

## **LIFESPIRE CORPORATE COMPLIANCE PROGRAM**

Lifespire has implemented a Corporate Compliance Program, which includes a Code of Conduct applicable to all employees, agents, vendors, consultants and contractors. Lifespire will take disciplinary action against those who fail to report a suspected violation of the Corporate Compliance Program, participate in non-compliant behavior, and/or encourage, direct, facilitate or permit non-compliant behavior.

Lifespire provides notice to its employees, vendors, agents, consultants and contractors that certain provisions of the federal False Claims Act (31 U.S.C. §§ 3729-3733), the Administrative Remedies for False Claims (31 U.S.C. §§ 3801-3812), and New York State law prohibit fraudulent conduct relating to claims under Medicaid, Medicare and other government programs, as described below:

- Federal False Claims Act – anyone who “knowingly” submits false claims to the Government is liable for damages up to three times the amount of the erroneous payment.
- Administrative Remedies for False Claims – allows federal agencies to recover for submission of a claim or written statement that the person knows or has reason to know is false.
- New York State False Claims Act (New York Finance Law §§ 187-194) – imposes fines for filing false or fraudulent claims for payment from any state or local government.
- New York Social Service Law § 145-b False Statements – makes it a violation to knowingly obtain or attempt to obtain payment for items or services furnished under any Social Services program by use of a false statement, deliberate concealment or other fraudulent scheme or device.
- New York Social Service Law § 145-c Sanctions – prohibits application for or receipt of public assistance by intentionally making a false or misleading statement.
- New York Social Service Law § 145 Penalties – makes it a misdemeanor to submit false statements or deliberately conceal material information in order to receive public assistance.
- New York Social Service Law § 366-b Penalties for Fraudulent Practices – makes it a Class A misdemeanor to, with intent to defraud, present for payment any false or fraudulent claim for services or merchandise, knowingly submit false information for purpose of obtaining Medicaid compensation greater than that to which he/she is legally entitled to, or knowingly submits false information in order to obtain authorization to provide items or services.

- New York Penal Law Art. 155 Larceny – makes it a crime to, with the intent to deprive another of property, obtain, take or withhold the property by means of trick, embezzlement, false pretense, false promise, or other similar behavior.
- New York Penal Law Art. 175 Written False Statements – makes it a crime to falsify business records, enter false information, omit material information, alter an agency’s business records or provide a written instrument knowing that it contains false information.
- New York Penal Law Art. 176 Insurance Fraud – makes it a felony to intentionally file a false insurance claim.
- New York Penal Law Art. 177 Health Care Fraud – makes it a crime to, with the intent to defraud Medicaid (or other health plans, including non-governmental plans), knowingly provide false information or omit material information for the purpose of requesting payment of a health care item or service and, as a result of the false information or omission, to receive a payment to which he/she is not entitled.
- New York Labor Law § 740 – prohibits an employer from taking retaliatory personnel action against an employee for disclosing information about the employer’s unlawful policies, practices or activities to a regulatory, law enforcement or other similar agency or public official, or for objecting to, or refusing to participate in, any such activity, policy or practice in violation of a law, rule or regulation.
- New York Labor Law § 741 – makes it unlawful for a health care employer to take retaliatory action against an employee for disclosing certain information about the employer’s policies, practices or activities to a regulatory, law enforcement or other similar agency or public official.

Civil penalties and criminal sanctions can be imposed against any person for violating these laws. Under some of these laws, a person may initiate a claim for recovery on behalf of the government. Our Corporate Compliance Program was created to assist the organization in detecting fraud, waste and abuse so that appropriate measures may be taken. Employees, vendors, agents, consultants and contractors who participate in the investigation of violations (so-called “whistleblowers”) may not and will not be retaliated against.

A hard copy of the full Corporate Compliance Manual which includes the Code of Conduct is available at each Lifespire site and on request made to Arlene O’Leary, Corporate Compliance Officer