



Saint Thomas Health

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Owner: Cynthia Figaro: V.P. Corporate Compliance
Section/Dept: Corporate Responsibility
References:
Applicability: Saint Thomas Health

Corporate Responsibility Program (CRP), SP-12

PURPOSE:

The Corporate Responsibility Program (CRP) will focus on business and professional standards of conduct, compliance with federal, state and local laws, promotion of good corporate citizenship, prevention and early detection of misconduct, and identification/prioritization of high risk areas and communication/ education regarding corporate responsibility.

POLICY STATEMENT:

Saint Thomas Health is committed to carrying out its healthcare ministry in a manner consistent with the Ascension Health Mission, Vision, and Values. We are dedicated to following a high ethical standard of individual conduct as well as acting responsibly as corporate citizens. In order to ensure that appropriate ethical and legal business standards and practices are maintained and enforced, Saint Thomas Health has established and implemented a policy for an effective Corporate Responsibility Program ("CRP").

DEFINITION(S):

As used in this document, the following terms are described below:

- A. **"Ascension Health"** means Ascension Health, a Missouri nonprofit corporation.
- B. **"Ascension Health CRO"** means the Ascension Health Associate who has been designated as Ascension Health's Corporate Responsibility Officer by the Ascension Health Chief Executive Officer.
- C. **"Associate"** means an employee of Saint Thomas Health.
- D. **"Audit Committee"** means the Audit Committee of Saint Thomas Health.
- E. **"Board of Trustees"** means the Board of Trustees of Saint Thomas Health.
- F. **"CHAN"** means the Catholic Healthcare Audit Network, LLC, the organization that provides internal audit services at Ascension Health and its Health Ministries.
- G. **"Contractor"** means an individual (i) who has an independent contractor agreement with Saint Thomas Health to provide goods or services to Saint Thomas Health, or (ii) who owns, is employed by, or otherwise works for an organization with such a contract, and who has direct contract with any Saint Thomas Health associate in the performance of the contract.
- H. **"Corporate Responsibility Officer" ("CRO")** means that individual assigned responsibility for overseeing the development, implementation and operation of the Saint Thomas Health CRP.

- I. **"Corporate Responsibility Program" ("CRP")** means the overall program developed and implemented by Saint Thomas Health to ensure corporate responsibility and legal compliance.
- J. **"Corporate Responsibility Committee"** means the committee appointed by the CRO to assist the CRO in the development, implementation, and ongoing operation of the CRP.
- K. **"Health Ministry"** means the organization in a regional or local area through which Ascension Health carries out its mission and in which Ascension Health serves as the sole or controlling member.
- L. **"Legal Counsel"** means the attorney or law firm designated by the CRO to provide legal advice and assistance in the development, implementation and maintenance of the CRP.
- M. **"Participant"** means an individual subject to the CRP. Participants will include all associates; all directors and officers of Saint Thomas Health; and all contractors and professional staff members whom the Saint Thomas Health management determines should be subject to the CRP.
- N. **"Professional Staff Member"** means a physician or an allied health practitioner who is a member of the Saint Thomas Health medical staff, but who is not an associate or contractor.
- O. **"Saint Thomas Health" or "STHe"** refers to all legal entities that are directly or indirectly controlled by Saint Thomas Health and, as applicable, to STHe Organizations controlled by Saint Thomas Health. An entity is controlled by Saint Thomas Health if Saint Thomas Health has (1) the authority, either directly or indirectly, to act as the controlling member, shareholder or partner of the entity, (2) the authority to appoint, elect or approve at least a majority of the individual members, shareholders, or partners of the entity, or (3) the authority to appoint, elect or approve at least a majority of the governing body of the entity.
- P. **"Standards of Conduct"** means the principles of associate behavior that promote corporate responsibility.

PROCEDURE / GUIDELINES:

1. Key Characteristics of the Corporate Responsibility Program

The Corporate Responsibility Program will:

- A. Require proactive guidance, self-review, monitoring, auditing, and reporting;
- B. Require good faith effort to comply with law and regulations;
- C. Require commitment of high level personnel;
- D. Heighten awareness and sensitivity to high risk areas through education and communication;
- E. Ensure commitment to implement appropriate corrective action in response to identified compliance issues on a timely basis; and
- F. Be complementary, not duplicative, of existing policies, standards, and guidelines.

Attachment A describes the role of federal and state laws in preventing and detecting fraud, waste and abuse in federal healthcare programs.

2. Elements of the Corporate Responsibility Program

A. Oversight of Governance and Management

- 1. The Board of Trustees and/or its Audit Committee will:
 - Approve the Corporate Responsibility Program.
 - Review periodic reports regarding the status of the CRP.

2. The Saint Thomas Health CEO will assign the responsibility of overseeing the implementation and operation of the CRP to an associate who will be designated as the Corporate Responsibility Officer (CRO).
3. The CRO will have direct access to the CEO, Board of Trustees, Audit Committee, senior management and Legal Counsel. The CRO will report directly to the Saint Thomas Health Chief Operating Officer in this role with a dotted line to the Saint Thomas Health Chief Executive Officer.
4. The CRO will:
 - Implement and manage the CRP.
 - Make regular reports to the Board of Trustees, Audit Committee and other management concerning the status of the CRP and any significant compliance issues affecting Saint Thomas Health.
 - Maintain appropriate documentation related to the CRP.
 - Participate in System-wide activities and programs as requested by the Ascension Health CRO.
5. The CRO will establish a CRP Committee to assist with the maintenance of the CRP. The CRP Committee will be responsible for advising the CRO with respect to the following:
 - Ongoing operation of the CRP
 - Policies and procedures
 - Training and education
 - Risk assessment
 - Open lines of communication
 - CRP investigations
 - Auditing and monitoring
 - Response to detected deficiencies
 - Enforcement of disciplinary actions
 - Compliance with new laws and regulations
6. The CRO will have certain reporting requirements to the Ascension Health CRO which include:
 - Annual report on the achievement of requirements in the CRP effectiveness assessment
 - Periodic reports on the status of significant compliance issues

B. Policies and Procedures

1. The CRP will include a CRP Standards of Conduct for associates and other Participants. Attachment B is the CRP Standards of Conduct.
2. The CRO will establish written policies and procedures to address the elements of the CRP and other general compliance issues. Policies and procedures that pertain to general compliance issues will be made available to associates.

C. Training and Education

1. The CRP will include training and education programs for Participants. Such education and training will be part of initial orientation programs and occur annually for each Participant. Certain Participants may have additional education and training requirements depending on their title, position, or responsibilities. A mechanism for tracking the completion of required training will be maintained.
2. Training and education programs will include:
 - Purpose and operation of the CRP
 - Identity and role of the CRO
 - Identity and role of the Privacy Officer
 - Standards of Conduct
 - Reporting practices and non-retaliation approach
 - Consequences of failure to comply with rules and regulations
 - Administrative policies and procedures related to the CRP
 - Role of Associates in corporate responsibility
 - Other subjects determined by the CRO
3. Saint Thomas Health will offer corporate responsibility training and education programs to Professional Staff Members.
4. All Associates will sign a statement acknowledging their awareness of the CRP, their responsibility to report illegal or questionable activity, and their agreement to abide by the Standards of Conduct.

D. Risk Assessment

1. The CRO will perform a Saint Thomas Health risk assessment based on the current healthcare business and regulatory environment. This assessment will be prepared at least annually.
2. The CRO will review the operations of the Saint Thomas Health in these risk areas to determine where exposure may exist and how each risk area will be addressed (e.g., policies and procedures; training and education; and auditing).

E. Open Lines of Communication

1. CRP issues can be identified by various reporting sources including direct reporting by Associates; auditing and monitoring activities; and external governmental agency inquiries and investigations.
2. The Saint Thomas Health reporting system includes a confidential process by which any Associate should feel comfortable in seeking guidance and disclosing information about potential violations without feeling any threat of retribution.
3. The Associate CRP reporting system will include the following:
 - Direct access to the associate's supervisor, management staff and Human Resource staff
 - Direct access to the CRO
 - An anonymous reporting system
4. Saint Thomas Health will make available to its associates the CRP Values Line. The CRP Values Line provides a means by which any Associate can report a potential corporate

responsibility issue in an anonymous and confidential manner. The Values Line is provided by an outside vendor and has confidential phone and email reporting available 24 hours a day and 7 days a week.

5. The CRO or his/her designee is responsible for ensuring that Values Line calls are appropriately investigated and that a response is provided to the caller on a timely basis.

F. CRP Investigations

1. The CRO or his/her designee will thoroughly investigate (or coordinate/supervise the investigation of) each report on a timely basis.
 - A thorough investigation includes, but is not limited to, gathering and reviewing relevant documents and identifying and interviewing those associates, former associates and others who may be able to provide pertinent information.
 - Each investigation will be carefully documented in a systematic manner.
 - The CRO or his/her designee will respond to the reporting party, as appropriate, regarding the status of the investigation and any corrective action taken.
 - It may be necessary for individuals other than the CRO to become involved. This determination will be made on a case-by-case basis. The CRO may choose to involve other individuals or committees as necessary.
 - When a potential violation is identified, the CRO, and Legal Counsel if necessary, will attempt to determine whether a violation has occurred and will assist in determining the need for and the terms of any repayment or voluntary disclosure.
 - Depending on the nature of the potential violation, Saint Thomas Health may seek legal guidance regarding the steps necessary to investigate and remedy, if necessary, the potential violation. In such cases, the CRO will coordinate with Legal Counsel regarding the appropriate approach and steps to take in conducting the investigation. The attorney-client privilege is used when Legal Counsel is conducting an investigation for the purpose of providing legal advice regarding the subject matter of the investigation. It may be appropriate to have Legal Counsel engage any outside experts involved in the investigation so that reports issued to Legal Counsel can be protected by the attorney-client privilege. Refer to Ascension Health Procedure OL-8 *Attorney-Client Privilege/Work Product Doctrine* for additional information.
2. The CRO will provide periodic reports to the Ascension Health CRO on significant compliance issues as defined by the Ascension Health CRO.

G. Response to Detected Deficiencies

1. Reasonable steps will be taken to appropriately respond to any CRP issue detected or reported.
2. Appropriate corrective actions will be taken that address the specific CRP issue and that helps similar issues from occurring in the future. Corrective actions include:
 - Taking reasonable steps to modify practices and procedures
 - Refunding inappropriately paid claims and reporting corrective actions to the government contractor, on a voluntary disclosure basis, when appropriate
 - Developing and/or amending existing policies and educating and training associates, as applicable

- Providing feedback to any party reporting violations, in good faith, whenever possible
- Thoroughly documenting the corrective actions taken for each issue
- Following up on corrective actions, and re-auditing if applicable, in a timely fashion to ensure they have been implemented.

H. Auditing and Monitoring System

1. The CRO will ensure that periodic audits are conducted for those CRP risk areas determined by the Ascension Health CRO.
2. The CRO may conduct periodic audits for Saint Thomas Health specific CRP areas identified in the Saint Thomas Health risk assessment.
3. The CRO will ensure that audits are conducted in conjunction with internal or external investigations of specific CRP issues.
4. Depending on the nature of the audits, it may be appropriate to engage CHAN, outside consultants and/or perform self-audits of high-risk compliance areas. In some cases, Legal Counsel may engage CHAN or outside consultants under the attorney-client privilege to conduct audits of high-risk compliance areas to assist Legal Counsel in providing legal advice related to the subject matter of the audit.
5. The CRO will ensure that monitoring systems are implemented to address high-risk CRP issues. Monitoring systems may include the automated review and analysis of data for potential errors or anomalies; observation of systems and processes; and reviews of small samples of claims.
6. The CRO will ensure that issues identified through the auditing and monitoring process are followed up on a timely basis and that corrective actions are properly implemented.

I. Enforcement of Disciplinary Standards

1. The CRO, along with Human Resources and other applicable associates at the Health Ministry, will ensure that consistent disciplinary actions are taken and documented in response to violations of compliance policies.
2. The CRO will ensure that no Health Ministry associates, medical staff members and vendors are excluded from participation in the Medicare and Medicaid programs.

J. Review of Corporate Responsibility Program

1. On a periodic basis, the CRO and CRP Committee will review the CRP Program to ensure that it is updated to address organizational changes and other changing requirements of the Saint Thomas Health.

REFERENCES:

- Tenn. Code Ann. §§ 4-18-101, et. seq.
- Tenn. Code Ann. §§ 71-5-181, et. seq.
- Tenn. Code Ann. § 71-5-2601
- 31 U.S.C. §§ 3801-3812
- 31 U.S.C. §§ 3729-3733
- Deficit Reduction Act of 2005, Sections 6031, 6032

KEY WORDS:

ATTACHMENT(S) / RELATED DOCUMENT(S):

- Attachment A – Federal False Claims Act
- Attachment B – Saint Thomas Health Standards of Conduct

All revision dates:

02/2013, 11/2012, 11/2008, 12/2006, 12/2005, 12/2003

Attachments:

-  [A: Federal False Claims Act](#)
-  [Attachment B – Saint Thomas Health Standards of Conduct.doc](#)

	Committee	Approver	Date
		Cynthia Figaro: V.P. Corporate Compliance	02/2013
		Cynthia Figaro: V.P. Corporate Compliance	03/2013
		Cynthia Figaro: V.P. Corporate Compliance	03/2015
		Karen Gibbons: Policy Coordinator -STHe	04/2016