

PHI AIR MEDICAL COMPLIANCE PLAN



Corporate Compliance 10.1 Effective: 6/22/06 Reviewed: 7/22/19 Revised: 7/22/19

1. POLICY

The PHI Air Medical, L.L.C. Compliance Plan is to be used by employees, contractors and vendors to have a high level understanding of the key regulatory requirements relating to our participation in 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 MYPHI.

2. PURPOSE

Overview and Goal of the Compliance Plan

The goal of the PHI Air Medical Compliance Plan (“the Plan”) is to ensure that all employees and contracted providers of PHI Air Medical 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, the general operation of ambulance services both air and ground, as well as, transfer center services and membership services

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.

3. SCOPE

The Compliance Plan focuses on ensuring proper documentation of services, billing, coding, and claims submission as well as, practice appropriate activities to prevent health care fraud and abuse.

4. PROCEDURE

4.1 Guiding Principles

The following guiding principles shall guide the conduct of all PHI Air Medical employees and identified contractors and vendors.

- 4.1.1 PHI Air Medical requires its staff to demonstrate compliance with all applicable laws and regulations.
- 4.1.2 PHI Air Medical is committed to the highest quality of patient care, patient care documentation, data/claim submission, and reimbursement practices measured by accuracy, reliability, timeliness, and validity.
- 4.1.3 PHI Air Medical’s policy is to maintain proper contacts directly or indirectly with government officials and/or their contracted organizations in the course of proper business relationships.
- 4.1.4 PHI Air Medical maintains and protects accurate and reliable patient and other related records.
- 4.1.5 PHI Air Medical requires the utmost integrity of all employees and identified contractors and vendor personnel when they exercise their respective responsibilities on behalf of PHI Air Medical

4.2 Compliance Standards and Procedures, Including Code of Conduct

- 4.2.1 PHI Air Medical has complete confidence in the integrity and ethical conduct of its personnel.
- 4.2.2 To fortify existing conduct, PHI Air Medical has adopted a “Code of Conduct” to assist all personnel in avoiding both the appearance and commission of improper activities. This *Code of Conduct Policy* can be accessed on MYPHI.
- 4.2.3 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.
- 4.2.4 PHI Air Medical is committed to conducting its operations in a lawful and ethical manner.
- 4.2.5 PHI Air Medical personnel and contractors are required to comply with all applicable laws, regulations, and policies affecting PHI Air Medical’s operations.
- 4.2.6 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.

4.3

4.3 New Standards and Procedures

4.3.1 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 jlumenstock@phiairmedical.com or via the Compliance Hotline (866) 815-7101 (domestic)/(1-720-330-0106 (international)/ or www.openboard.info/phi/websubmit_med.cfm .

4.3.2 To the fullest extent possible, all communication to the Compliance Officer will be treated confidentially.

4.3.3 Voluntary reporting of potential compliance issues is encouraged.

4.3.4 There will be no adverse action or retaliation against any staff member who makes a good faith report of a compliance concern.

4.4 Plan Summary:

The federal government has set forth seven elements necessary for an "effective" compliance program for health care providers to include ambulance services. The following sections of this overview describes the seven elements set forth by the Health and Human Services Office of Inspector General (OIG).

4.4.1 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 personnel 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.

4.4.2 Specific Compliance Policies

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

- 4.4.2.1 10.02 Code of Ethics
- 4.4.2.2 10.03 Compliance Hotline
- 4.4.2.3 10.04 Insider Trading
- 4.4.2.4 10.05 Conflict of Interest
- 4.4.2.5 10.06 Antitrust
- 4.4.2.6 10.07 Anticorruption
- 4.4.2.7 10.08 Intellectual Property
- 4.4.2.8 10.09 Code of Conduct
- 4.4.2.9 10.10 Protected Health Information
- 4.4.2.10 10.11 Subpoena Request for Confidential Information
- 4.4.2.11 10.12 Photography
- 4.4.2.12 10.13 HIPAA Breaches-Detection and Reporting

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.

4.5 Compliance Officer

- 4.5.1 PHI Air Medical has appointed a Compliance Officer, who is responsible for overseeing implementation of the Compliance Plan to include:
- 4.5.2 Making recommendations to senior management regarding changes to enhance compliance.
- 4.5.3 Updating the Compliance Plan to include developing policies and standards
- 4.5.4 Report on a regular basis to PHI Air Medical, L.L.C. senior management and/or PHI Air Medical, Board of Managers.
- 4.5.5 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
- 4.5.6 Work with individuals responsible for personnel decisions to ensure that appropriate credentials and references are checked for all staff members
- 4.5.7 Conduct or assist in the conducting of appropriate internal compliance reviews and audits
- 4.5.8 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
- 4.5.9 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.

4.6 Healthcare Compliance Committee

- 4.6.1 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:
 - 4.6.1.1 Compliance Officer- Chair
 - 4.6.1.2 President PHI Air Medical
 - 4.6.1.3 Vice President, Finance, PHI Air Medical
 - 4.6.1.4 Director, Ambulance Operations, PHI Air Medical (2)
 - 4.6.1.5 Director, National Clinical Standards
 - 4.6.1.6 Director, PFS
 - 4.6.1.7 Director, Payor Relations
 - 4.6.1.8 Director, Patient Navigation
 - 4.6.1.9 Director IT/ Cyber Security Officer
 - 4.6.1.10 Program Director, Communications
 - 4.6.1.11 Privacy Official
 - 4.6.1.12 Healthcare Attorney Ad Hoc

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.

Overview of Compliance Training Programs

- 4.7 PHI Air Medical believes that continuing and ongoing education for its personnel and agents promote professional excellence and regulatory compliance. Participation in this continuing education is mandatory as determined necessary for job function. Compliance-related education programs will, at a minimum include:
 - 4.7.1 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.
 - 4.7.2 How the Plan operates and the significance of this Plan; and

4.7.3 The role of each PHI Air Medical employee and agent in adhering to this Plan.

4.8 Compliance-related education programs will be conducted via:

- 4.8.1** Annual On-line Compliance and Code of Conduct Training;
- 4.8.2** Annual HIPAA Training;
- 4.8.3** New Employee Orientation Training;
- 4.8.4** Functionally Specific Training;
- 4.8.5** On-site and in person training;
- 4.8.6** Ad hoc training due to regulatory and industry changes;
- 4.8.7** Facilitate operational leadership addressing Compliance issues at staff meetings;
- 4.8.8** Periodic and routine communications to staff members i.e. Compliance Monthly.
- 4.8.9** Utilization of MYPHI for compliance updates
- 4.8.10** Compliance related articles in Black & Yellow publication

4.9 Compliance Officer's Role in Training

- 4.9.1** 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.

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 personnel and other agents. These reviews may be of both internal and external in nature. An annual compliance risk assessment will be completed. This will include developing and using varied monitoring methods to detect, identify, and mitigate risks 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 the reporting system; that personnel and others can use to report compliance issues, concerns, and suspected criminal conduct by anyone within the organization without fear of retribution.

4.10 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:

- 4.10.1** Coding and Billing Decisions
- 4.10.2** Risks for Illegal Remuneration (including kickbacks) and Prohibited Referrals
- 4.10.3** Billing and Claims Submission
- 4.10.4** Information and Documentation on the Patient Care Report
- 4.10.5** Medical Necessity
- 4.10.6** Copayment Collection Procedures
- 4.10.7** Overpayments and Timely Refunds
- 4.10.8** Coordination of Benefits, Subsequent Payor Reimbursement including prompt refunds and identification and resolution of credit balances
- 4.10.9** Claim denials
- 4.10.10** Integrity of Electronic or Computer Billing Systems
- 4.10.11** Required annual training completion
- 4.10.12** Access to protected and sensitive information
- 4.10.13** Release of Protected Health Information controls

5. Responding Appropriately to Detected Misconduct

If an offense has been detected, PHI Air Medical will take all reasonable steps to respond appropriately 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 the Compliance Program related to any identified weaknesses. The goal at all times is to 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.

4.11 Government Investigations

- 4.11.1 PHI Air Medical's policy is to cooperate with reasonable demands of governmental investigations.
- 4.11.2 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.
- 4.11.3 In the case where a governmental agent contacts any PHI Air Medical employee, contractor or vendor with a request for an interview the Compliance Officer will be contacted immediately. 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.
- 4.11.4 Please contact the Compliance Officer at 602-778-3011 or 602-402-8572 for additional detail or assistance.

4.12 Reporting Intentional Wrong-Doing to Authorities

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

6. Developing Open Lines of Communication

PHI Air Medical has created and will maintain a process, such as a Compliance "hotline" or directly to the Compliance Officer, to receive and process concerns or complaints to ensure effective lines of communication between the Compliance Officer and all employees, contractors or vendors. Procedures have been adopted to reasonably protect the anonymity of concerned individual, where the concerned individual desires to remain anonymous, and to protect those individuals (who make good faith reports of potential violations) from retaliation or other adverse action.

4.13 Hotline and Other Mechanisms for Reporting Violations

- 4.13.1 All PHI Air Medical personnel 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.
- 4.13.2 Such reports may be made in person, through the reporting mechanisms established by PHI Air Medical or other forms of written communication.
- 4.13.3 Reports will be treated as confidential to the extent reasonably possible.
- 4.13.4 There shall be no retaliation against anyone who submits a good faith report regarding a compliance concern.

- 4.13.5** PHI Air Medical is committed to following all protections set forth in applicable law regarding anti-retaliation for reporting of potential violations of law.
- 4.13.6** However, all personnel 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.
- 4.13.7** PHI Air Medical LLC Compliance Hotline Contact Options:
- Secure Web Form: www.openboard.info/phi/websubmit_med.cfm
 - Voicemail-US Toll Free Call **866-815-7101(domestic)** and follow the prompt for the PHI Air Medical LLC Compliance Hotline. All voicemail messages will be electronically altered/disguised to ensure the confidentiality of the callers identity
 - Voicemail-International Toll Free Call **1-720-330-0106** and follow the prompt for the PHI Air Medical LLC Compliance Hotline. All voicemail messages will be electronically altered/disguised to ensure the confidentiality of callers identity

4.14 Departing Personnel - Exit Interview

- 4.14.1** All departing personnel will be encouraged to participate in an Exit Interview – Policy 01.05
- 4.14.2** One of the purposes of the Exit Interview is to determine if the employee 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.

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 all personnel, 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.

4.14.3 Compliance as an Element of Performance Evaluation

- 4.14.4** Personnel 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.
- 4.14.5** Adherence to compliance requirements will be a factor in personnel evaluations and employment, vendor or contract status.

4.15 Disciplinary Procedures

- 4.15.1** PHI Air Medical will not tolerate illegal or unethical conduct of any sort.
- 4.15.2** 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.

4.16 Record Retention

- 4.16.1 PHI Air Medical directly and/or via its contractors maintains a uniform system for record creation, distribution, retention, storage, retrieval, and destruction of documents.
- 4.16.2 The type of documents developed under this system include patient care records, communication records/transfer center, billing, claims documentation, financial records, and all records necessary to protect the integrity of our compliance process and confirm the effectiveness of the program.
- 4.16.3 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.

4.17 Relationship with Competitors / Vendors

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

4.18 Screening Staff Members and Contracts

- 4.18.1 PHI Air Medical employees, vendors and contractors are expected to be honest and lawful in their business dealings.
- 4.18.2 PHI Air Medical will not employ or do business with individuals who have been convicted of health care fraud or listed by a federal or state agency as excluded, debarred, or otherwise ineligible to participate in federally funded health care programs.
- 4.18.3 Consequently, PHI Air Medical will perform background investigations for prospective personnel, contractors, business partners, and vendors.
- 4.18.4 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.
- 4.18.5 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.

4.19 Plan Modifications

- 4.19.1 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 and make appropriate modifications.