



# PHI Air Medical, L.L.C. Compliance Plan

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**Introduction:** The PHI Air Medical, L.L.C. Compliance Plan is to be used by employees, contractors and vendors to get a high level understanding of the key regulatory requirements relating to our participation in the Federal health care programs (including Medicare and Medicaid). All employees and identified contractors and vendors are to be familiar with this Compliance Plan and other applicable compliance policies. The Compliance Plan and other policies can be accessed on the PHI Net Air Medical section.

## **A. Overview and Goal of the Compliance Plan**

### **The Goal of this Plan:**

The goal of the **PHI Air Medical, L.L.C. (PHI Air Medical)** Compliance Plan (“the Plan”) is to ensure that all employees and contracted providers of **PHI Air Medical, L.L.C. (“PHI Air Medical”)** (a PHI, Inc. Company) adhere to all applicable Medicare, Medicaid, and any other federally funded health care laws, rules and policies relating to the submission of claims for ambulance services, and the general operation of an air ambulance service.

The purpose of the Compliance Plan is to prevent and detect problems before they evolve into a government investigation or lawsuit and to emphasize the organizational commitment to an effective compliance program.

The Compliance Plan focuses on ensuring proper documentation of services, billing, coding, and claims submission, and the prevention, prompt detection, and appropriate action steps for health care fraud and abuse.

### **Guiding Principles**

The following guiding principles shall guide the conduct of all PHI Air Medical staff members.

- PHI Air Medical requires its staff to function in compliance with all applicable laws and regulations.
- PHI Air Medical is committed to the highest quality of patient care, patient care documentation, data and claim submission, and reimbursement practices measured by accuracy, reliability, timeliness, and validity.
- PHI Air Medical’s policy is to maintain proper contacts with governmental officials and other government personnel, whether directly or indirectly, as proper business relationships.
- PHI Air Medical maintains accurate and reliable patient and other related records.
- PHI Air Medical requires the undivided loyalty of its staff members and other agents when they exercise their respective responsibilities.



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### a. Compliance Standards and Procedures, Including Code of Conduct

- PHI Air Medical has complete confidence in the integrity and ethical conduct of its staff members.
- To fortify existing conduct, PHI Air Medical has adopted a “Code of Conduct” to assist all staff members in avoiding both the appearance and commission of improper activities. This Code of Conduct Policy 1-14 G can be accessed on the PHI Net.
- The Code of Conduct is a “guidepost” to be used to help assure that all applicable laws and regulations are understood and followed by all personnel.
- PHI Air Medical is committed to conducting its operations in a lawful and ethical manner.
- PHI Air Medical staff members and contractors are required to comply with all applicable laws, regulations, and policies affecting the operations of PHI Air Medical’s operations.
- The Compliance Officer should be consulted if questions arise or to report a potential violation or any compliance concern relating to any of these key areas.

### b. New Standards and Procedures

#### Contacting the Compliance Officer:

- PHI Air Medical’s Compliance Officer should be contacted when questions on compliance arise or to report potential violations or any concerns regarding compliance. The Compliance Officer can be reached at 602-778-3011; via e-mail [jblumenstock@phihelico.com](mailto:jblumenstock@phihelico.com) or via the Compliance Hotline (866) 815-7101
- To the fullest extent possible, all communication to the Compliance Officer will be treated confidentially.
- Voluntary reporting of potential compliance issues is encouraged.
- There will be no adverse action or retaliation against any staff member who makes a good faith report of a compliance concern.
- Reports can be made to the Compliance Officer anonymously whenever possible through the use of the Compliance Hotline (866) 815-7101 established for this purpose.



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## Plan Summary:

The federal government has set forth seven elements necessary for an “effective” compliance program for ambulance services.

The following sections of this overview describes the seven elements set forth by the Office of Inspector General (OIG).

## **B. Compliance Plan Components**

### 1. Development of Compliance Standards, Policies and Procedures

PHI Air Medical has established compliance standards and procedures to be followed by its staff members and others with whom we are associated in order to reduce the possibility of criminal conduct. This includes written standards of conduct, as well as written policies and procedures that reflect PHI Air Medical’s commitment to compliance and to address specific areas of potential fraud and abuse. These written policies and procedures will be reviewed periodically (at least annually) by the Healthcare Compliance Committee and revised when necessary to ensure they are current and relevant to our operation.

## **a. Specific Compliance Policies**

All staff members should be familiar with and support the established Compliance policies:

- Code of Conduct: Policy # 1-14 G
- Code of Ethics: Policy # 1-14 B
- Antitrust: Policy # 1-14 C
- Insider Trading: Policy #1-14 D
- Conflict of interest: Policy # 1-14 E
- Anti-Corruption Practices: Policy # 1-14 F



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### 2. Designation of the Compliance Officer and Other Oversight Responsibilities

Specific individual(s) with high-level authority within PHI Air Medical have been assigned overall responsibility to oversee compliance with such standards and procedures. PHI Air Medical has designated a Compliance Officer charged with the responsibility for operating and monitoring the organization's compliance program.

#### a. Compliance Officer

PHI Air Medical has appointed a Compliance Officer, who is responsible for overseeing implementation of the Compliance Plan to include:

- Making recommendations to senior management regarding changes to enhance compliance.
- Updating the Compliance Plan to include developing policies and standards.
- Report on a regular basis to PHI Air Medical, L.L.C. senior management and/or PHI Air Medical, L.L.C. Board of Managers as well as the PHI, Inc. Corporate Compliance Committee.
- Develop, coordinate, and/or conduct educational activities and other methods of communication that focus on elements of the Plan and the specific risk areas identified in the Plan.
- Work with individuals responsible for personnel decisions to ensure that appropriate credentials and references are checked for all staff members.
- Conduct or assist in the conducting of appropriate internal compliance reviews and audits
- Independently investigate compliance problems and bring them to the attention of the PHI Air Medical senior management staff for appropriate response and disciplinary action if necessary

The Compliance Officer is responsible for ensuring that the organization has in place, at all times, an effective Compliance Program, and that the applicable policies, procedures and practices are sufficient for purposes of communicating, monitoring and effectively enforcing PHI Air Medical's ongoing commitment to compliance.



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### **b. Healthcare Compliance Committee**

The PHI Air Medical Compliance Officer will appoint a Healthcare Compliance Committee that will assist the Compliance Officer with education and oversight of compliance activities. Current Healthcare Compliance Committee include:

Compliance Officer- Chair  
President PHI Air Medical  
Director of Finance, AMG  
Director, Independent Programs  
Director, National Clinical Standards  
Director, PFS  
Director, Patient Navigation  
IT Administrator  
Program Director, Communications  
Manager, Clinical Services  
Healthcare Attorney

### 3. Development of Education and Training Programs

PHI Air Medical will take all necessary steps to communicate effectively its standards and procedures to all staff members and other agents, e.g., by requiring participation in training programs or by disseminating publications that explain in a practical manner what is required of them to avoid compliance issues. Our training content will be tailored appropriately and will be delivered in a way that will maximize the likelihood that the information will be understood by all staff members.

#### **a. Overview of Compliance Training Programs**

PHI Air Medical believes that continuing education for its staff members and agents promote professional excellence and regulatory compliance. Participation in this continuing education will be mandatory, as determined necessary for job function. Compliance-related education programs will, at a minimum, include:

- An overview of federal and state fraud and abuse laws and regulations, coding requirements, documentation requirements, and market practices that reflect current legal and program standards.
- How the Plan operates and the significance of this Plan; and
- The role of each PHI Air Medical staff member and agent in adhering to this Plan.

Compliance-related education programs will be conducted via:

- Annual On-line Compliance and Code of Conduct Training;
- Annual HIPAA Training;



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- New Employee Orientation Training;
- Functionally Specific Training;
- On-site and in person training;
- Ad hoc training due regulatory changes;
- Facilitate operational leadership addressing Compliance issues at staff meetings;
- Periodic and routine communications to staff members i.e. Compliance Monthly.

### **b. Compliance Officer's Role in Training**

The Compliance Officer along with the Healthcare Compliance Committee shall provide oversight for coordinating these training activities. PHI Air Medical staff members will be required to have a minimum number of educational hours per year, as an appropriate part of their organizational responsibilities. Training may also be offered or in some cases required for outside vendors.



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#### 4. Development of Internal Monitoring and Reviews

PHI Air Medical will take reasonable steps to achieve compliance with its standards by using monitoring and review systems reasonably designed to prevent and detect potentially criminal conduct by its staff members and other agents. This includes developing and using appropriate monitoring methods to detect and identify problems, and to help reduce the future likelihood of problems. Claims and system reviews are common internal monitoring methods that will be employed. Another key element of PHI Air Medical's Plan is our reporting system that staff members and others can use to report compliance issues, concerns, and suspected criminal conduct by others within the organization without fear of retribution.

##### a. Audits, Monitoring and Reviews

PHI Air Medical is committed to ensuring that this Plan is properly implemented through a system of periodic monitoring and auditing. Compliance audits, monitors and reviews will be undertaken on a regular and ad hoc basis. The following areas and/or processes will be monitored:

- Coding and Billing Decisions
- Illegal Remuneration (including kickbacks) and Prohibited Referrals
- Billing and Claims Submission
- Information and Documentation on the Patient Care Report
- Medical Necessity
- Copayment Collection Procedures
- Overpayments
- Coordination of Benefits, Subsequent Payor Reimbursement including prompt refunds and identification and resolution of credit balances
- Claims denials
- Integrity of Electronic or Computer Billing Systems
- Required annual training completion



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### 5. Responding Appropriately to Detected Misconduct

If an offense has been detected, PHI Air Medical will take all reasonable steps to respond appropriately to the offense and to prevent further similar offenses. This includes appropriate legal consultation, when necessary, and proper reporting of the misconduct to appropriate authorities. Any suspected misconduct may make it necessary to modify our compliance program to determine any weaknesses and to correct those weaknesses. The goal at all times is to further prevent and detect potential violations of law, or the established reimbursement regulations and policies set forth by the federal government or payors of health care services.

#### a. Government Investigations

- PHI Air Medical's policy is to cooperate with reasonable demands of governmental investigations.
- While it is PHI Air Medical's policy to cooperate with governmental agencies, PHI Air Medical's legal rights must be protected. In addition, certain inquiries from governmental agencies may involve issues of patient privacy and consent, which must also be protected.
- In the case where a governmental agent visits a PHI Air Medical staff member with a request for an interview, the employee has the option to adjust scheduling and place for any such interview, may decline to participate in such interview, or may request that PHI Air Medical be present at any such interview. There may, however, be emergency situations in which the employee may be required to provide immediate detail.
- Please contact the Compliance Officer at 602-778-3011 for additional detail or assistance.

#### b. Reporting Intentional Wrong-Doing To Authorities

- PHI Air Medical's policy is to carefully evaluate all allegations of wrongdoing to determine:
  - If the allegation appears to be well founded;
  - Whether the allegation warrants reporting to enforcement authorities;





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### 6. Developing Open Lines of Communication

PHI Air Medical has created and will maintain a process, such as an easy-to-use “hotline” phone number or other reporting system, to receive and process concerns and complaints and to ensure effective lines of communication between the Compliance Officer and all staff members. Procedures have been adopted to reasonably protect the anonymity of complainants, where the complainant desires to remain anonymous, and to protect whistleblowers (who make good faith reports of potential violations) from retaliation or other adverse action.

#### a. **Hotline and Other Mechanisms For Reporting Violations**

- All PHI Air Medical staff members are required to report incidents of violations of the Compliance Plan or Code of Conduct, unethical conduct, or incidents of potential fraud and abuse to the Compliance Officer.
- Such reports may be made in person, through the reporting mechanisms established by PHI Air Medical or other forms of written communication.
- Reports will be treated as confidential to the extent reasonably possible.
- There shall be no retaliation against anyone who submits a good faith report regarding a compliance concern.

#### b. **Protection of Staff Members**

- It is the policy of PHI Air Medical that no staff member shall be punished on the basis that he or she reported what he or she reasonably believed to be an act of wrongdoing or a violation of the Compliance Plan or the PHI Air Medical Code of Conduct.
- PHI Air Medical is committed to following all protections set forth in applicable law regarding anti-retaliation for reporting of potential violations of law.
- However, a staff member will be subject to disciplinary action if PHI Air Medical reasonably concludes that the report of alleged wrongdoing was knowingly fabricated by the employee or was knowingly distorted, exaggerated or minimized to either injure someone else or to protect him or herself.

#### c. **Departing Staff Members - Exit Interview**

- All departing staff members will be encouraged to participate in an Exit Interview.
- One of the purposes of the Exit Interview is to determine if the staff member has knowledge of any wrongdoing, unethical behavior or criminal conduct. The interview also may be used to obtain information about unsafe or unsound business practices and the like.



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### 7. Enforcing Disciplinary Standards

PHI Air Medical has developed policies and procedures to ensure that there are appropriate disciplinary mechanisms and standards applied in a fair and consistent manner. These policies and standards address situations in which staff members, Vendors, or contractors violate, whether intentionally or negligently, internal compliance policies, applicable statutes, regulations, or other Federal health care program requirements.

The standards will be consistently enforced through appropriate disciplinary mechanisms, including, as appropriate, corrective counseling and if necessary, discipline of individuals responsible for the failure to detect an offense. Adequate discipline of individuals responsible for an offense is a necessary component of enforcement. However, the form of correction or discipline provided will be case specific and may be based on a variety of factors, including severity of the offense, previous incidents involving the individual, and the individual's commitment to a positive change in behavior.

#### a. Compliance as an Element of Performance Evaluation

- Staff members who fail to comply with the rules and procedures set forth in the Compliance Plan, the Code of Conduct or the laws and regulations governing PHI Air Medical's operations will be subject to disciplinary action.
- Adherence to compliance requirements will be a factor in staff member evaluations and will affect a staff member's continued relationship with PHI Air Medical.

#### b. Disciplinary Procedures

- PHI Air Medical will not tolerate illegal or unethical conduct of any sort, business or personal, by its staff members.
- PHI Air Medical is prepared to take disciplinary action against individuals who violate the requirements of the Compliance Plan or otherwise engage in unethical or unlawful activities.



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### **c. Record Retention**

- PHI Air Medical directly and/or via its contractors maintains a uniform system for record creation, distribution, retention, storage, retrieval, and destruction of documents.
- The type of documents developed under this system include patient care records, billing, claims documentation, and other financial records, and all records necessary to protect the integrity of our compliance process and confirm the effectiveness of the program.
- Under no circumstances may documents relating to a pending investigation, or an inquiry regarding a report of a possible billing error, or an incident of fraud or abuse, be destroyed without permission of the Compliance Officer and approval of legal counsel.

### **d. Relationship With Competitors / Vendors**

- Information about our operations, such as marketing, strategy, service pricing, finances, etc. is in many cases confidential.
- PHI Air Medical business should generally not be discussed with anyone outside the organization.
- Contracts and contract negotiations are conducted in accordance with the law. Business integrity is important in choosing PHI Air Medical business partners.
- PHI Air Medical staff is encouraged to solicit the opinion of the Compliance Officer if they are uncertain about a compliance-related matter.
- They are expected to report billing errors or suspected incidents of health care related fraud and abuse.
- Communication and reporting may take place in person, by telephone, memoranda, or through electronic mail.
- The Compliance Officer shall use best efforts to keep all communications confidential whenever possible.



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### e. Screening Staff Members and Contracts

- PHI Air Medical staff members and subcontractors are expected to be honest and lawful in their business dealings.
- PHI Air Medical will not employ or do business with individuals who have been convicted of health care fraud or listed by a federal agency as excluded, debarred, or otherwise ineligible to participate in federally funded health care programs.
- Consequently, PHI Air Medical will perform background investigations for prospective staff members, subcontractors, clients, and Vendors.
- The Office of Inspector General's List of Excluded Individuals/Entities and other databases as identified in our background checking policies will be utilized. In addition to checking these databases upon initial employment,
- PHI Air Medical shall periodically re-check to make sure that existing employees are not excluded or otherwise ineligible to participate in federally funded health care programs.
- Applicants who wish to join PHI Air Medical will be required to disclose any criminal conviction, civil monetary penalties, or other sanction assessed against or paid by the applicant, or exclusion action or other sanction imposed against the individual.

### f. Plan Modifications

- The Compliance Officer shall, on a regular basis, monitor developments in all applicable laws that might affect PHI Air Medical's legal duties under the Plan.



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## PHI AIR MEDICAL, L.L.C. COMPLIANCE PLAN- RECEIPT & CERTIFICATION FORM

TO: PHI Chief Administrative Officer and Chief Compliance Officer

From: \_\_\_\_\_ (please print full name)

If you are an employee of PHI, please provide the following information

Emp #: \_\_\_\_\_

Job Title: \_\_\_\_\_ Work Location: \_\_\_\_\_

(Please initial the box below and complete the date)

I hereby acknowledge that I have read and understand PHI Air Medical, L.L.C.'s Compliance Plan on \_\_\_\_ (Date). I also attest that I am in compliance with this Plan and that should I become aware of any known or potential violations of this Plan, whether by me or by any other covered employee or entity, I will immediately notify the Chief Compliance Officer (currently Richard Rovinelli) by email at [rovinelli@phihelico.com](mailto:rovinelli@phihelico.com) or will report such matters through the PHI Hotline System (see Corporate Policy # 12.1 for contact information).

I am executing and submitting this "Receipt and Certification Form" because (check all applicable circles):

- I am currently an employee and I am submitting either an initial or a required annual "Receipt & Certification Form".
- I am a new employee who is required to submit this "Receipt & Certification Form".

Signature: _____
Date: _____