



# Corporate Compliance Plan

# It's More Than What You **Think.** It's What You **Do.**

## **I. INTRODUCTION**

It is the policy of John Knox Village a Missouri not-for-profit, that the business and affairs of John Knox Village be conducted at all times in accordance with ethical standards and legal requirements. To that end, the Board of Directors has approved this Corporate Compliance Plan (The "Plan") pursuant to its authority through resolution to create a process to address and work to identify, detect and resolve compliance issues throughout the organization.

The Corporate Compliance Plan contains the basic elements of the John Knox Village compliance program. The Plan includes the Code of Conduct which serves as the foundation for the John Knox Village Corporate Compliance Program. This plan will be supplemented by department-specific compliance programs that are unique to the needs and operational risks of individual business lines, including the Village Care Center, Village Hospice, Village Home Health, and Village Emergency Medical Services.

Because of the complex and ever-changing continuing care retirement/Life Plan communities and related health care regulatory environment, compliance can be particularly challenging for health care entities. Recognizing this difficulty, John Knox Village has designed and implemented this Plan to provide a framework for compliance and to assist and coordinate ongoing efforts to ethically and appropriately conduct the affairs of John Knox Village and its affiliated operations. This Plan is intended to recognize and incorporate, to the extent possible, the various compliance practices and policies already in place with John Knox Village's existing policies and procedures. This Plan also is designed to identify, detect, and prevent misconduct, monitor activities to detect misconduct if it occurs, prevent future wrongdoing, and enhance the reputation of John Knox Village and its associates as ethical providers of continuing care services throughout the continuum.

The Plan is designed to work as a coordinated program for John Knox Village and applies to all members of the board of directors, officers, managers, associates, and agents, including applicable independent contractors and Medical Directors. The Plan also is designed to prevent and detect any misconduct related to the acts of agents or contractors providing goods or performing services on behalf of John Knox Village. A copy of this Plan will be available to John Knox Village's major vendors (i.e., Medical Directors, agency staff providers, pharmacy provider, etc.) and contractors to inform them of John Knox Village's policy for compliance.



## **A. Commitment to Compliance**

John Knox Village is committed to complying with the law. Compliance with the law is desirable for its own sake to fulfill the role of a responsible corporate citizen in the community in which John Knox Village operates. Compliance is also important to avoid the imposition of legal sanctions, including imprisonment of individuals, fines, and exclusion from participation in government health care programs.

John Knox Village's associates, volunteers, officers, directors, and other agents, such as credentialed physicians, medical directors, and pharmacists, have the obligation to act with the highest level of integrity in all John Knox Village activities and to comply with applicable laws and standards. Further, such representatives are expected to learn about, understand, and follow John Knox Village's policies, federal and state laws and regulations that govern their activities.

The role of John Knox Village's Board of Directors and its officers is to ensure that adequate systems are in place to prevent, detect and respond to violations of John Knox Village's ethical and legal obligations.

John Knox Village's Board of Directors and its management are responsible for establishing and maintaining an effective internal control system. The Board's and management's role is to ensure that the compliance system developed by the Compliance Officer is properly implemented.

The compliance program governs the ongoing development and maintenance of John Knox Village's policies and procedures concerning legal compliance issues and business ethics, along with education and other activities to promote adherence to such policies and procedures. The guiding policy for business activities is John Knox Village's Code of Conduct, which provides an overview of expectations, sources of assistance, description of reporting mechanisms and an overview of John Knox Village's standards.

This Plan cannot, nor is it intended to cover all of John Knox Village's activities or resolve all ethical or legal questions. It is a guide to be used in conjunction with many John Knox Village policies and procedures and governing rules and regulations. It will be evaluated and updated periodically to address evolving areas of compliance. When any question exists as to John Knox Village's legal rights and obligations, the Compliance Officer can be consulted for advice and direction to assure compliance with applicable laws and regulations.

## **B. Scope**

1. This Plan is designed to work as part of a coordinated program for John Knox Village.
2. This Plan provides an overview and outline of the compliance activities for John Knox Village. It is intended that issue-specific and/or department-specific

documents will be developed and distributed (as appropriate) to associates to implement this Plan.

### **C. Essential Elements of the Plan**

As discussed more fully herein, the Plan contains the following essential elements:

1. The Code of Conduct describes John Knox Village's guidelines and standards for conducting business that must be adhered to by associates and other agents of John Knox Village and covers key aspects of its business and affairs in accordance with the law and with high ethical standards.
2. Designation of a Corporate Compliance Officer with direct reporting authority to the Chief Executive Officer (CEO) and substantial authority to implement and monitor the Plan.
3. Standards and policies to guide associates in specific areas that due to their nature and complexity have been identified as key areas of focus for compliance efforts and are available through the electronic platform, MyJKV.
4. Training and education of associates concerning John Knox Village's compliance program standards and procedures including, as applicable, issue-specific, and area-specific compliance policies and procedures.
5. Monitoring, auditing systems and reporting systems that include anti-retaliation protections for associates who report suspected offenses and a mechanism to receive appropriate guidance on compliance issues.
6. In conjunction with Human Resources, a process for formulating consistent enforcement of standards through corrective action plans and, if necessary, imposing sanctions for any instances of non-compliance.
7. Development of a process for investigation of suspected violations and reporting to the government and law enforcement authorities when necessary.
8. Periodic reviews of the overall compliance effort, including issue-specific and area-specific policies, to assess compliance and update policies as necessary.

## **II. COMPLIANCE OVERSIGHT**

The Compliance Officer will have ultimate administrative authority for implementation, monitoring, and enforcement of the Plan. The Compliance Officer is further authorized to involve external compliance consultants and/or legal counsel, where necessary, for analysis of legal issues, investigations and/or invoking the attorney-client privilege. The duties and operational authority of the Compliance Officer include, but are not limited to, the following:

- Supervise the implementation of this Plan.
- Consult with management of John Knox Village concerning matters related to the Plan.
- Notify leadership and associates of compliance policy(ies).
- Report discovered violations or opportunities for improvement to the appropriate vice president and the CEO.
- Periodically revise the Plan in light of changes in John Knox Village’s needs, the law, and policies of the government, as well as private payor health plans.
- Review, revise and/or formulate policies and procedures for high-risk operations and areas.
- Coordinate departmental and service team efforts to implement compliance objectives.
- In conjunction with Human Resources training personnel, develop and facilitate education and training programs focusing on the elements of the Plan.
- In conjunction with Human Resources training personnel, review and approve compliance-related education and training materials, including HIPAA and HITECH training content.
- Ensure that independent contractors and other agents are aware of the requirements of the Plan, as appropriate.
- Oversee effective access and use of Office of the Inspector General (OIG) and the System for Award Management (SAM) List of Excluded Individuals/Entities, where applicable, and ensure that the applicable sites have been checked with respect to reviewed individuals and entities.
- Initiate, arrange and monitor internal and external audits/monitoring efforts to evaluate compliance.
- Establish and administer the “HELPLINE” or other mechanisms for reporting instances of possible non-compliance.
- Assist in addressing compliance issues that arise from audits or reporting mechanisms.
- Receive and independently investigate reports of possible illegal conduct or other conduct that violates the Code of Conduct or any department compliance policies.
- Assist in developing corrective action plans and sanctions to address compliance issues.

- Assist in reporting discovered violations.
- Prepare reports, as directed by the Board, to evaluate compliance and to recommend improvements to the overall effort.
- Provide overall leadership for John Knox Village's compliance effort.

### Compliance Officer

The Compliance Officer provides reports directly to the CEO, containing periodic updates regarding John Knox Village's compliance program. The CEO holds the Compliance Officer accountable for ensuring proper program operation and the CEO has the following oversight responsibilities with respect to this Compliance Plan:

- All decisions relating to the employment of the Compliance Officer and the appointment of a successor Compliance Officer.
- Supervision of the Compliance Officer in carrying out assigned duties.
- Periodic review of audit reports and reports of the Compliance Officer concerning investigations, disciplinary actions, etc.
- Supports various Plan related activities such as initiating an investigation, disclosing information to government agency or law enforcement officials, or imposing disciplinary measures.

The Compliance Officer with the support and in collaboration with the CEO and the vice presidents is responsible for the effective use of various quality assurance/compliance committees and teams, where necessary, to achieve the objectives of John Knox Village compliance activities.

### Corporate Compliance Committee(s)

Corporate compliance teams, such as QAPI (Quality Assurance and Performance Improvement teams) and specific departmental compliance coordinators will advise and assist the Compliance Officer as appropriate to:

- Foster and promote a culture of ethical conduct.
- Promote the compliance plan implementation, operation, and ongoing plan improvements.
- Oversee periodic assessment and prioritization of legal and regulatory risk.
- Oversee periodic assessment and testing of the compliance plan effectiveness.

### **III. COMPLIANCE POLICIES**

In addition to the general Code of Conduct, certain compliance policies will be drafted, from time to time, by the Compliance Officer in collaboration with the vice presidents and managers to address John Knox Village's standards for, and guide the conduct of, associates with respect to certain issues and activities that are especially complex or have been otherwise identified as areas of potential non-compliance. These compliance policies will be distributed to and reviewed with relevant associates as a part of the training and education process. Relevant compliance policies and resources will be readily available thru the electronic compliance portals, such as MyJKV.

These compliance policies will be reviewed regularly and updated as necessary to reflect regulatory changes. Issues and activities which may be addressed by the compliance policies include, but are not limited to, billing, cost reports, discrimination in provision of services and/or employment, background checks, confidentiality, conflicts of interest, audit and monitoring and contractual relationships with providers of ancillary services.

Human Resource policies are considered to be incorporated by reference and address many compliance program issues including, but not limited to, hiring, corrective action, occupational health and safety, workers' compensation, accident reporting, ADA, benefits, compensation, FMLA, etc.

In the process of identifying operational risk areas for compliance efforts, the Compliance Officer, and/or associated teams, conduct ongoing reviews with the assistance of the compliance and/or Quality Assurance and Performance Improvement (QAPI) committees (or assigned team members/departamental compliance coordinators). The Compliance Officer is authorized to engage external compliance specialists/consultants and/or legal counsel to conduct a legal review (or engage other experts to conduct an investigation or audit) of any designated issues, departments or processes that raise particular compliance concerns or are required as part of regulatory expectations or operational risk assessments. Reports of audits and reviews conducted by non-lawyer experts and reports of legal counsel (including reports of experts retained by counsel) will be directed to the Compliance Officer. Recommendations implemented resulting from such review, investigation or audit may be incorporated into the relevant compliance policies and/or the Code of Conduct, as necessary.

Numerous laws and regulations establish obligations for the continuing care/aging services industry with which John Knox Village and its associates must comply. Any person who violates these laws not only risks individual prosecution, civil actions for damages and penalties and administrative exclusion, but also subjects John Knox Village to the same risks and penalties. Any person who violates these laws will be subject to corrective action, up to and including immediate separation of his/her employment or affiliation with John Knox Village. The Compliance Officer should always be consulted with specific questions regarding compliance issues. The Compliance Officer can be reached internally at Ext. 2109 and externally at 816-347-2109.

#### **IV. IMPLEMENTATION OF THE PLAN**

Essential to the success of the Plan is the effective and coordinated participation of all areas of John Knox Village. Accordingly, the Compliance Officer in collaboration with the CEO, vice presidents and managers appoints a representative (generally a director, administrator, or their designee) or compliance coordinator of each risk area to work with the Compliance Officer in the design, implementation, and ongoing review of his or her department's participation in the Plan. Each representative participates in any review or audit of activities and development of area specific compliance policies. Vice presidents and managers will also be responsible for coordinating area-specific compliance training; monitoring compliance, and relaying compliance-related communications to the associates in the area and reporting to, and coordinating with, the Compliance Officer with respect to perceived non-compliance. To assure Village-wide coordination of the compliance effort, all area representatives (compliance coordinators) will meet periodically or as needed with the Compliance Officer to discuss, review, and resolve compliance implementation issues, compliance work plan(s), identify new or additional risk areas.

The boards of directors, vice presidents and the entire leadership group have a responsibility to exhibit a strong commitment to a culture of compliance. They will encourage open communication among their associates concerning compliance matters. The Compliance Officer will ensure that all managers receive a copy of the Plan, and know how to access the Plan through the MyJKV compliance toolkit. Leadership will take appropriate steps to ensure that all associates understand the contents of the compliance plan as well as the code of conduct and John Knox Village's policies that such associates comply with all applicable laws, regulations, and ethical standards. All John Knox Village associates will be informed of the steps to be taken in reporting compliance concerns. A simple four-step compliance concern resolution process is outlined in the Code of Conduct. The Plan will be provided to new managers as part of leadership onboarding. In turn, leadership is accountable for day-to-day compliant operations within their areas of responsibility. Leadership can seek out the Compliance Officer to assist in the implementation of any part of the Compliance Plan.

In conjunction with the Compliance Officer, departmental managers/administrators and departmental compliance coordinators will continuously develop compliance measures relevant to their departments. Leadership in collaboration with or at the direction of the Compliance Officer will evaluate the compliance performance of those under their direction and compliance performance will be considered during annual performance evaluations. Internal and external audits will be conducted on an ongoing basis to validate compliance program effectiveness.

#### **V. EDUCATION AND TRAINING**

John Knox Village will educate associates about the existence and content of the Plan and its Code of Conduct through educational programs and various lines of communication to help ensure a clear understanding of their responsibilities and rights under the Plan. New associate orientation and new manager onboarding will include compliance plan training. It is not essential, however, that every associate be educated concerning every aspect of the Plan. Accordingly, each manager will receive a copy of this compliance plan and the Code of Conduct for future use and reference. Every associate will receive a copy of the Code of Conduct. These materials are also available in



the compliance tool-kit portal in MyJKV. The RELIAS learning network and other web-based resources will be used in a significant way to satisfy compliance education and training as defined by the Compliance Officer, the Human Resources training personnel, the compliance coordinators and/or QAPI Committees, and/or the training team in collaboration with service team leaders, risk management designees and the vice presidents.

#### **A. Compliance Materials**

1. Each associate will receive and/or have access to compliance materials that contain the Code of Conduct as well as the issue-specific and/or area-specific compliance policies that are pertinent to his or her position. In addition, the materials made available to each associate will include procedures for confidential reporting of possible non-compliance and information regarding possible corrective action and/or sanctions that might result from non-compliance.
2. The Compliance Officer determines, in cooperation with the vice presidents, Human Resources training personnel, managers and the area compliance coordinators, the materials that each associate receives.
3. The Compliance Officer in conjunction with the Human Resources Department, oversees processes that help ensure each associate signs a statement acknowledging receipt of the Plan and/or the Code of Conduct and affirming his or her intention to abide by the standards and policies set forth therein, generally during new associate orientation. The Compliance Officer collaborates with Human Resources, department compliance coordinators and others that help ensure affirmation of compliance with privacy, confidentiality and electronic signature forms are completed. This generally occurs during new associate orientation. All applicable associates will complete the Annual Reporting Form not less than annually, to affirm understanding of the basic elements of the Compliance Plan and the Code of Conduct and communicate concerns related to that plan and key corporate risk areas that require additional investigation and/or follow up. Applicable associates must complete the Annual Reporting Form in order to be eligible for any performance-based pay increase.
4. The Compliance Officer invites and promptly provides for a response to any questions of associates regarding the compliance plan.

#### **B. Other Training and Education**

In addition to the distribution of compliance materials, the Compliance Officer, in collaboration with leadership provides for additional training (in the form of; seminars, live or videotaped presentations, or more detailed written materials) in selected risk areas, and with respect to targeted issues as those are identified by management and ongoing operational risk assessments, legal counsel or subject matter experts; training will utilize in-house expertise whenever possible. The learning organization policy (01-05-6500-717)

implemented through the Human Resources department will set forth or supplement required and mandatory compliance training for all associates.

**C. Mandatory Attendance/Record**

Where required, attendance at scheduled compliance training sessions is mandatory. A written record of attendance at each session is made and retained in accordance with the training record retention policy. Compliance training sessions and modules will generally require successful completion of tests or quizzes to evidence training effectiveness.

**VI. BACKGROUND SCREENING**

The Village will not knowingly hire or retain a person in a position with patient or resident contact if that person has a conviction, or pled guilty or *nolo contendere* in Missouri to certain Class A, B or D felonies under Missouri law, or failed to report resident abuse or neglect in a convalescent, nursing, or boarding home, or comparable felonies or violations in another state.

In addition, the Village will not knowingly hire or retain a person who is listed on the Missouri Department of Health and Senior Services Employee Disqualification List or on the United States Health and Human Services List of Excluded Individuals/Entities.

The Village reserves the right to expand background checks in compliance with applicable state and federal laws and regulations.

**VII. MONITORING COMPLIANCE**

**A. Periodic Audits**

The Compliance Officer arranges for, conducts, facilitates, or directs both internal and external periodic audits and monitoring activities to assess compliance with the standards and policies established in this Plan and compliance policies. Audit results are reported to the CEO on a quarterly basis and to legal counsel (as warranted) and the board not less than annually.

**B. Response to Non-Compliance**

If an audit reveals potential non-compliant conduct, the procedures set forth in Section IX regarding investigation and corrective action will be followed.

**C. Policy Update**

As a part of the ongoing monitoring and auditing of the Plan, the Compliance Officer will, in cooperation with vice presidents and leadership, ensure that policies and procedures are updated to reflect current regulatory issues and additional training is provided as necessary to assure continued compliance.

## **VIII. REPORTING PROCESS AND NON-RETALIATION**

Below is the Four-Step Process for Reporting as documented in the Code of Conduct:

*If you have a question or concern about an activity being unethical, illegal, or wrong, use the following four-step reporting process to answer questions and report concerns. All associates, credentialed physicians, contractors, volunteers, and agents of JKV have an affirmative duty to report any violations. Throughout this process your identity will be kept confidential as much as possible.*

- 1. Talk to your supervisor/manager. He or she is most familiar with the laws, regulations and policies that relate to your work and most problems can best be resolved at this level.*
- 2. If you are not comfortable contacting your supervisor/manager, discussing your concerns with your manager, if you do not receive an adequate response from them, if it is otherwise not possible, or if both you and your supervisor/manager have what you believe to be questions or concerns, talk to your department director or vice president.*
- 3. If you still have questions, contact human resources or our corporate Compliance Officer at 816-347-2109.*
- 4. If for any reason you feel you cannot follow the above steps, call JKV's confidential compliance HELPLINE (See the numbers below. Also refer to the back of your name badge for the HELPLINE number). The Compliance Officer will review and address all reports to the HELPLINE.*

*When calling from the Village campus: Ext. 7233. When calling from outside the Village campus: 816-246-4343, Ext. 7233.*

*Throughout this process, each problem will be taken seriously, and each person involved will be treated with dignity and respect. JKV will conduct a review or investigation and give the associate a response to the reporting party as quickly as possible. Associates are encouraged to resolve concerns and problems of any kind through the JKV problem solving process found in the Associate Policy Manual, Policy 01-05-6500-512.*

### **Compliance HELPLINE**

We recognize there are times when questions or problems cannot be addressed through the normal communication and reporting process. When this happens, you should use the JKV compliance HELPLINE. The HELPLINE is available 24 hours at 816-246-4343, Ext. 7233 externally or at Ext. 7233 (SAFE) internally.

You will remain anonymous unless you choose to identify yourself. If you do give your name, your identity will be protected to the extent allowed by law. No disciplinary action or retaliation will be taken against you for calling the HELPLINE in good faith.

All calls made to the HELPLINE will be reviewed by JKV's Compliance Officer and will be responded to fairly. All calls will be investigated before any action is taken. The rights of all associates, including anyone who is the subject of a HELPLINE call, will be respected and protected. Actions taken will not be made public.

## **IX. INVESTIGATION AND CORRECTIVE ACTION**

### **A. Investigation**

Upon receipt of audit results or a report or other information suggesting a possible compliance issue, the Compliance Officer makes a record of the information and may confer with the CEO before any investigation is undertaken to determine who should conduct the investigation. Investigation may be conducted by the Compliance Officer alone or with associate assistance. In either case appropriate review of the findings by legal counsel may occur.

Investigations are conducted by the Compliance Officer or his or her designee as soon as reasonably possible but in no event more than five (5) business days following the receipt of the information suggesting a credible compliance issue. The procedure for undertaking an investigation may include, but need not be limited to, interviewing the complainant and others, reviewing relevant documents, and reviewing applicable laws and regulations to determine the nature and extent of liability. A written report describing the facts and circumstances surrounding the alleged problem will be completed by the Compliance Officer and submitted to the CEO. If the identity of the complainant is known, the Compliance Officer reports to the complainant that an investigation has been completed and, if appropriate, whether corrective action will be taken.

### **B. Corrective Action**

If, upon conclusion of the investigation, it appears that there are genuine compliance concerns related to the misconduct of an associate, vendor, contractor, volunteer, student, or other agent of John Knox Village the Compliance Officer immediately formulates and implements a corrective action plan, often in collaboration with the Vice President of Human Resources, legal counsel and/or the CEO. The corrective action may include, but is not limited to, adopting new policies and procedures to prevent recurrence of the problem, imposing restrictions on certain individuals as to duties they are allowed to perform, education and training for appropriate associate, corrective action of the offending individuals and disclosure to appropriate government authorities as required by law.

### **A. Criminal Activity**

If the investigation reveals possible criminal activity, John Knox Village will proceed as follows:

1. Notify the appropriate vice president to implement immediate steps to mitigate exposure and comply with the appropriate policy or guidelines.

2. Initiate appropriate corrective action (e.g., removal of the person from their position and suspension, demotion, or separation).
3. Notify appropriate local, state, or federal officials, after consultation with legal counsel.

**B. Other Non-compliance**

If the investigation reveals non-compliant conduct that does not appear to be criminal, John Knox Village will proceed as follows

1. If the conduct resulted in overpayments by Medicare or Medicaid; stop the improper practice or conduct, determine overpayment mitigation strategy in consultation with legal counsel in compliance with the applicable regulations, take appropriate corrective action and provide education on appropriate billing procedure.
2. If the conduct did not result in overpayment by Medicare or Medicaid; correct the practice, take appropriate corrective action, and provide education on appropriate procedure.

Any issue for which a corrective action plan is implemented should be monitored to help ensure ongoing compliant performance.

**C. Sanctions**

Any associate who violates the Code of Conduct or policies and procedures authorized by this Plan (including failure to report known violations) will be subject to John Knox Village corrective action policies. Any corrective action is appropriately documented in the associate's personnel file, along with a statement of reasons for imposing such discipline. In addition, the Vice President of Human Resources, when necessary, will collaborate with the Compliance Officer to maintain records of all corrective actions and periodically review those records to ensure that discipline is being administered in a consistent manner. The Vice President of Human Resources and/or the Compliance Officer will report not less than annually to the CEO concerning the conduct of the corrective action aspect of the Plan.

## **X. VENDOR SCREENINGS**

As part of its ongoing corporate compliance activities, John Knox Village conducts background screening procedures for certain prospective vendors and contractors to determine whether they have been convicted of a health care related offense or debarred, excluded, or otherwise made ineligible for participation in federal health care programs. When deemed appropriate by the Compliance Officer, selected vendors or contractors will be required to sign a code of conduct policy statement prior to providing goods or services to John Knox Village.

**This Corporate Compliance Plan is hereby revised as of September 2022.**

**John Knox Village**

A handwritten signature in black ink that reads "Danil Rexroth". The signature is written in a cursive style with a large, stylized initial 'D'.

**By: Dan Rexroth  
President & CEO**