



Corporate Compliance And Ethical Standards Handbook

05/24/2013

INTRODUCTION

PsychSolutions' mission of "providing solutions to children and their families within their community to promote emotionally healthy lives" reflects our commitment to the children and adolescents we serve, but also the manner in which we conduct our business: in an "Open Door" manner and in accordance with applicable laws and ethical standards. For an individual or a corporation, there is no greater asset than a sterling reputation. We must never tarnish our reputations by becoming involved in business practices that are illegal or unethical.

In furtherance of this commitment to ethical business practices, PsychSolutions has a long-standing Corporate Compliance Program. Our Code of Corporate Compliance and Ethical Standards gives every employee and associate of PsychSolutions a clear understanding of what is expected from each of us with respect to the Corporate Compliance Program. It represents an affirmation of our commitment to high quality service and to compliance with applicable laws and ethical business practices. Every PsychSolutions employee and associate has an obligation to become familiar with this Code of Corporate Compliance and Ethical Standards and to abide by it.

PsychSolutions is committed to maintaining an "Open Door" policy and to providing "open lines of communication" with respect to corporate compliance. If you ever have a concern that a law or ethical standard is being violated or is about to be violated, please raise your concern. Remember, it is always better to raise a question before taking action that may be improper. It is PsychSolutions policy that no one will be penalized for raising an issue or concern in good faith. You will find in this Code of Corporate Compliance and Ethical Standards a simple procedure for raising any concern you may have that a law or PsychSolutions Corporate Compliance policy is being or is about to be violated.

PsychSolutions' reputation and continued success depend upon each employee and associate's commitment to delivering the appropriate level of care and to conducting business in accordance with applicable laws and ethical standards.

TABLE OF CONTENTS

Introduction	2
Table of Contents	3
Expectations and Purposes	5
Fundamental Obligations	5
Report Possible Violations	6
The PsychSolutions Inquiry and Reporting Process	7
PsychSolutions Confidential Line	8
Regulatory Compliance	8
Federal False Claims Act	9
What is a Violation?	9
What are the Penalties?	9
Who Can Make a Claim for a Violation?	9
Retaliation Prohibited	10
Administrative Remedies	10
State Rules and Regulations	10
PsychSolutions Compliance	10
Education and Training	11
Proper Documentation	11
Billing for Services	12
Marketing and Advertising Activities	13
Financial Relationships with Physicians	13
Relationships with Vendors and Contractors	14
Credentialing and Excluded Provider Policy	15
Questions or Concerns?	15
Dealing with Accrediting Bodies	16
Government Investigations	16
Internal Investigations	17
Corrective Action	17
Evaluation of Adherence	17
Discipline	18
Revisions to PsychSolutions Corporate Compliance Program	18
Acknowledgment Process	18
Questions or Concerns ?	19

Schedule of State Medicaid Fraud Laws -Florida.....20

FLORIDA MEDICAID FRAUD LAWS20

 What is a Violation?.....20

 What are the Penalties?20

 Who Can Make a Claim for a Violation?21

 Retaliation Prohibited.....21

EXPECTATIONS AND PURPOSES

PsychSolutions expects and requires all employees, contractors, vendors, and suppliers ("PsychSolutions associates") to follow the federal, state, and local laws applicable to them, including all federal health care program requirements, and the policies contained in the PsychSolutions Corporate Compliance Program, which closely follow the recommendations of the U.S. Department of Health and Human Services' Office of Inspector General ("OIG") for the design of an effective Compliance Program.

PsychSolutions intends for its Corporate Compliance Program to assist in preventing illegal conduct from occurring in PsychSolutions programs to demonstrate PsychSolutions' commitment to compliance with applicable laws. All PsychSolutions associates have an obligation to adhere to the tenets of the Corporate Compliance Program. In addition, PsychSolutions expects those who perform management services at PsychSolutions to endorse and promote the Compliance Program.

The Compliance Program is designed to:

- Advise PsychSolutions associates of applicable laws and to provide guidance in complying with those laws;
- Ensure that the Compliance Program is taken seriously by all PsychSolutions associates;
- Utilize a system of monitoring and oversight of business activity to ensure adherence to applicable laws; and
- Provide a means for reporting suspected unethical conduct and a mechanism for investigating such reports.

FUNDAMENTAL OBLIGATIONS

Certain obligations are fundamental to PsychSolutions operations.

- Obey the law - Every PsychSolutions associate is expected to be familiar with the basic legal requirements relevant to his or her duties.
- Behave ethically and tell the truth - Every PsychSolutions associate is expected to conduct business with honesty and integrity, and all communications within PsychSolutions and to outside agencies must be truthful. Every PsychSolutions associate must avoid using his or her position illegally or unethically for personal gain and must avoid conflicts of interest.

REPORT POSSIBLE VIOLATIONS

Every associate is expected to utilize the PsychSolutions Compliance Inquiry and Reporting Process to ask about or report any activity he or she reasonably believes is in violation of the law, including federal health care program requirements, or the PsychSolutions Corporate Compliance Program. One need not be certain that a violation has occurred or will occur in order to ask about it or to report it. Inquiring and reporting enables PsychSolutions to investigate potential problems quickly and to take prompt action to resolve them. Inquiries and reports may be made without fear of retribution.

Q. How do I know if I am on ethical "thin ice?"

A. If you are worried about whether your actions will be discovered, if you feel a sense of uneasiness about what you are doing, or if you are rationalizing your activities on any basis (such as perhaps the belief that "everyone does it"), you are probably on ethical "thin ice." Stop, step back, consider what you are doing, get advice, and redirect your actions to where you know you are doing the right thing.

Q. My supervisor directed me to do something that I believe is against PsychSolutions policy and, perhaps, the law. I don't want to do something improper, but I'm afraid if I don't do as I'm told, I may lose my job. What should I do?

A. Consider discussing the request with your supervisor to be sure you understand the facts and that he or she is aware of your concern. If you can not comfortably discuss the situation with your supervisor or cannot resolve your concern at this level, approach a more senior manager. Other resources that may be used are the PsychSolutions Confidential Line (1-888.493.9033) or speak with the Local Compliance Officer. Do not risk your job or the organization's future by taking part in an improper activity. There are appropriate actions you can take. Retaliation against employees who raise such concerns in good faith is strictly prohibited.

Q. If I suspect that a fellow PsychSolutions employee is violating a company policy or the law, who should I contact?

A. The ability of PsychSolutions to uphold its ethical standards depends on employees taking action if they believe a violation is occurring. Use the PsychSolutions Inquiry and Reporting Process. If possible, start with your supervisor and explain the issue to him or her. If you don't get the issue resolved

at this level, contact a more senior manager. Continue this process until you get an answer that makes sense to you. If you are uncomfortable discussing the issue with someone at your location, or wish to remain anonymous, you may call the PsychSolutions Confidential Line at 1-888.493.9033.

THE PSYCHSOLUTIONS INQUIRY AND REPORTING PROCESS

PsychSolutions provides a variety of services and there are complex, ever-changing rules and regulations that govern the provision of and the reimbursement for each type of service. PsychSolutions recognizes that this can create areas of uncertainty for employees who carry out daily operations. Questions and concerns about the correct way to handle different situations may, and often do, arise. Employees should use the following process to find the answers they need.

- If you're in doubt about an issue or you have a concern, ask! Keep asking until you get an answer that makes sense. Is the action legal? Is it consistent with PsychSolutions policies and procedures? If you know it is wrong, don't do it.
- Follow the PsychSolutions Inquiry and Reporting Process. Remember that it is always better to raise a question before taking an action that may be improper. It is PsychSolutions policy to ensure that no associate is penalized for raising an issue or concern in good faith. Someone may be disciplined for reporting alleged misconduct if he or she knowingly and intentionally reports something that he or she knows to be false or misleading in order to harm another.
- Discuss the issue with your immediate supervisor. If you are not comfortable discussing the issue with your supervisor, go to the next step.
- Discuss the issue with a higher level manager where you work. If you are not comfortable taking this step, go to the next step.
- Discuss the issue with another resource, such as the Human Resources Department or the PsychSolutions Local Compliance Officer, or go to the next step.
- Call the PsychSolutions Confidential Line at 1-888.493.9033 (Confidential Line explained below).

Q. If I report something suspicious, will I get in trouble if my suspicion turns out to be wrong?

A. As long as you honestly have a concern, our policy prohibits your being reprimanded or disciplined. As a PsychSolutions team member, you have a responsibility to report suspected problems. In fact, those bound by the

PsychSolutions Corporate Compliance Program may be subject to discipline if they witness a potentially unethical or illegal activity but do not report it to the company. The only time someone will be disciplined for reporting misconduct is if he or she knowingly and intentionally reports something that he or she knows to be false or misleading in order to harm someone else.

PSYCHSOLUTIONS CONFIDENTIAL LINE

Any PsychSolutions associate may call the PsychSolutions Confidential Line to ask questions concerning ethical or legal conduct or to report any potentially improper action.

Calls are not traced or recorded, and callers can report concerns anonymously and without fear of retribution.

The PsychSolutions Confidential Line provides an additional method of communicating when an employee is uncomfortable using other channels or needs additional assistance.

The CEO will initiate an investigation of issues that can not be otherwise resolved.

The CEO will monitor the matter through to resolution, and callers will be given a compliance number so they can call for an update at a later date.

PsychSolutions Confidential Line: .1.888.493.9033

REGULATORY COMPLIANCE

PsychSolutions provides varied services. These services are provided only pursuant to appropriate federal, state, and local laws. Such regulations may include subjects such as fraud and abuse, licenses, permits, accreditation, access to treatment, consent to treatment, medical record-keeping, access to medical records, confidentiality, clients' rights, clinical staff membership and clinical privileges, corporate practice of medicine restrictions, and Medicaid rules. Employees, including management, and any contractors, are required to be aware of and adhere to all applicable laws and company policies.

FEDERAL FALSE CLAIMS ACT

WHAT IS A VIOLATION?

One way in which the federal government encourages compliance with healthcare laws is through the Federal False Claims Act. The Federal False Claims Act makes it a crime for any person or organization to knowingly make a false record or file a false claim with the government for payment. Examples of possible false claims include knowingly billing for services that were not provided, falsifying records, double billing for items or services, submitting bills for services never performed or items never furnished, making a claim for services or products at an inflated price, billing for services that were not ordered by a physician, failing to report overpayments or credit balances, billing for services that were provided at a substandard quality where the government would not pay, or failure to report fraud.

WHAT ARE THE PENALTIES?

Under the federal False Claims Act, any provider that knowingly submits a false or fraudulent claim for payment of Government funds is liable for fines which include a penalty of up to three times the Government's damages, civil penalties ranging from \$5,500 to \$11,000 per false claim, and the costs of the civil action against the entity that submitted the false claims. Further, if a provider is convicted of a False Claims Act violation, the Office of Inspector General may seek to exclude the provider or supplier from participation in federal health care programs.

WHO CAN MAKE A CLAIM FOR A VIOLATION?

A person who knows of a false claim or fraudulent act can file a lawsuit in federal court on behalf of the government under a "qui tam" provision, commonly referred to as the "whistleblower" provision. The purpose of this qui tam suit is to recover the funds paid by the government as a result of the false claims. Sometimes the U.S. Government decides to join the qui tam suit. If the suit is ultimately successful, the person who initially brought the suit may be awarded a percentage of the funds recovered. The court may reduce the reporting person's share of the proceeds if the court finds that the reporting person planned and initiated the false claims violation.

Further, if the reporting person is convicted of criminal conduct related to his/her role in the preparation or submission of the false claim(s), the reporting person will be dismissed from the civil action without receiving any portion of the proceeds.

RETALIATION PROHIBITED

The Federal False Claims Act further protects anyone who files a qui tam lawsuit from being fired, demoted, threatened or harassed by their employer in retaliation for filing the suit. If a court finds that the employer retaliated against the employee, the court can order the employer to reinstate the employee, pay the employee back pay, and any other compensation arising from retaliatory conduct.

ADMINISTRATIVE REMEDIES

Similarly, federal law known as the Program Fraud Civil Remedies Act of 1986 (the “PFCRA”) provides administrative remedies for knowingly submitting false claims and statements. The PFCRA makes it illegal to submit a claim or statement asserting or omitting a material fact, or requesting payment for services not provided as claimed. A violation of the PFCRA results in a maximum civil penalty of \$5,000 per claim. In the event the Government has made any payment on the claim, in lieu of damages sustained by the Government, the person committing the violation also may be subject to an assessment of up to twice the amount of such claim.

STATE RULES AND REGULATIONS

Many states also have state laws for false claims and statements. A Schedule of the applicable state laws are attached hereto and incorporated herein by reference.

PSYCHSOLUTIONS COMPLIANCE

Our PsychSolutions Corporate Compliance program supports compliance with the fraud and abuse laws by:

- Monitoring and auditing to prevent or detect errors in coding and billing.
- Educating employees, including management and contractors, that they are responsible to report any concern about a possible false claim, and providing them with the reporting procedures.
- Investigating all reported concerns and correcting any billing errors discovered.
- Protecting our employees from adverse action when they do the right thing and report any genuine concern through the Confidential Ethics Line or to a member of management. PsychSolutions will investigate any allegation of retaliation against an employee for speaking up.

PsychSolutions encourages its employees, management, and contractors to report concerns to their immediate supervisor. If the supervisor is not deemed to be the appropriate contact or if the supervisor fails to respond quickly and appropriately to the concern, then the individual with the concern should be encouraged to discuss the situation with the facility's human resources manager, the facility's CEO or another member of management; or by calling the PsychSolutions Confidential Line at 1.888.493.9033; or by contacting the Local Compliance Director at localcompliance.officer@PsychSolutions.com.

EDUCATION AND TRAINING

New PsychSolutions employees and associates must receive corporate compliance training during orientation. In addition, PsychSolutions employees must attend periodic corporate compliance training at least annually.

PROPER DOCUMENTATION

Each member of the PsychSolutions team is responsible for the integrity and accuracy of the documents and records within their sphere of operation, not only to comply with regulatory requirements, but also to ensure that records will be available to support PsychSolutions business practices and actions.

No one may alter or falsify information on any record or document, and company books and records may not contain false or misleading information.

All professional services must be accurately and properly documented in a manner consistent with federal health care program requirements prior to billing for those services. Claims may only be submitted when appropriate documentation supports the claim and only when such documentation is maintained and is available for audit and review. In order to facilitate such audit and review, all records and medical notes should be appropriately organized in a legible form. Financial transactions should be recorded in accordance with generally accepted accounting principles and PsychSolutions policies and standards.

Q. I am an employee in the PsychSolutions Finance Department. A fellow employee called me from home after she completed her work day. She told me that she forgot to clock out and asked me to clock out for her since her time card was on her desk. She said employees do this often and no harm is done. Is this OK?

A. While the employee did the right thing by calling to note that she had not clocked out, the error should be promptly reported to the supervisor or Payroll. You should never record time for another employee and never sign someone else's signature or initials. If you fear retribution from other employees, bring your concern to the attention of your supervisor. PsychSolutions does not tolerate retaliation against employees who promptly report errors or omissions.

Q. In preparation for an accreditation visit, my supervisor has asked me to review medical records and to fill in any missing signatures. May I do this?

A. No. It is absolutely wrong to sign another healthcare provider's name in the medical record. It is part of our basic integrity obligation to provide only complete and fully accurate information to accrediting groups.

BILLING FOR SERVICES

PsychSolutions only bills for services actually rendered. Services rendered must be accurately and completely documented to ensure both proper billing and integrity of the medical data base. Billing must comply with the requirements of state and federal payers and conform to all payer contracts and agreements.

Substantiating medical documentation must be provided for all services rendered. Always bill on the principle that if the appropriate documentation has not been provided, the service has not been rendered. Medical records may be amended to correct an error or complete documentation only in accordance with established medical records procedures -- and not for the purpose of covering up errors or obtaining any payment to which we are not entitled. Medical records may not be erased or altered. Billing data must be retained for periods described by law and by PsychSolutions policies.

Clinical, administrative, or clerical staff involved in the preparation or submission of charge or billing data must be trained in proper claims and documentation practices.

Any contractors engaged to perform billing services must have the necessary skills, quality assurance processes, and appropriate procedures to ensure that all billings for government and commercial insurance programs are accurate and complete.

When any payer agreement requires the collection of co-payments or deductible amounts, a good faith attempt must be made to collect these amounts to the full extent of the payer agreement. Co-payment or deductible waivers may be made only in accordance with the written policies of such payer and PsychSolutions policy.

Employees who suspect that improper billing or documentation is occurring should immediately alert their supervisor or a higher level manager. The PsychSolutions Local Compliance Officer is also available for consultation. Additionally, any employee may call the PsychSolutions Confidential Line if the issue remains of concern.

Q. A fellow Targeted Case Manager told me that she submits for billing home visits that she does not actually make because her supervisor said other Case Managers routinely do this. Is this OK?

A. Clarify with your supervisor any activity which you feel is "unlawful." If you aren't satisfied with the explanation or you don't feel comfortable approaching him/her on this issue, contact his/her supervisor. Keep asking questions until you get an answer that makes sense to you. Many PsychSolutions resources are available to you, including the PsychSolutions Confidential Line (1.888.493.9033).

MARKETING AND ADVERTISING ACTIVITIES

PsychSolutions may use marketing and advertising activities to educate the public, provide information to the community, increase awareness of PsychSolutions services, and to recruit colleagues. Such marketing and advertising activities must present only truthful information.

FINANCIAL RELATIONSHIPS WITH PHYSICIANS

Any business arrangement with a physician or a physician's family member must be structured to ensure precise compliance with legal requirements. Such arrangements must be in writing and submitted for review in accordance with the PsychSolutions Contract Approval policy, where the proposed arrangement will be analyzed in light of federal and state anti-kickback provisions and self-referral prohibitions. In order to ethically and legally meet all standards regarding referrals and admissions, we will adhere strictly to three rules:

1. Do not pay for referrals. PsychSolutions accepts client referrals and admissions based solely on the client's clinical needs and our ability to render the needed services. We do not pay or offer to pay anyone – PsychSolutions associates, physicians, or other persons -- for referral of patients.
2. Do not accept payments for referrals that we make. No PsychSolutions associate or any other person acting on behalf of the organization is permitted to solicit or receive anything of value, directly or indirectly, in exchange for the referral of

patients. Similarly, when making client referrals to another healthcare provider, we do not take into account the volume or value of referrals that the provider has made or may make to us.

3. Adhere strictly to the terms of approved written business arrangements.

Violation of this policy may have grave consequences for the organization and the individuals involved, including civil and criminal penalties, and possible exclusion from participation in federally funded healthcare programs.

Q. What should I do if a physician asks me to provide payment or compensation in exchange for referrals to my company?

A. Such a request is against our principles and may be illegal. Discuss the situation with your supervisor, a higher level manager, or another PsychSolutions resource such as the Confidential Line (1.888.493.9033). Any supervisor or manager receiving this type of information should notify the CEO.

Q. I work in the payroll/accounts payable department and every month I process a check for a contractor. Recently I learned from a friend that the contractor never performs services as a medical director. What should I do?

A. When encountering questionable circumstances such as this, bring the information to the attention of your supervisor, a higher level manager or another resource such as the PsychSolutions or email (localompliance.officer@miapsi.com) or the PsychSolutions Confidential Line (1.888.493.9033).

RELATIONSHIPS WITH VENDORS AND CONTRACTORS

PsychSolutions must always employ the highest ethical standards of business practices in vendor and contractor selection, negotiation, determination of contract awards, and the administration of all purchasing activities. The selection of contractors, suppliers, and vendors must be made on the basis of objective criteria including quality, technical excellence, price, delivery, adherence to schedules, service, and maintenance of adequate sources of supply. Purchasing decisions must be made on the contractor or supplier's ability to meet our needs, and not on personal relationships and friendships.

PsychSolutions contractors that/who furnish Medicaid health care items or services or are involved in the monitoring of health care provided by PsychSolutions health care contractors shall receive and adhere to the Code of Corporate Compliance and Ethical

Standards, and comply with all other tenets of the PsychSolutions Compliance Program. Such contractors include, but are not limited to, billers and coders, therapists, physicians, pharmacies, and medical supply vendors. Regardless of the type of contractor, however, PsychSolutions contractors, suppliers and vendors should promptly report any compliance concerns to the CEO, Local Compliance Officer or the PsychSolutions Confidential Line.

CREDENTIALING AND EXCLUDED PROVIDER POLICY

Prior to employing, contracting with, or in any way utilizing the services of a person who is required to be licensed, registered, or certified in order to perform the functions he or she will perform, the licensure, registration, or certification of such person must be verified.

Also, PsychSolutions will not contract, by employment or otherwise, with an individual or entity which has been excluded from participation in a federally funded healthcare financing program, for the provision of items or services for which payment may be made under such a program. Accordingly, prior to employing or contracting with any provider, appropriate steps must be taken to confirm that the provider has not been excluded.

Those steps include checking the individual or entity's name prior to retention and periodically thereafter (at least annually) against the Office of Inspector General's (OIG's) List of Excluded Individuals/Entities (LEIE), which may be found at <http://exclusions.oig.hhs.gov/>, the General Services Administration (GSA's) Excluded Parties List System (EPLS), which may be found at <http://epls.gov/>. If PsychSolutions learns that an individual or entity (either as an employer or contractor) is excluded, that individual or entity will not be hired or used.

QUESTIONS OR CONCERNS?

- (1) Discuss the issue with your immediate supervisor. If you are uncomfortable with this, go to the next step.
- (2) Discuss the issue with a higher level manager where you work. If you cannot do this, go to the next step.
- (3) Contact the PsychSolutions CEO or Local Compliance Officer (email localcompliance.officer@miapsi.com), or
- (4) Call the PsychSolutions Confidential Line at 1.888.493.9033.

DEALING WITH ACCREDITING BODIES

PsychSolutions must deal with all accrediting bodies in a direct, open and honest manner. No action should ever be taken in relationships with accrediting bodies that would mislead the accreditor or its survey teams, either directly or indirectly. The scope of matters related to accreditation of various bodies is extremely significant and broader than the scope of this Code of Corporate Compliance and Ethical Standards. The purpose of the Code of Corporate Compliance and Ethical Standards is to provide guidance on subjects of general application within the organization. In any case, all standards of an applicable accrediting group are important and must be followed.

Q. One of the COA accreditors is an old friend of mine from our days in the military. Later, I joined PsychSolutions, and my friend became an accreditor surveyor. During the site visit, I invited my friend (the accreditor) to have dinner with me later that evening. We both avoided discussing the site visit. Is this acceptable?

A. Our ethical standards require that we avoid even the appearance of impropriety. Explain the situation to your friend and avoid socializing with him or her until well after the site visit has been completed and the site visit recommendations have been submitted to the facility.

GOVERNMENT INVESTIGATIONS

Government investigations are a fact of life in today's healthcare environment and procedures for cooperating with these investigations may be complex. If you become aware of a subpoena, search warrant, investigation or other legal action, immediately inform the CEO. The CEO will assist in verifying the credentials of the investigator, determining the legitimacy of the investigation, and following proper procedures for cooperating with the investigation.

PsychSolutions associates must be forthright and courteous in dealing with any legitimate investigation. Requests for information must be answered with complete, factual, and accurate information. PsychSolutions employees must never destroy or alter any company document in anticipation of a request for the document by a governmental entity. Also, PsychSolutions employees must never lie or make false or misleading statements, or attempt to persuade any other person to provide false or misleading information, to any government investigator.

In some cases, government investigators, or persons presenting themselves as government investigators, may contact employees outside of the workplace, during non-work hours, or at home. Do not feel pressured to talk with the person under such

circumstances without first contacting the administrator of your facility and the PsychSolutions CEO. You may also consult your personal attorney. It is the legal right of PsychSolutions employees to contact legal counsel before responding to questions by an investigator.

Q. The local district attorney called and asked me to give a statement regarding our treatment of a particular client. Should I respond?

A. We have a responsibility to protect patient confidentiality. Do not provide confidential patient information to the person who identifies himself or herself as a district attorney until you have spoken with the CEO.

Q. What should I do if an FBI agent comes to my home and asks to talk to me about the activities of my department?

A. PsychSolutions cannot prohibit you from talking to a government investigator if you wish to do so. However, you may consult with the CEO or your personal attorney before answering any questions. Asking to speak with legal counsel before answering questions is your right and in no way indicates that you are not cooperating fully with an investigation.

INTERNAL INVESTIGATIONS

PsychSolutions is committed to investigating all reported concerns promptly and confidentially to the fullest extent possible. The CEO will coordinate any findings from the investigations and immediately recommend corrective action or changes that need to be made. All members of the PsychSolutions team are expected to cooperate with investigation efforts. Failure to cooperate can subject PsychSolutions employees to disciplinary action, up to and including termination.

CORRECTIVE ACTION

Where an internal investigation substantiates a reported violation, it is PsychSolutions policy to initiate corrective action, including, as appropriate, making prompt restitution of any overpayment amounts, notifying the appropriate governmental agency, instituting whatever disciplinary action is necessary, and implementing systemic changes to prevent a similar violation from recurring in the future at PsychSolutions.

EVALUATION OF ADHERENCE

All employees and associates of PsychSolutions will be evaluated periodically to determine their level of adherence to the PsychSolutions Corporate Compliance

Program. Such adherence is a condition of employment. All managers at PsychSolutions should:

1. adhere to and instruct their supervised employees and associates on the compliance policies and legal requirements applicable to their function,
2. inform all supervised personnel that strict compliance with these policies and requirements is a condition of employment, and
3. disclose to all supervised personnel that willfully or recklessly engaging in illegal activity or violating the PsychSolutions Corporate Compliance Program may result in disciplinary action, including termination of employment.

Managers may be sanctioned for failure to instruct their subordinates adequately and for failing to detect noncompliance with applicable policies and legal requirements, where reasonable diligence on the part of the manager or supervisor would have led to the discovery of such noncompliance and have given the organization the opportunity to correct them.

DISCIPLINE

All violations of PsychSolutions Corporate Compliance Program policies, failure to comply with federal and state health care program requirements, and failure to report any known violations will subject the person(s) violating the policy to disciplinary action. The precise discipline utilized will depend on the nature, severity, and frequency of the violation and may result in disciplinary actions up to and including termination.

REVISIONS TO PSYCHSOLUTIONS CORPORATE COMPLIANCE PROGRAM

The PsychSolutions Corporate Compliance Program is intended to be flexible and readily adaptable to changes in regulatory requirements and in the health care system as a whole. The Program will be regularly reviewed to assess whether it is working. The Program and this Code of Corporate Compliance and Ethical Standards will be altered if experience shows that a certain approach is not effective or a better alternative should be utilized. The CEO has the authority to amend the PsychSolutions Corporate Compliance Program and this Code of Corporate Compliance and Ethical Standards as needed.

ACKNOWLEDGMENT PROCESS

All PsychSolutions employees and contractors are required to sign an acknowledgment confirming they have received the PsychSolutions Code of Corporate Compliance and

Ethical Standards and that they understand it represents fundamental and mandatory policies of PsychSolutions and that they agree to fully comply with this Code. New employees and contractors will be required to sign the acknowledgment as a condition of employment and contractors will be required to sign the acknowledgment or sign a contract containing an acknowledgment of receipt of a hard copy. All PsychSolutions workforce members and the public may also access an electronic copy via access to the PsychSolutions internet webpage: www.psychsolutionsinc.net.

QUESTIONS OR CONCERNS?

- (1) Discuss the issue with your immediate supervisor. If you are uncomfortable with this, go to the next step.
- (2) Discuss the issue with a higher level manager where you work. If you cannot do this, go to the next step.
- (3) Contact the CEO or Local Compliance Officer (email: localcompliance.officer@miapsi.com)
- (4) Call the Confidential Line at 1.888.493.9033.

FLORIDA MEDICAID FRAUD LAWS

WHAT IS A VIOLATION?

Under the Florida False Claims Act, a person commits an unlawful act if, for example, a person knowingly: (i) fails to disclose a material fact used to make a determination of eligibility to receive state or federal assistance funds; (ii) misappropriates funds given by a state or federal assistance program; (iii) files a claim for payment for services not rendered; (iv) in any way knowingly fails to credit the state or its agents for payments received from other sources; or (v) knowingly receives unauthorized payments or other unauthorized public assistance or identification to obtain public assistance.

WHAT ARE THE PENALTIES?

If a person commits a violation of the Florida False Claims Act, the person is liable to the State of Florida for full restitution and for a civil penalty of not less than \$5,500 and not more than \$11,000 for each violation plus three (3) times the amount of damages sustained by the state because of the act or omission. A court may reduce the treble damages if:

- (A) The person committing the violation furnishes officials of the Attorney General's office with all information known to the person about the violation within thirty (30) days after the date on which the defendant first obtained the information;
- (B) The person fully cooperated with any investigation;
- (C) No criminal prosecution, civil action, or administrative action had commenced with respect to the violation; and
- (D) The person did not have actual knowledge of the existence of an investigation into the violation.

Based on the above exceptions, the Court shall award no less than two (2) times the amount of damages sustained by the agency.

Further, Medicaid provider fraud of less than \$200 in any twelve (12) consecutive months is a first-degree misdemeanor punishable by imprisonment of up to one (1) year. Medicaid provider fraud of \$200 or more in any twelve (12) consecutive months is a third-degree felony punishable by imprisonment of no more than five (5) years.

WHO CAN MAKE A CLAIM FOR A VIOLATION?

The Florida False Claims Act also contains a provision for an individual to bring a qui tam suit. It is very similar to the Federal False Claims Act. The Florida Attorney General and/or the Florida Comptroller may elect to intervene and proceed with the action. The Attorney General or Comptroller may voluntarily dismiss the action despite objections of the person initiating the action. However, the person initiating the action has the election to continue with the action at his/her own expense. Further, the state or the defendant may ask the court to limit the participation of the person initiating the action if it is in the best interests of the state or if the person's continued participation is for purposes of harassment or would cause the defendant undue burden or unnecessary expense. The initiating person may be awarded a percentage of the proceeds recovered, which amount is determined by the court and based on the extent to which the person substantially contributed to the prosecution of the action.

RETALIATION PROHIBITED

Florida also protects employees reporting Medicaid fraud from being discharged, demoted, suspended, threatened, or harassed or in any other manner discriminated against in the terms and conditions of employment by his or her employer. Specifically, Florida has in effect a "Whistle-blower's Act" that protects an employee who reports a violation of the law to an appropriate agency from adverse action by the employer.

References: Fla. Stat. §§ 68.081, et seq.; Fla. Stat. §§ 112.3187, 409.920, 414.39, 775.082