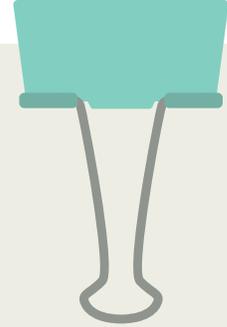


# Important Information for all Employees of The MENTOR Network



## Federal False Claims Act: Everyone's Responsibility

As an organization whose primary responsibility is the delivery of excellent quality services and supports, honesty and integrity are at the forefront of all we do at The MENTOR Network. The adherence to and enforcement of laws that protect the individuals we serve is an essential part of this pledge and an important part of your role as an employee. The federal False Claims Act (FCA) is one of those laws; it is designed to detect and prevent fraud and abuse relating to the use of government funds.

As an employee of The MENTOR Network, an organization that receives federal funds, it is important that you understand our responsibilities (and yours) under the federal False Claims Act.



### What is the False Claims Act & Why is it Important?

The FCA is a federal law that makes it a crime for any person or company to knowingly file a false claim for payment, or create a false document to support a claim for payment, with any federal or state health care program, such as Medicaid. It is a violation of the FCA for anyone to knowingly submit, or cause another person to submit, a false health care claim and receive government payment. Because The Network's services are paid for primarily with government funds, most claims for payment for our services are subject to the False Claims Act. Therefore, it is important for all employees to understand how to recognize a false claim and what to do in response.

### Our Commitment to the FCA

The MENTOR Network is committed to fully complying with the Federal FCA as well as all similar state laws. We have a company-wide Compliance Plan and program to ensure we are complying with all state and federal laws, and as part of our commitment to operating with the highest degree of integrity.

# How to Prevent & Detect a False Claim



Actions that violate the FCA include the following:

- Overcharging the government for our services
- Knowingly making, using or submitting a false record or statement in order to obtain payment
- Filing a claim with the government for services that were not performed
- Filing a claim with the government with information known (or which should be known) to be false
- Failing to return an overpayment received from the government

Whether you work in operations, finance, human resources or some other function, the actions you take at work could have an impact on a false claim. The following are examples of how a Network employee's actions could result in a violation of the FCA:

- Billing for services that are not performed
- Billing for days that an individual was absent from our care (some states permit billing for certain types/amounts of absences; check with your supervisor if you are responsible for billing and you have questions)
- Recording more hours than you actually worked on your timecard
- Billing for missed appointments when not allowed (ask your supervisor if you have questions about whether this is allowed)
- Double billing
- "Upcoding" or intentionally concealing what a service consists of or miscoding a service
- Coding as a single unit when the service was provided in a group setting
- Billing when direct contact with the individual is required but has not happened
- Not having or maintaining proper credentials required for performing the service
- Working in violation of Office of Inspector General exclusions (or other state prohibited persons lists)
- Serving a relative unless allowed by local regulation
- Theft of Medicaid-funded property (e.g., medication, computers, customer property)
- Falsifying records, timesheets or other documentation
- Overstating services or time and/or amount of service delivered

## What are the penalties for violating the FCA?

Anyone who submits a false claim to the federal government may be liable for civil penalties of \$5,500 to \$11,000 per claim, plus three times the amount of financial damage caused by the false claim. In addition to civil fines and penalties, the courts can impose criminal penalties against individuals and organizations for willful violations of the FCA.

## What should I do if I become aware of a possible violation of the FCA?

The MENTOR Network requires, expects and promotes ethical practices at all levels of the organization. As an employee of The MENTOR Network, if you suspect a violation of the FCA (or any other federal, state or local law, or Network Code of Conduct or policy) you are required to promptly report it.

Employees are asked to report compliance and regulatory concerns to local program management, or to managers in human resources, quality improvement or other functions. If this is not possible, any individual who suspects misconduct or unethical behavior is urged to call the confidential Compliance Hotline at 1-800-297-8043. The hotline is administered externally and callers can choose to be anonymous. The Hotline is available **24 hours a day, 365 days a year**.

Anyone who reports a suspected or actual violation of law, regulation, or Network Code of Conduct or policy in good faith will be protected from retaliation as a result of such reporting, regardless of whether or not, after investigation, a violation is found to have occurred.



Compliance Hotline (toll-free):  
**800-297-8043**  
TTY/TDD:  
**866-294-9572**  
Language-translation services are  
available for both numbers.

*Please note that nothing in this notice is intended to limit your ability to truthfully (a) report possible violations of federal or state law or regulation to any governmental agency or entity; (b) make other disclosures that are protected under state and federal laws, including whistleblower provisions; or (c) cooperate in ongoing investigations conducted by any such governmental agency or entity.*