



Corporate Code of Conduct

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White Horse Village (“WHV”) is committed to conducting its activities in accordance with the highest level of business and community ethics, and in compliance with applicable governing laws. The maintenance of the highest standards of honesty, integrity, impartiality, and conduct is essential to assure the retention of the residents’ and the public’s trust in WHV. The preservation of that trust and of WHV’s commitment requires close observance of these standards on the part of its Directors, Officers, employees and agents. WHV is committed to ensuring that it operates under the highest ethical and moral standards, and that its activities comply with the applicable legal requirements discussed in this Code of Conduct.

WHV recognizes the special duties imposed upon those individuals involved in the management and decision-making aspects of WHV’s operations. WHV requires that its Directors, Officers and other representatives avoid possible misconduct and conflicts of interest through informed judgment and careful regard for the standards of conduct and responsibilities. In all situations, WHV’s Directors and Officers are expected to exercise reasonable judgment in the discharge of their responsibilities and to conduct themselves in such a manner that their actions can be supported by WHV, in accordance with the following principles:

Principle 1: Integrity. WHV is committed to ensuring integrity in all activities conducted by or on behalf of the organization and promote honesty and transparency in all levels of interaction within the organization and between the organization and its constituencies. WHV expects its employees and agents to conduct themselves in accordance with the principles announced in this Code of Conduct and standards listed in WHV’s Employee Handbook.

Principle 2: Legal Compliance. WHV is committed to ensuring all activity by or on behalf of the organization is in compliance with applicable federal, state and local laws.

A. **Fraud and Abuse.** WHV expects its employees and agents to refrain from conduct which may violate the fraud and abuse laws. The following represent some, but certainly not all, of the laws with which WHV and its employees and agents must comply:

1. Civil False Claims Act (31 U.S.C. § 3729)

2. Criminal False Claims Relating to Medicare/Medicaid (42 U.S.C. § 1320a-7b(a)).
3. The Anti-Kickback Statute (42 U.S.C. § 1320a-7(b)(b))
4. Physician Self-Referral (Stark) Prohibitions (42 U.S.C. § 1395nn)
5. Permissive and Mandatory Exclusion (42 U.S.C. § 1320a-7)
6. Civil Monetary Penalty Law (42 U.S.C. § 1320a-7a)
7. Payment Suspension (42 C.F.R. § 405.370)
8. Racketeer Influenced and Corrupt Organizations Act (“RICO”) (18 U.S.C. § 1964)
9. Health Care Fraud (18 U.S.C. § 1347)
10. Criminal Wire and Mail Fraud (18 U.S.C. § 1341, 1343)
11. Criminal False Statement Act (18 U.S.C. § 1001)
12. Criminal Conspiracy (18 U.S.C. § 371)
13. Theft or Embezzlement in Connection With Health Care (18 U.S.C. § 669)
14. False Statements Related to Healthcare Matters (18 U.S.C. § 1035)
15. Obstruction of Criminal Investigations of Health Care Offenses (18 U.S.C. § 1518)
16. Money Laundering (18 U.S.C. § 1956)
17. Repayment Obligations (42 U.S.C. § 1320a-7(b)(a)(3))
18. Medicare/Medicaid Conditions of Participation (42 CFR Part 483)
19. Health Insurance Portability and Accountability Act of 1996 and its associated regulations
20. Patient Protection and Affordable Care Act of 2010, Pub. L. 111-148

The statutes listed above are supported and further explained by numerous regulations, which also must be followed by WHV, its employees and agents. In addition, there are numerous state statutes and regulations corresponding to the federal laws with which WHV, its employees and agents shall comply. As needed, the Corporate Compliance Officer shall issue policy statements and guidance on compliance obligations to WHV employees and agents.

B. Discrimination. WHV believes that the fair and equitable treatment of employees, residents and other persons is critical to fulfilling its mission and goals. WHV shall comply with the requirements of Title VI of the Civil Rights Act of 1964 and shall not make a distinction on the basis of race, color, religion, handicap, ancestry, age, disability, sex or national origin in the treatment of residents, the use of equipment and other facilities, and the assignment of personnel to provide services, except as provided by law.

Principle 3: Business Ethics. Employees, officers and managers will accurately and honestly represent WHV and will not engage in any activity or scheme intended to

defraud anyone, including federal, state or local governments, of money, property or services.

A. Honest Communication. WHV requires candor and honesty from individuals in the performance of their responsibilities and in communication with WHV counsel and auditors. No employee shall make false or misleading statements to any resident, person or entity doing business with WHV about other residents, persons or entities doing business or competing with WHV, or about the products or services of WHV or its competitors.

B. Misappropriation of Proprietary Information. WHV employees shall not misappropriate confidential or proprietary information belonging to another person or entity nor utilize any publication, document, computer program, information or product in violation of a third party's interest in such product. All WHV employees are responsible to ensure they do not improperly copy for their own personal use documents or computer programs in violation of applicable copyright laws or licensing agreements. Employees shall not utilize confidential business information obtained from competitors in any manner likely to provide an unfair competitive advantage to WHV.

C. Marketing. Marketing practices will be conducted with truth, fairness and responsibility to residents, the community and the public at large. All information issued will be accurate at the time of publication and will not be presented in an intentionally misleading manner. WHV will not purposely misrepresent its services, supply needs or any other aspect of its business.

Principle 4: Confidentiality. WHV employees will maintain the confidentiality of resident information and other confidential information in accordance with applicable legal and ethical standards.

The use and/or disclosure of WHV's residents' confidential or protected health information by WHV must be consistent with the requirements of the Health Insurance Portability and Accountability Act (HIPAA) Privacy and Security Rules and other common-law privacy requirements. All of WHV uses and/or disclosures of resident protected health information shall be consistent with the policies and procedures established by WHV as mandated by the HIPAA Privacy and Security Rules. Neither WHV nor any of its Directors, Officers, employees or agents may use or permit others to use such confidential information for the purpose of furthering a private interest, or as a means of making personal profit.

Principle 5: Conflict of Interest. All Directors, managers, officers, employees and other representatives will report any potential conflicts of interest. A potential conflict exists whenever a Director, Officer, manager, officer, employee or other representative has an outside interest, direct or indirect, which conflicts with the individual's duty to WHV or adversely affects the individual's judgment in the discharge of his or her responsibilities to WHV. The appearance of a conflict of interest may be just as damaging to WHV's reputation as a real conflict.

A. Use of WHV Name. WHV's name is not to be used inappropriately by Directors, Officers or Employees.

B. Disclosure of Conflict. In the event a matter involving a potential or actual conflict of interest involving a Director, Officer or Employees arises, its nature and extent shall be fully disclosed immediately to the Corporate Compliance Officer, who, after making a thorough review of the circumstances, will report to the WHV's Board of Directors who will determine appropriate action to be taken.

C. Transactions with Directors, Officers or Employees. No contract or transaction between WHV and a Director, Officer or Employee, or any organization in which the Director, Officer or Employee has a financial or beneficial interest or is serving as a director, officer or employee shall be authorized unless it has been adopted and approved by the Board of Directors.

D. Fiduciary Appointment. Except for a member of a Director's, Officer's or Employee's immediate family, prior approval by the Board of Directors is required before a Director, Officer, or Employee may accept an appointment as fiduciary or co-fiduciary (executor, administrator, attorney-in-fact, guardian or trustee) of any resident of WHV, either individually or with another person, firm or corporation. Immediate family is defined as spouses, parents, children and/or siblings.

E. Beneficiary (or Legacy) Under a Will or Trust. Directors, Officers and Employees must report any gift of a beneficial interest or legacy under wills or trusts of residents of WHV, other than a relative, at such time as the Director, Officer or Employee learns of the designation. The objective of such notification is to allow for consideration of all the facts in each case to make certain there are no conflicts of interest.

If this reporting requirement results in a decision that a real or apparent conflict exists or could exist, the Director or Officer will be expected to make every effort to be relieved of the expectation of the benefit and may be required to renounce the gift or resign from the Board/employment.

F. Outside Employment. Full-time Officers and Employees should carefully scrutinize outside employment, including the performance of any services for compensation, to avoid potential conflicts of interest. Outside activities that may conflict with professional roles and responsibilities should be disclosed to a member of management and documented. Employees, agents or officers who suspect that a conflict may exist, or who are uncertain as to the impact or appearance of their activities, should consult with the President or the Compliance Officer prior to engaging in the activity.

G. Participation in Public Affairs. It is the philosophy of WHV to encourage a full awareness and interest in civic and community responsibility. WHV Officers and Employees shall have the opportunity to support civil or community activities as they desire. Voluntary efforts for civic or community activities normally shall take place outside regular business hours.

H. Corporate and Community Directorships, Public Offices, and Commissions. Officers and Employees must be aware when considering election or appointment to corporate or community boards, public offices, or commissions, that serving in such capacity will not place them in a position where a potential conflict of interest may exist. Unless specifically approved by the Board, with advice from the Corporate Compliance Officer, a Director, Officer or Employee shall not serve on the board of directors of any health care entity or retirement community which is in direct competition with WHV. Should a conflict develop, WHV reserves the right to request the Director, Officer or Employee involved divest him or herself of one of the conflicting interests.

Principle 6: Business Relationships. Business transactions with ancillary providers, vendors, contractors and other third parties will be conducted free from offers or solicitation of gifts and favors or other improper inducements in exchange for influence or assistance in a transaction.

A. Gifts Influencing Decision-Making. Employees, Directors and Officers shall not accept gifts, favors, services, entertainment or other things of more than nominal value to the extent that decision-making or actions affecting WHV might be influenced. Similarly, the offer or giving of money, services or other things of more than nominal value with the expectation of influencing the judgment or decision-making process of any purchaser, supplier, customer, government official or other person by an Employee, Officer or Director of WHV is absolutely prohibited. Any such conduct must be reported immediately to the Corporate Compliance Officer. More specifically:

1. Employees may not solicit money, gifts, loans or special favors for themselves or others from any person with whom WHV does business. Employees may accept nominal gifts, entertainment and other favors provided that they meet the following conditions:
 - a. They are reasonable in nature, value and frequency;
 - b. They are made in connection with legitimate business activities of WHV;
 - c. They are in compliance with all applicable laws and regulations, the Corporate Compliance Plan, this Code of Conduct and other WHV policies and procedures;
 - d. They do not involve the giving of cash or cash equivalents;
 - e. Specific prior approval is given by a WHV officer for any gift or expenditure in excess of \$35.00;
 - f. Specific prior approval is given from WHV's Compliance Officer/ Committee for any gift or expenditure involving any government or regulatory employee, official, or representative;
 - g. The gift or expenditure would not embarrass WHV or be construed as a bribe or other improper payment if made public; and
 - h. They are properly authorized and properly recorded and reported.

Gifts and entertainment may be extended to others at WHV's expense provided that they meet the above criteria.

2. Improper Payments

- a. Employees may not offer or authorize the offering of any payment, or the making of any payment of money or anything of value, to any governmental or regulatory official, employee or representative, any current or potential vendor, supplier, customer or competitor of WHV, or any person or entity having a current or potential business relationship with WHV, for the purpose of obtaining special treatment, influence, action or inaction for, or on behalf of, WHV.

- b. Use of WHV funds for any unlawful or improper purpose, including, but not limited to, kickbacks, bribes or other payments made in violation of applicable laws or regulations, is prohibited. Employees are also prohibited from making any payment which is falsified or intentionally not properly reported in WHV's books and records.
3. Communication with Physicians and Referral Sources. No payment or other thing of value of any kind may be offered, orally or in writing, or given, whether directly or indirectly, to any individual or group in order to induce such individual or entity to admit or refer to a WHV facility to secure any other advantage. Likewise, employees are prohibited from coercing, in any way, a physician or referral source into admitting or referring residents, by arrangement with such physician or other referral source.
4. Resident Inducements. Residents may not be offered direct or indirect financial or other incentives in order to obtain their admission to, or their willingness to remain in, a WHV facility or program. Marketing and promotional items of nominal value (such as pens, mugs, etc. of not more than \$25) may be given to residents so long as they are not provided to influence decisions.

B. Gifts Received by Employees From Residents, Their Family Members or Powers of Attorney/Responsible Persons. WHV expects all employees to render efficient and courteous service to its residents at all times without expectation of reward. To avoid even the implication of any impropriety, it is important that any cash or gifts [of more than nominal value] be declined or redirected to WHV as a contribution. If a resident or family member insists on giving a token of appreciation, it is suggested that it be an item for the department or unit where the resident lives, such as candy, fruit, etc. Any cash or gifts must be disclosed and approved by the President.

C. Transactions or Arrangements Between Residents, Their Family Members, Powers of Attorney/Responsible Persons and Employees. A WHV Employee, Director or Officer shall not enter into a transaction or other arrangement with a resident or their family members, POAs or Responsible Persons without prior approval of the Corporate Compliance Committee or its designee, whose duty it will be to review the proposed transaction or arrangement to ensure that it is fair and reasonable to the resident and does not result from any improper influence or other impropriety. Any proposed transaction or arrangement with a resident must be disclosed to the Corporate Compliance Committee or its designee in advance.

Principle 7: Protection of Assets. All employees will preserve and protect WHV's assets by making prudent and effective use of WHV resources and properly and accurately reporting its organization's financial condition.

A. **Preferential Treatment.** An Employee, Director or Officer shall not acquire or appropriate to his or her own personal use any WHV property, service, or revenue opportunity on the basis of or under situations not available to members of the public, unless approved by the Directors.

B. **Political Involvement.** An Employee, Director or Officer shall not use WHV funds for the purpose of making contributions or expenditures in connection with the support of any candidate for any election to any local, state, or federal office.

C. **Improper Transactions and Payments.** In keeping with the financial policies in place regarding WHV's books and records, the following principles shall be observed:

1. All transactions or conduct of WHV business shall be properly reflected in WHV's books;
2. Unrecorded funds, money or other assets of WHV's shall not be established or maintained;
3. Any payment is prohibited if no record of its disbursement is entered in WHV's accounting records; and
4. False and/or fictitious entries in the books or records of WHV or issuing false or misleading documents are prohibited.

Principle 8: Reporting Suspected Misconduct - All Directors, managers, officers, employees and agents have an obligation to report suspected violations of any statute, regulation or guideline applicable to any federal, state and local health care program or of WHV's own Policies and Procedures.

Principle 9: Relationships with Residents - In furtherance of WHV's commitment to its standards of care and to creating positive work environments, employees and agents will demonstrate professionalism, integrity and respect in relating to residents and to one another.

A. **Compliance with Resident Rights:** WHV employees and agents are expected to comply with and recognize resident rights. Residents are to be treated in a

manner that preserves their dignity, autonomy, self-esteem, civil rights, and involvement in their own care. WHV makes no distinction in the admission, care, transfer, or discharge of residents based upon race, color, religion, sexual orientation or national origin. Care is based upon identified health care needs and not on economic or organizational factors.

B. Advance Directives: Residents may select advance directives, including living wills and durable powers of attorney, which will be honored to the extent permitted by law and within the capabilities of WHV.

C. Health Care Injuries: When a health care injury occurs, the resident and the family or representatives are entitled to a prompt explanation of how the injury occurred and its short-term and long-term effects. When an error contributed to the injury, the resident and the family or representative should be informed consistent with WHV policy and the requirements of the law.

Principle 10: Providing Quality Care –As a retirement community that provides a continuum of care, our primary commitment is to provide care, services and products necessary to help each resident reach or maintain his or her highest possible level of physical, mental and psychosocial well-being. White Horse Village has policies and procedures and provides training and education to help each resident strive to achieve this goal.

Our care standards include:

- Accurately assessing the individual needs of each resident and developing interdisciplinary care plans that meet those assessed needs;
- Reviewing goals and plans of care to ensure that the resident's ongoing needs are being met;
- Providing only medically necessary physician prescribed services and products that meet the resident's clinical needs
- Confirming that services and products (including medications) are within accepted standards of practice for the resident's clinical condition;
- Ensuring that services and products are reasonable in terms of frequency, amount and duration;
- Measuring clinical outcomes and resident satisfaction to confirm that quality of care goals are met;
- Providing accurate and timely clinical and financial documentation and record keeping;

- Ensuring that residents' care is given only by properly licensed and credentialed providers with appropriate background, experience and expertise;
- Reviewing resident care policies and procedures and clinical protocols to ensure that they meet current standards of practice; and
- Monitoring and improving clinical outcomes through a Quality Assurance Committee with established benchmarks.

Medical Services

We are committed to providing comprehensive, medically necessary services for our residents. The Medical Director provides oversight to physicians and other medical services as defined by state and federal regulations. The Medical Director is compensated at a fair market value for the services he or she provides. The Medical Director oversees the care and treatment policies of White Horse Village.

WHITE HORSE VILLAGE BOARD OF DIRECTORS
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The Board of Directors of White Horse Village, Inc. adopted a Code of Conduct as included in the Corporate Compliance Program in the year 2000, revised in April 2016 in order to insure that the business of the board is conducted in compliance with applicable law.

Date: _____

Printed Name: _____

Signature: _____