

## **NOTICE TO AGENTS, VENDORS AND CONTRACTORS**

Jordan Valley Community Health Center (“Jordan Valley”) is committed to conducting its business with integrity and in accordance with all applicable federal, state and local laws, and promoting compliance as an integral part of its daily operations. Jordan Valley has created a Corporate Compliance Program to support quality patient care and minimize compliance risk by promoting ethical and lawful conduct consistent with the values, mission and principles included in the Jordan Valley Code of Conduct. We hold our Agents, Vendors, and Contractors (hereinafter “Business Partners”) to the same high ethical and legal standards.

**Corporate Compliance Program.** At Jordan Valley, we cultivate a culture of compliance from our Board Room to our front-line care-givers, and we include our Business Partners in that commitment. Jordan Valley is committed to an effective Corporate Compliance Program to sustain our culture. Our Corporate Compliance Program includes education, communications methods to encourage reports of concerns, investigations into concerns, monitoring and auditing for compliance and accuracy, and accountability and corrective action when we detect an error. We expect all entities associated with Jordan Valley to conduct business in a lawful and ethical manner.

**Code of Conduct.** The Code of Conduct is the cornerstone of the Jordan Valley Compliance Program. Our Business Partners are subject to the Jordan Valley Code of Conduct. Our Code of Conduct sets the norm for how we conduct business and outlines our commitment to providing quality services, fully complying with the law, and meeting the highest ethical standards for business. Legal compliance and ethical conduct mean doing the right thing as we go about our jobs. Our Code of Conduct outlines how we strive for excellence through our commitment to:

- Our Community;
- Quality;
- Safety;
- Advocacy;
- Cultural sensitivity and linguistic competence;
- Respect and compassion;
- Teamwork;
- The satisfaction of patients, providers, employees and partners;
- Accessibility and responsiveness; □ Fiscal responsibility; and
- Health outcomes.

**Living our Code of Conduct.** While every person associated with Jordan Valley is not expected to have expert knowledge of all legal and regulatory requirements that may apply to their work, it is expected that individuals associated with Jordan Valley will be aware of the requirements under the Plan and Code of Conduct. Business Partners must be aware of, and agree to abide by, the following provisions as a continuing condition to do business with us:

## Eligibility to Do Business with Jordan Valley Community Health Center

1. **Compliance with Federal Grant Regulations.** Jordan Valley is a federally qualified health center (“FQHC”), receiving a federal grant under §330 of the Public Health Service (PHS) Act. As such, Jordan Valley is subject to the Uniform Administrative Requirements for Health and Human Services (HHS) Awards under 45 CFR 75, which outlines the administrative requirements, cost principles, and audit requirements for federal awards to non-federal entities. Further, 42 CFR §51c requires federal funds to be expended solely for carrying out the approved activity for which the funds are allocated. Business Partners must comply with all applicable laws related to the administration of the federal award which furthers our mission of providing quality healthcare to the community.

2. **Nondiscrimination.** Jordan Valley is committed to maintaining a workplace environment free from discrimination, harassment and violence. Our continued success depends on the full participation of all our colleagues — regardless of race, ethnicity, ancestry, color, religion, sex/gender (including pregnancy), national origin, sexual orientation, gender identity or expression, physical or mental disability, medical condition, age, veteran status, military status, marital status, genetic information, citizenship status, unemployment status, political affiliation or on any other basis or characteristic prohibited by applicable federal, state or local law. In addition to violating our corporate policy, such discriminatory activities are proscribed under 42 CFR 51c.109 for programs or activities which receive federal funding.

3. **Medicare Compliance.** As an FQHC, Jordan Valley must meet FQHC regulatory requirements specified in 42 CFR Part 405 Subpart X, and at 42 CFR Part 491, with the exception of §491.3. Compliance with CMS regulations and guidance is mandatory. All Business Partners must remain eligible to conduct business with a Medicare-participating organization. Specifically, you must report if you have been placed on any state or federal exclusion lists, including the U.S. Department of Health and Human Services Office of Inspector General (OIG) and/or General Services Administration (GSA); or if any of your employment-related professional licenses have expired, or been revoked and/or sanctioned.

4. **Fraud, Waste and Abuse.** Jordan Valley participates in a number of federal programs with specific fraud, waste and abuse requirements. There are differences between fraud, waste and abuse. One of the primary differences is intent and knowledge. Fraud requires the person to have an intent to obtain payment and the knowledge that their actions are wrong. Waste and abuse may involve obtaining an improper payment but does not require the same intent and knowledge. Jordan Valley prohibits the following conduct:

- **Criminal Fraud.** Knowingly and willfully executing, or attempting to execute, a scheme or artifice to defraud any health care benefit program; or to obtain, by means of false or fraudulent pretenses, representations or promises, any of the money or property owned by, or under the custody or control of, any health care benefit program. This violates criminal law.

- **Waste.** Overutilization of services or other practices that, directly or indirectly, result in unnecessary costs to the Medicare Program. Waste is generally not considered to be caused by criminally negligent actions but rather the misuse of resources.
- **Abuse.** Includes actions that may, directly or indirectly, result in unnecessary costs to the Medicare Program. Abuse involves payment for items or services when there is no legal entitlement to that payment and the provider has not knowingly and/or intentionally misrepresented facts to obtain payment.

5. **Privacy and Security of Personal Information.** Our role in the health care industry requires us to collect and maintain personal information of those we serve. This information is protected under federal and state privacy and security laws; and includes “Protected Health Information” (PHI) and “Personally Identifiable Information” (PII). These laws require PHI and PII be handled in a confidential manner. PHI includes information about a person’s physical or mental health condition, information learned while providing health care to a person, information about a person’s health care payments and information that identifies (or can reasonably be used to identify) a person. PII is information that can also identify a person, either by itself or when combined with other information, but isn’t necessarily health care related information. This includes information such as a person’s last name or telephone number. You should always remember that those we serve, including colleagues using our services, count on us to protect their personal information.

6. **Gifts, Gratuities and Kickbacks.** Jordan Valley Business Partners may not seek, request or accept any gift, gratuity or other item, regardless of value, that is intended to influence a business decision, or that is offered to them because of their position in a pending business decision. Jordan Valley Business Partners may not accept gifts, gratuities, discounts or other things of value from anyone doing business with, or desiring to do business with, Jordan Valley, except in nominal amounts, which they must disclose to their reporting superior. Further guidance is outlined in the Code of Conduct.

7. **Conflicts of Interest.** Jordan Valley does business in an open, fair, impartial, and transparent manner and engages in arms-length negotiations with potential vendors, contractors or business partners. Jordan Valley requires our employed associates, credentialed providers, board members and volunteers to act in the best interests of Jordan Valley at all times. This includes avoiding conflicts of interest that might jeopardize the impartiality of their judgment and decision-making, as well as avoiding situations that create a reasonable appearance of a conflict of interest or an appearance of favoritism, partiality, personal gain or insider-dealing.

8. **Labor Practices.** Jordan Valley is committed to compliance with all applicable laws and regulations, including those concerning payment for all hours worked, human rights and working conditions. Jordan Valley will comply with all such federal, state and local laws and regulations, including not doing business with a vendor or business partner that illegally or improperly employs underage workers whether you know of such a practice or not.

**9. Government Reimbursement and the False Claims Act.** Federal and state false claims acts and similar laws prohibit submitting a false claim or making a false record or statement in order to gain reimbursement from, and/or avoid an obligation to, a government-sponsored program, such as Medicare or Medicaid. Examples of possible False Claims include someone knowingly billing Medicare for services that were not provided, or for services that were not ordered by a physician, or for services that were provided at substandard quality where the government would not pay. We adhere to all applicable laws, regulations and program requirements when billing federal or state health care programs. Jordan Valley's Corporate Compliance Program supports compliance with the False Claims Act by:

- Prohibiting all forms of retaliation for reporting misconduct.
- Monitoring and auditing business activities to prevent or detect errors in coding or billing.
- Educating our associates, vendors and contractors that they are responsible to report any concern about a possible False Claim at Jordan Valley via our reporting processes.
- Investigating all reported concerns and correcting any billing errors discovered.
- Protecting our associates, vendors or contractors from adverse action when they do the right thing and report any genuine concern via our reporting processes. Jordan Valley will investigate any allegation of retaliation against an associate for speaking up.

**10. Compliance with 340b Drug Pricing Program.** As an FQHC, Jordan Valley strives to adhere to the requirements of the 340B Drug Pricing Program, managed by the Health Resources and Services Administration (HRSA). Jordan Valley's Business Partners must support its efforts to complying with the following requirements of HRSA:

- Maintenance of accurate 340B database information;
- Eligibility recertification every year;
- Prevention of duplicate discounts;
- Prevention of diversion to ineligible patients; and □ Preparation for program audits.

**11. Reporting Concerns.** Business Partners are encouraged to report any concerns anytime, by emailing [compliance@jordanvalley.org](mailto:compliance@jordanvalley.org), or by calling 417-851-1556 where reports can be made anonymously. Jordan Valley policy prohibits retaliation for a report made in good faith.