



# 2019 Educator's Guide General Compliance Training (GCT)

This training is required to be completed by:

- All current employees, covered persons and current select covered contractors (Compliance Policy 4.0: Compliance Training by December 31, 2018).
- All New Hires within 30 days of hire
- All New Acquisitions within 90-days

The 2019 General Compliance Training will meet the General Compliance Training requirement for the 2019 calendar year.



February 12, 2019

Dear Educator or Training Facilitator,

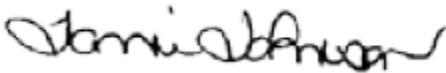
Kindred's 2019 General Compliance Training (GCT) focuses on the values, standards and expectations outlined in the Company's Code of Conduct (Code). It is our expectation that you conduct your work responsibilities in an ethical and legal manner, in order to achieve quality outcomes and create a culture that is based on integrity.

As an Educator or Training Facilitator, you have an important responsibility to communicate Kindred's culture, values and fundamental Code of Conduct principles. In order to accomplish our goals as a healthcare provider, we must create an environment that:

- allows employees to approach supervisors and managers about concerns or potential wrong-doing,
- maintains an atmosphere of non-retaliation for employees who, in good faith, report potential concerns, and
- encourages and creates opportunities for employees to 'do the right thing'.

The Compliance Department appreciates your efforts in providing this training to your staff. If there is anything we can do to support you in this effort, please let us know.

Sincerely,

A handwritten signature in black ink, appearing to read "Tami Johnson".

Tami Johnson  
Sr. Vice President  
Chief Compliance Officer

# General Compliance Training Guide

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## A. Overview

### Mission Statement

Kindred Healthcare's Mission is to promote healing, provide hope, preserve dignity and produce value for each patient, resident, family member, customer, employee and shareholder we serve.

### Compliance Program

The objective of Kindred's Compliance program is to prevent, detect and correct non-compliance with the laws and regulations that govern our business. The Code of Conduct and our General Compliance Training are often the most visible components of our Compliance Program. The Compliance Department website, found on Knect, provides additional information on General Compliance topics, policies and procedures that apply to our practices, training materials and the Code of Conduct.

### Compliance Concepts

- Compliance is everyone's responsibility.
- Compliance is a commitment to conduct *all* business and job responsibilities in an ethical and legal manner.
- Compliance focuses on systems/processes in addition to outcomes.
- Compliance strives to achieve a balance between "regulatory" and quality improvement approaches.
- Compliance integrates the goal to "do it right" with a culture of continuous quality improvement.
- A Compliance Program is a comprehensive strategy of internal procedures and controls to ensure compliance with applicable laws and regulations by preventing, detecting and correcting improper actions.

### Session Agenda

The Compliance Training reviews some of the key components of Kindred's Compliance Program as well as core topics in the Code of Conduct. This training can be presented by LMS (\*\*preferred method), DVD (Nursing Center Division or by request), through printed written materials or through an instructor led session.

- Presentation can be viewed from:
  - Learning Management System (LMS)
  - External Kindred Website ([www.kindred.com](http://www.kindred.com))
  - DVD (NCD only or upon special request)
  - Redilearning (RehabCare)



## **B. Conducting the Training: Learning Management System (LMS)**

**This is the preferred method of training as the individual learner is automatically logged in LMS. LMS should be used to complete training whenever possible.**

### Learner Instructions:

- Go to:
  - Knect>
  - Global>
  - Learning Management System>
  - LMS Application>
  - Verify "This is Me">
  - My Training Catalog>
  - Search for G-2019 General Compliance Training -WBT
- Click: "View Details" bubble.
- Click: "Click here for the GCT Supplemental Reading"; review online or print (if needed).
- Click: "Click here for the Kindred Healthcare Code of Conduct"; review on line or print as needed.
- Click the green "Start" arrow to launch: "Kindred Healthcare Code of Conduct Attestation". **The Code of Conduct attestation must be completed annually and is separate from the GCT requirement. The Code of Conduct consists of 6 questions; all of which need to be answered correctly to pass and get credit. A score lower than 100% will require retaking the exam.**
- Click the green "Start" arrow to launch the General Compliance Training presentation and view all slides. You will know that you have completed the training when you see a slide indicating 'the training is now complete'.
- Direct questions and comments regarding this material to your supervisor.

### Supervisor Instructions:

- Verify in SumTotal LMS that the learner has been credited as having attended a session of the "2019 General Compliance Training -WBT". **LMS will automatically credit individuals who have completed the training.**

## **C. Conducting the Training: Kindred's External Website**

### Learner Instructions:

- Go to:
  - [www.kindred.com](http://www.kindred.com)
  - Employees>
  - Compliance>
- Print & Sign: GCT Attendance Roster. \*\*The roster must be signed because there is no electronic attestation capability from the external website.
- Review: GCT Supplemental Reading Material.
- Review: Kindred Healthcare Code of Conduct.
- Print & Sign: Kindred Healthcare Certificate of Compliance \*\*The Code of Conduct attestation must be signed annually.
- Click: "Click Here for the 2019 General Compliance Training Video".
- Direct questions and comments regarding this material to your supervisor or to the Compliance Department.
- Submit to your supervisor:
  1. The signed GCT Attendance Roster acknowledging review of GCT and supplemental materials.
  2. The signed Certificate of Compliance acknowledging acceptance of the Code of Conduct.

### Supervisor Instructions:

- Collect signed Certificates of Compliance and maintain in the learner's local personnel file.
- Collect signed General Compliance Attendance Roster and maintain in local file.
- Designated training coordinators manually credit the learner in LMS as having attended a session of the "2019 General Compliance Training -WBT".
- If unable to manually credit the employee in LMS, fax the completed roster to your division LMS Administrator. Division LMS Administrator contacts are as follows:
  - Hospital Division – Patti Bischof (fax 502.596.4216)
  - RehabCare Division – Patti Mullins (fax 877.747.9055 or email scanned signed roster to [RehabLMSTracking@rehabcare.com](mailto:RehabLMSTracking@rehabcare.com))

## **D. Conducting the Training: Instructor Led Session (Video or Printed PowerPoint) - ILT**

### Supervisor Instructions

- The instructor led session may be presented by video training or by printing the GCT PowerPoint presentation with speaker notes.
  - The video may be shown:
    - LMS
    - DVD (NCD only or upon special request)
    - Kindred's external website ([www.kindred.com](http://www.kindred.com))
    - Compliance Department website([Knect-Global-Compliance](http://Knect-Global-Compliance))



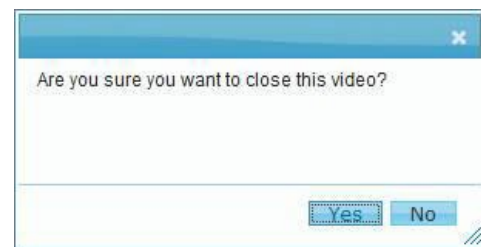
- Written materials are available:
  - Compliance Department Website (Knect-Global-Compliance)
  - Kindred’s external website (www.kindred.com)
- Review: GCT Supplemental Reading Material (attached to this guide)
- Review: Kindred Healthcare Code of Conduct
- Print, distribute & have attendees sign: GCT Attendance Roster\*\***Roster must be signed because the learner is not logging individually into LMS.**
- Print, distribute & have attendees sign: Kindred Healthcare Certificate of Compliance **Certificates of compliance must be signed annually.**
- Collect signed Certificates of Compliance and maintain in the learner’s local personnel file.
- Collect signed General Compliance Training Attendance Sheets and maintain in local file.
- Designated training coordinators manually credit each learner into LMS as having attended a session of the “2017 General Compliance Training - **ILT**”.
- If unable to manually credit the employee in LMS, fax the completed roster to your division LMS Administrator. Division LMS Administrator contacts are as follows:
  - Hospital Division – Patti Bischof (fax 502.596.4216)
  - RehabCare Division – Patti Mullins (fax 877.747.9055 or email scanned signed roster to RehabLMSTracking@rehabcare.com)

## Conducting the Training: Redilearning Application \*(RehabCare Only)

- Login to the Redilearning website by launching this URL:  
<http://lms.redilearning.com/rehabcare>  
Username: Your Kindred Username  
Password: rehabcare  
Upon initial login new users will be prompted to change the generic password to a Kindred compliant password which is clearly outlined in a hovering bubble on the 'Change Password' screen.
- Email announcements will come from [RedilearningAnnouncement@rehabcare.com](mailto:RedilearningAnnouncement@rehabcare.com). Therapists will only receive emails on iPads/iPads if they have Kindred email set-up and they are registered with Mobile Iron. PD's are responsible for communicating with users who do not have email.
- Redilearning is only available for employees (not contractors).
- The 'My Learning Broadcast' tab contains videos for viewing. This is where you will find the General Compliance Training (GCT). You may double click the clapboard to load and play the video. Learners may view video content on a computer or hand held device.



- It is important to note that when exiting the video the learner MUST close out of the actual video and not the browser and confirm he/she wants to close the video. If learner fails this step Redilearning will not recognize the progress or completion and learner will not receive credit in LMS. Also, if the application is idle for more than three hours the completion records will not be recognized.







## **G. Supplemental Reading & Discussion Material**

### Code of Conduct Review

#### Mission Statement

Kindred Healthcare's mission is to promote healing, provide hope, preserve dignity and produce value for each patient, resident, family member, customer, employee and shareholder we serve.

The following elements are key points related to the Code of Conduct and the Compliance Program:

- Kindred is committed to providing high quality patient/resident care and outstanding customer service to become the most trusted and respected provider of healthcare services in every community we serve.
- Kindred expects that all actions are taken with the goal of achieving excellence in the following areas:
  - sustain the highest quality of services
  - provide a respectful work environment
  - produce continuous financial transparency
  - maintain appropriate confidentiality of sensitive and protected information
  - uphold strict ethical standards
- Kindred recognizes as a healthcare organization we must comply with all laws and regulations that apply to our business. We must make every effort to identify where there is risk for non-compliance. Any actual or potential violation of these laws must be reported and corrective action taken.
- All employees are expected to perform their job responsibilities correctly, ethically and legally.
- If an employee doesn't know how to perform his/her job responsibilities, he/she must obtain the needed information by going to his/her supervisor, referring to policies and procedures or by using the Compliance Hotline to report compliance related concerns/violations.
- If any employee has reason to believe that some aspect of the company's business is not being conducted properly, he/she must report this to his/her supervisor, use the Open Door Policy or call the Compliance Hotline so the concern can be properly addressed.

## General Compliance Program & Concepts Review

General compliance-related topics include, but are not limited to, the following:

- Fraud, Waste and Abuse (Billing/Documentation):

What is fraud, waste and abuse and how can I identify it in my work environment?

**Fraud** is a false statement that is made or submitted with knowledge that the statement is false and could result in some undue benefit. These false statements could be verbal or written. **Waste** means specific over-use of services or causes of unnecessary costs. **Abuse** refers to general practices that are inconsistent with sound business, financial or medical practices that may cause unnecessary costs to the healthcare system. Kindred is paid by the government for many of the healthcare services we provide. If Kindred were to submit claims to the government for services that were not delivered or do not follow the rules that apply to our business, these actions would be fraudulent and must be reported immediately to the Compliance Department or Compliance Hotline.

- Gifts/Gratuities:

May I provide a spa gift certificate to the case managers of our referring facilities as a token of appreciation? No, this is an unacceptable practice as all gift cards to external persons are prohibited. This could give a perception that the gift is used to induce referrals.

May I provide a \$100.00 gift card to the Medical Director for his birthday? No, this is an unacceptable gift because the gift card is a cash equivalent. All gift cards are prohibited.

What should I do if the family member of a patient gives the staff gift cards for groceries in appreciation for care of their family member? This is an unacceptable gift as it is in exchange for services provided. Additionally, it could lead to a perception of inappropriate or additional care based on family incentives. This gift card should be returned to the family.

What is a physician gift log and who should maintain it?

A physician gift log is a log of all gifts that have been given to a physician and the dollar amount associated with the gift. The maximum dollar amount of 'gifts' that a physician may receive is \$392.00 per year. All marketing activities, gifts etc for the physician must be tracked on this log and cannot exceed the annual allocated amount. It is the responsibility of the facility administrator to maintain and monitor the gift log. For more information on the gift log, see the Compliance department website for the policy and an example of a gift log.

Please consult with the law department for additional guidance regarding gifts.

- Conflict of Interest:

What is a conflict of interest? A conflict of interest is when an employee, whether a supervisor or not, appears to have divided loyalty between the facility in which they work, and another person or company. Kindred's employees, officers and Board Members should not engage in any activities that conflict with the interests of Kindred. Employees, officers and Board Members have a responsibility to put the interests of Kindred and our patients ahead of any other business interests they may have.

What should I do if I have a role with another company or entity that may pose a conflict of interest? Any potential conflicts of interest should be disclosed to supervisors upon hire or as they occur. This includes any additional employment accepted while working for Kindred. A conflict of interest form should be completed and submitted to Human Resources for review.

- Health Insurance Portability and Accountability Act (HIPAA):  
What is PHI? PHI stands for Protected Health Information and includes any individually identifiable health information about a person. PHI can be in paper, electronic or verbal form. Kindred is responsible for protecting PHI and keeping it confidential according to the law.

What is the company's expectation regarding the use of social media? Special care for confidentiality and appropriateness should be observed with social media sites. These sites, such as Facebook, YouTube and Twitter, are not appropriate venues for discussing patient information. Kindred recognizes that the internet provides opportunities to participate in interactive discussions but employee misuse of such communication can pose potential risks to confidentiality. To minimize these risks, Kindred has established rules and guidelines for online communication that can be found in the Code of Conduct and Employee Handbook.

What should I do if I accidentally reveal PHI or know of someone else revealing PHI? Any instance of misdirected PHI should be immediately reported to the Compliance Department either by calling the Support Center directly (800.545.0749) or Kindred's Compliance Hotline (800.359.7412). If possible, the receiver of the PHI will be asked to either return the information or destroy it immediately. Upon reporting the matter to the Compliance Department or Compliance Hotline, you should be prepared to provide details about what information may have been inappropriately shared so that an appropriate review can be completed to determine reporting requirements.

Am I allowed to text message PHI?

It is a violation of Kindred policy to text message PHI. Text messaging is not encrypted and should not be utilized to communicate PHI or patient sensitive information with physicians or other members of the healthcare team.

- Open Door Policy and the Compliance Hotline:  
What if I am not comfortable talking to my supervisor? We are each responsible for reporting concerns and actual or potential wrongdoing. Some areas of violation, including but not limited to abuse and fraudulent activity, require reporting and failing to do so is unacceptable. Employees are encouraged to discuss concerns with their immediate supervisor, however, a variety of reporting mechanisms are provided by the company so that you may make the most appropriate choice based on the specific situation. Concerns may also be verbal or written. Kindred's Open Door Policy is outlined in the Employee Handbook and may be utilized at any level of the chain of command. Kindred also has a Compliance Hotline that may be used (800.359.7412). The Compliance Hotline is available

24 hours a day, seven days a week for individuals to report any compliance- related concern. An external party operates the Hotline and callers are reminded that they



are not required to identify themselves. Kindred will make every attempt to protect the callers' anonymity within the limits of the law. All concerns reported to the Hotline are taken seriously and will be addressed to the fullest extent necessary. Therefore, it is important to use the Hotline appropriately. Individuals who intentionally misuse the Compliance Hotline may be subject to disciplinary action. Please be aware that all reports filed with the Hotline will be reviewed and processed appropriately at Kindred's Support Center, however, for a more immediate response and/or resolution, you may choose to utilize the Open Door Policy.

- **OIG/GSA and State lists of Excluded Providers:**

What if a new employee, vendor or contractor shows up on a list? Kindred provides care to patients who are covered under Medicare, Medicaid and other insurance programs. Because Kindred accepts payments from Medicare and Medicaid programs, there are specific rules that must be followed. The rules include how patients are cared for, how services are billed and how records are kept. It is important that you follow these rules to make sure that payments to these programs are appropriate.

The Office of Inspector General (OIG), General Services Administration's (GSA)/SAM.gov and various states provide information to health care providers, patients, and others regarding individuals and entities that are excluded from participation in Medicare, Medicaid, and other Federal and State health care programs. In order to comply with these requirements, Kindred does not employ, contract with, grant privileges to, or enter into any other type of arrangement with individuals, entities, or vendors currently excluded by the (OIG) and/or by the (GSA)/SAM.gov from participation in Federal programs, including Medicare or Medicaid.

Does my state have an excluded/sanctioned provider list? It is important to know if your state has an excluded provider list. A list of the applicable states can be found on the Compliance Department website on Knect. Questions regarding exclusions should be directed to the Compliance Department at 502-596-6624.

- **Licensure & Certifications**

What are my responsibilities regarding my professional license? If your position requires licensure or certification, it is your responsibility to acquire and provide appropriate documentation to the Company as a condition of being hired and maintaining employment. You must immediately notify your supervisor if your license/certification/registration is not in good standing with the governing body or within 24 hours of notification of any adverse action from the governing body. If you fail to report any license or certification issues or if you allow your license or certification to expire you will be subject to suspension and to disciplinary action, up to and including separation of employment. It is our expectation that you maintain an active license in good standing and if, at any point, your license is not in good standing or has action pending against it, you are to immediately notify your supervisor.