Compliance and Ethics Program and other applicable federal and state laws.

## **Nondiscrimination Statement: Discrimination is Against the Law**

### **Discrimination is Against the Law**

Landis Communities complies with applicable Federal civil rights laws and does not discriminate on the basis of race, color, national origin, religion, age, disability, sex or any protected classification. Landis Communities does not exclude people or treat them differently because of race, color, national origin, religion, age, disability, sex or any protected classification.

Landis Communities provides free aids and services to people with disabilities to communicate effectively with us, such as:

- Qualified sign language interpreters
- Written information in other formats (large print, audio, accessible electronic formats, other formats)
- Free language services to people whose primary language is not English, such as:
  - Qualified interpreters
  - Information written in other languages

If you need these services, contact the Landis Homes Healthcare Administrator or the Director of Risk Management and Compliance.

## Conclusion

**T**he Compliance and Ethics Program is critical for Landis Communities' continued success. You are crucial to ensuring the integrity of Landis Communities. The Code of Conduct and the Compliance and Ethics Program set standards for the legal, professional and ethical conduct of our business. Some key points to remember are:

- Landis Communities and all its associates are committed to personal and organizational integrity, to act in good faith, and to be accountable for our actions.
- The Code of Conduct and the Compliance and Ethics Program prepare us to deal with the growing complexity of ethical, professional and legal requirements of delivering healthcare and the CCRC environment.
- The Compliance and Ethics Program is an ongoing initiative designed to foster a supportive work environment, provide standards for clinical and business conduct, and offer education and training opportunities for associates.

**T**he success of the Landis Communities Compliance and Ethics Program depends on our commitment to act with integrity, both personally and as an organization. As an associate, your duty is to ensure that the organization is doing everything practical to comply with applicable laws. You are expected to satisfy this duty by performing your responsibilities in accordance with professional standards, the regulations guiding our business practices and our policies and procedures.

**Landis Communities Compliance Official**  
Melinda Miller, LSW, NHA, PCHA, CPASRM  
717-381-3573

**Landis Communities Compliance Officer**  
Karla Dreisbach, CHC, CHPC  
215-646-0720

**Toll-Free Compliance Line**

**1-800-211-2713**

**FSA Compliance Program**

Friends Services Alliance (FSA), along with the Brethren, Mennonite, Quaker and other faith based non-profit organizations involved in providing services to the elderly, have established a collaborative Compliance and Ethics Program known as the FSA Compliance Program

FSA  
460 Norristown Road  
Suite 300  
Blue Bell, PA, 19422  
215-646-0720

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