



Majestic Care's Vendor Compliance Guide

Introduction

What is this compliance guide?

Majestic Management and its affiliated entities (referred to as Majestic Care throughout this document), as described below, relies on our relationship with vendors to deliver high quality services and support for our residents and patients. This guide will give you an overview of our organization and clarify our expectations for regulatory compliance and meeting the standards in our code of conduct. Many of our vendors already meet these standards and are fully compliant with applicable laws. This document provides an overview of who we are and what we expect to ensure consistency.

Who Is Majestic Management?

What we do

- Our Majestic Care facilities provide community-based skilled nursing and assisted living services throughout Indiana, Michigan, Ohio and West Virginia, specializing in clinical services based on local needs. These services include short-term rehabilitation, long-term care, and memory care. We provide compassion, understanding, respect and a person-centered approach to all we do.
- Our Bluegrass facilities provide community-based skilled nursing services throughout Kentucky.
- Majestic Home Health is dedicated to providing home health care services with compassion, understanding, respect and a person-centered approach.
- Ahava Hospice provides compassionate end-of-life care to patients and support for their families. We are committed to providing the highest quality care to our patients while honoring their unique needs and wishes.

Mission

Through the hearts of our Care Team Members, we provide excellent healthcare to those we serve.

Vision

Innovating healthcare by keeping those we serve at the heart of our mission.

Core Values

We LEAD with... Listening ■ Empathy ■ Accountability ■ Decisiveness



Culture: The Guide to Excellence

Since the company's founding in 2019, Majestic Care's unique and positive culture has been the cornerstone of the company's success. In a world of constant change and increasing complexity, our culture has been the mainstay of our organization, enabling us to thrive in any environment. This success is reflected in

Majestic Care's values are embodied through our care team members efforts. That is why we strive to hire people who share our values, who have a collaborative work style, and who exhibit exceptional character, quality and integrity. The dedication and passion of our Care Team Members is what has enabled Majestic Management to be consistently rated one of the top long-term care organizations in the nation. This same focus on excellence will drive our future success.

Majestic Care is proud of our compliance culture. Recognizing that our competitive advantage lies primarily in the dedication and creativity of our care team members, we are committed to fostering a culture that creates a positive work environment and helps us continue to deliver the best possible experience for our patients and residents.

Majestic Care also highly values our relationship with our vendor business partners. Our vendor management efforts seek to maintain the same commitment to collaboration, respect, trustworthiness, excellence accountability, and caring to outside partners.

Table of Contents

Majestic Care Code of Conduct and Ethics.....	4
Compliance Expectations	4
a. Seven Elements of an Effective Compliance Program	
b. Gift Policy	
c. Conflicts of Interest	
d. Fair Dealing	
e. Workers onsite at Majestic Care	
Reporting	6
Fraud, Waste, and Abuse	7
Vendor Risk Management	9
Compliance Program Requirements	10
Medicare Specific Vendors	11
a. Are you an FDR?	
b. Requirements for FDRs	
Medicaid Managed Care/ Essential Plan/ Child Health Plus Specific Vendors.....	12
Contact Information	14

Majestic Care Code of Conduct

Majestic Care is committed to upholding a culture of compliance and ethics throughout our organization. The Code of Conduct clarifies our mission, values and principles, integrating them with standards of professional conduct. Responsibilities regarding the Code include:

- Avoiding possible or perceived conflicts of interest.
- Remaining compliant with regulatory requirements.
- Conducting ethical business practices, including data integrity and reporting.
- Remaining mindful of any suspected instances of Fraud, Waste or Abuse.
- Providing fair, high-quality service to our residents and patients.
- Completing annual education and attestations.
- Reporting receipt of gifts/events from outside entities.

We recognize that many vendors have their own Code of Conduct which supersedes Majestic Care's Code of Conduct with regard to their own employees. However, to ensure our vendors meet our expectations and adhere to our mission, vision and values, we ask our vendors to review and attest to Majestic Care's Code of Conduct. . Maintaining the highest standards of compliance and ethics demonstrates the value of caring through integrity, fair business practices, and high-quality service. While we expect this of our vendors, we also want to know if we are not meeting our vendors' expectations in these areas. Reporting actual or suspected non-compliance is required for all vendors.

Compliance Expectations

We are committed to promoting a culture of compliance and ethics in everything it does. This Vendor Compliance Guide outlines our organization's principles and practices to ensure a culture of respect which promotes fair business practices, service excellence, and integrity at all levels of interaction between Majestic Care and our business partners, and compliance with regulatory requirements and best practices. This document describes the principles we bring to life every day through collaborative effort and shared commitment to excellence.

Seven Elements of an Effective Compliance Program

In accordance with the recommendations and requirements outlined by the Centers for Medicare and Medicaid Services (CMS), the Department of Health (DOH) and the Federal Sentencing Guidelines, Majestic Management has developed a robust compliance program which incorporates all seven elements of an effective compliance program. This program extends to our vendors as well as for our workforce to ensure a strong partnership that respects autonomy but maintains appropriate oversight. Underpinning all seven elements as a foundational requirement is maintaining an environment free from retaliation and intimidation.



Gift Policy

We understand that it is often customary, though never expected, for vendors to occasionally provide gifts in recognition of service or collaborative success. Considering that gift giving is common in certain industries, Majestic Care is sharing the basic boundaries of our policies with vendors for awareness. Majestic Care prohibits workforce members, executives and directors from offering, accepting, giving or soliciting items of value in order to secure business or in return for giving business or if the intent is to influence. Majestic Care asserts as a matter of policy, and of principle, that business decisions should be free from even the appearance of influence. It is important for business decisions to be made based on the merit of the business factors involved and not based upon the offering or acceptance of gifts, donations or favors. Policies are in place for Majestic Care's workforce which do not allow acceptance of gifts from our vendors and business partners.

Conflicts of Interest

In order to maintain an open and trusting relationship with our business partners, suppliers and providers, Majestic Care must ensure that our personal situations do not create an actual conflict of interest or even the appearance of a conflict of interest. We expect the same avoidance of conflict from our vendors. A conflict of interest is a situation where an individual's personal interests or activities could influence one's judgment or decisions, and therefore, one's ability to act in the best interests of Majestic Care. A conflict of interest may also arise from activities that appear to influence decisions or judgment..

Fair Dealing with Suppliers, Competitors and Third Parties

All business transactions with customers, suppliers and third parties must be open, lawful, honest and fair. Our suppliers, contractors, business partners, and care team members make significant contributions to Majestic Care's success. If Majestic Care cannot legally act directly, we will not act indirectly through agents, consultants or other third parties. We must take special care to avoid engaging in anti-competitive activities or unfair business practices. Our success in the market comes from the quality of the services we offer. Care team members and vendors must avoid any conduct involving pricing information, sharing of proprietary information or concealment of information where Majestic Care has a duty to disclose, misuse of confidential information, misrepresentation or any other unfair trade practices.

Federal Procurement

As a provider of services under contract with Medicare (Parts C and/or D) and Medicaid Managed Care, Majestic Care is committed to complying with all applicable regulations in the administration of government programs. For example, Majestic Care is subject to federal and state false claims laws that prohibit submission of a false claim or making a false record or statement in order to gain reimbursement from and/or avoid an obligation to a government sponsored health care program.

Gifts to Government and Public Officials

The Federal Procurement Integrity Act restricts certain business conduct by representatives of a company seeking to obtain a contract with the federal government, such as giving gifts to public officials or representatives of government agencies. Majestic vendors will follow this protocol in line with our principles of fair dealing and business integrity when performing work on our behalf.

Reporting

MajesticCare's vendors may utilize various methods to report a violation or concern. While vendors most likely have their own internal means for reporting issues at their workplace, we make available to vendors our resources for anonymous and confidential reporting in case incidences arise which may be relevant to Majestic Care's contract or our care team members working with the vendor.

Such methods include reporting violations to their Majestic Care business partner or a member of the management team, utilizing the anonymous and confidential compliance helpline, or contacting the Corporate Compliance & Ethics Department directly by email or telephone. No matter the method utilized, vendors must provide sufficient information in order for the matter to be investigated. Majestic Care maintains a policy of non-intimidation and non-retaliation which extends to vendors.

Overview of Reporting

When reporting an actual or suspected incident of noncompliance or a violation, at a minimum the following information is necessary to conduct an investigation:

- A description of the incident
- Suspected party's name (if available)
- Names of any others who might have information about the incident
- Department/Facility/Location incident occurred
- Date and time of incident
- Any supporting documentation

Corporate Compliance, Ethics and Privacy Department

Responsible for responding to and investigating issues of suspected or actual noncompliance with federal and state laws, rules and regulations, agency guidance, improper reporting to regulators, questionable sales techniques, conflict of interest, of Majestic Care's Code, corporate policies and procedures, etc.

Responsible for addressing privacy issues and security breaches as they relate to Majestic Care's information and records to comply with the Health Insurance Portability and Accountability Act (HIPAA). For general compliance questions or guidance, contact Majestic Care's Corporate Compliance & Privacy Officer.

Fraud, Waste, and Abuse

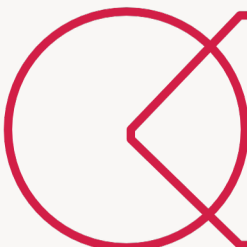
Majestic Management is committed to preventing, detecting, correcting, and reporting potentially illegal and fraudulent, abusive or wasteful practices. In furtherance of Majestic Care's culture of fraud awareness, our vendors, associates, business partners and providers undergo annual fraud, waste and abuse (FWA) education. We will provide vendors with appropriate FWA education upon request if the vendor does not already make this available to their associates who access health care data. Our expectations regarding our vendors and our reporting process are as follows:



Your organization is required to notify Majestic Care of any suspected Fraud, Waste or Abuse committed by one of our care team members, providers who service our residents and patients, or any other party engaged in the provision of health care services provided to our residents and patient(s).



While we will require your assistance in the investigation of any suspected cases of FWA, the contract we have with you does not authorize you to perform investigations or audit on our behalf. If FWA is suspected, we require you to report it to Majestic Care immediately and we will conduct/direct the investigation, audit, corrective action, resolution throughout its lifecycle.



If your organization detects the potential for fraud, waste or abuse within your scope of contracted services, which may impact Majestic Care, its care team members or providers, we request that you follow the procedures on the following page(s) to report any concerns.

The Process for Reporting Suspected or Actual Fraud, Waste, or Abuse is as follows:

- Email us at compliance@majesticcare.com.
- Call our Corporate Compliance & Ethics Department at 317-460-0008
- Report online reporting tool (anonymous): <https://report.syntrio.com/majesticcare.com>.
- Tell us what you suspect, and include the name of the facility and/or department.

The Process for Reporting Suspected Privacy or Security Events is as follows:

- Email us at compliance@majesticcare.com.
- Call our Corporate Compliance & Ethics Department at 317-460-0008
- Report online reporting tool (anonymous): <https://report.syntrio.com/majesticcare.com>.
- Tell us what you suspect, and if possible, include:
 - # impacted residents, patients or Care Team Members
 - Name and type of recipient with any identifying information
 - Type of data impacted
 - Relevant dates such as date of disclosure, date of discovery, etc.
 - Any remediation steps taken such as confirmation of deletion or destruction
 - Summary of incident with any other information you feel is applicable (e.g. claims, documentation, contractual agreements, data extracts).

Please provide a contact at your organization we can engage to request additional information should that be needed.

Note: Your general contract requirements or timelines may supersede the above.



Third Party Risk Management

Majestic Care maintains a third-party risk management (TPRM) program to manage and assess the confidentiality, integrity, privacy, security, compliance, financial stability, and availability controls of all vendors that provide a service to Majestic Care. Majestic Care evaluates the vendor's environment for adherence to applicable legal and regulatory requirements and against Majestic Care's policies and standards. The third-party risk management program is organized under the leadership of the Legal Department and aims to accomplish three primary goals:

- To enable Majestic Care's business leaders to make risk-informed decisions,
- To support Majestic Care's overall vendor management program in its leadership and oversight of the vendor engagement process, and;
- To align department assessment goals of Compliance, Finance, Business Operations, Information

Technology Services, and the Legal & Risk Services Office

The TPRM assessment process is initiated upon the start of a new vendor relationship, a modified or expanded relationship, an event criterion has been met (e.g., re-assessment period is met, breach or outage has occurred), or upon termination of a vendor relationship. The assessment process includes:

- Defining type, scope of services offered, and criticality to Majestic Care's operations,
- Assessing and conducting due diligence through various approaches,
- Mitigating and managing risk from the due diligence, and;
- Monitoring vendors for adherence.

There are four domains that Majestic Care Risk Assessments may cover, Privacy and Security, Compliance, Clinical & Business Operations, Disaster Recovery, and Finance. The domains and the scope of the assessments depend on the services being provided and the criticality of the relationship with Majestic Management.

Policy and Document Requests in Risk Assessments

All the domains in Majestic Care's Risk Assessments include control questions and allow Majestic Care to request copies of policies or documents relevant to their domain. If your organization signed a Majestic Care Technical Security Addendum, you are obligated to provide the requested documents or policies as part of the risk assessment.

- Vendors or Contractors with access to Majestic Management Sites or Systems
- If electronic technologies are provided for use by Majestic Care at its' own expense, it is the private property of Majestic Care and the users must adhere to all established Privacy and Information Security policies.

It is a violation of the Federal Privacy and Security Regulations (HIPAA 45 CFR § Parts 160 and 164) and Majestic Care's Privacy and Information Security policies to use Majestic Care's electronic technologies or paper-based medical records/ charts to access the protected health information of co-workers, family members, friends, neighbors or anyone else unless directly involved in the provision of health care (treatment, payment or health care operations), as a Majestic Care workforce member, for that individual.

It is a violation of Majestic Care policy to print, display, download, transmit or send any material that may be perceived as insulting, disruptive, harassing or offensive by other persons, or harmful to morale.

Protected Health Information (PHI) or Confidential Business Information (CBI) must never be stored on personal devices, emailed to personal accounts, or shared with unauthorized parties and is a violation of Majestic Care's Privacy and Information Security policies and a potential HIPAA violation.

Majestic Care's approved methods for transmitting Protected Health Information (PHI) or Confidential Business Information (CBI) in a secure manner, as outlined in the XXX Policy, must be adhered to.

Using your system credentials, access, read and review the supplemental training materials provided by Majestic Care.

What are the Compliance Program Requirements?

Majestic Care is committed to ensuring that our vendors (also identified as FDRs, subcontractors, delegated entities, business associates, contractors, or affiliates) are in full compliance with all applicable federal and state laws, regulations and statutory requirements. Use this checklist as a reference to ensure your organization has met the standard Compliance Program Requirements. (Check all that are currently being met. Any that are not being met currently will need to be added to the vendor's compliance program.)

- ☐ The vendor will maintain and distribute compliance policies and procedures and Standards of Conduct as well as facilitate General Compliance training to all new hires within 90 days of hire and annually thereafter.
 - If the vendor does not maintain such a Standards of Conduct, you agree in principle to Majestic Care's Code of Conduct and Ethics. The most-up-to-date version is always available for review and reference on the Majestic Care Vendor Compliance page.
- ☐ The vendor has established and implemented disciplinary policies and procedures that reflect clear and specific disciplinary standards. The disciplinary policies must describe the organization's expectations for the reporting of compliance issues including noncompliant, unethical or illegal behavior, that employees participate in required training, and the expectations for assisting in the resolution of reported compliance issues.
- ☐ The vendor maintains a policy that prohibits retaliatory or intimidating acts against workforce members who fulfill their obligation to report in good faith and with reasonable belief, known or suspected incidents of wrongdoing or noncompliance or participating in an organizational investigation pertaining to alleged violations of laws, rules, regulations or policies or procedures. Anonymous and confidential reporting mechanisms are made available.
- ☐ Majestic Care may provide supplemental compliance materials to be distributed to all members of the workforce who support the Majestic Care contract. This includes any workforce members who work for your organization directly, or who provide services on your behalf by a subcontracted or delegated entity. All workforce members, including vendors and contingent workers, must agree to abide by the provisions outlined in the training. Upon request, the training materials will be provided to the vendor's Compliance Officer for Review.
- ☐ The vendor has mechanisms in place to promptly receive and respond to noncompliance, unethical or illegal behavior, as well as Fraud, Waste and Abuse concerns and report these issues to Majestic Care.

Medicare Vendors

What is an FDR?

FDRs are First Tier, Downstream, or Related Entities as defined by the Centers for Medicare and Medicaid Services (CMS). Additional guidance on what constitutes the guidelines for these designations is in Chapters 21 and 9 of the Medicare Chapter Guidance, but in summary:

- A First-Tier entity is “any party that enters into a written arrangement, acceptable to CMS, with an MAO or Part D plan sponsor or applicant to provide administrative services or health care services to a Medicare eligible individual under the MA program or Part D program. (See, 42 C.F.R. § 423.501).”
- A Downstream entity is “any party that enters into a written arrangement, acceptable to CMS, with persons or entities involved with the MA benefit or Part D benefit, below the level of the arrangement between an MAO or applicant or a Part D plan sponsor or applicant and a first tier entity. These written arrangements continue down to the level of the ultimate provider of both health and administrative services. (See, 42 C.F.R. §, 423.501).”
- A Related entity is “any entity that is related to an MAO or Part D sponsor by common ownership or control and (1) Performs some of the MAO or Part D plan sponsor’s management functions under contract or delegation; (2) Furnishes services to Medicare enrollees under an oral or written agreement; or (3) Leases real property or sells materials to the MAO or Part D plan sponsor at a cost of more than \$2,500 during a contract period. (See, 42 C.F.R. §423.501).”

If you are an FDR, the following requirements apply to you. If you have questions about your status, please contact the Compliance Department at Majestic Care.

Medicare Vendor Specific Requirements

- The vendor distributes and facilitates CMS produced Combating Medicare Parts C and D Fraud, Waste, and Abuse and Medicare Parts C and D General Compliance Training within 90 days of new hire and annually thereafter. If the vendor has an internal training program which is exactly equivalent to the CMS-produced training in content, this may be used in lieu of the CMS training.

- The vendor facilitates, both prior to hiring associates and prior to contracting with subcontracted entities and monthly thereafter, all relevant state and federal exclusion list checking. This includes:
 - Office of the Inspector General's (OIG) List of Excluded Individuals and Entities (LEIE);
 - The System for Award Management (SAM) Exclusions, formerly the Excluded Parties List Service (EPLS);
 - U.S. Treasury's Office of Foreign Assets Control's (OFAC) List of Specially Designated Nationals and Blocked Persons
 - Federal Preclusion List (only applicable to vendors that make direct payments to providers and prescribers).
- Record retention:
 - The vendor maintains documentation/proof of all associates who completed compliance and FWA training, in addition to all other supporting records for a period of 10 years.
 - In general, records must be retained for a minimum of 10 years from the date of its creation in accordance with federal requirements, or from the date when it was last in effect (i.e. the date it was last used for business operation purposes), whichever is later.

Medicare Vendor Specific Operational Requirements

- If applicable, the vendor must verify that any downstream/subcontractor/related entity follows all aforementioned requirements. We request annually a list of any downstream entities the organization utilizes to support administrative, health care or member-impacting services relating to Majestic Care's Medicare contract.
- The term "offshore" refers to any country that is not one of the fifty United States or one of the United States Territories (American Samoa, Guam, Northern Marianas, Puerto Rico, and Virgin Islands). Examples of countries that meet the definition of "offshore" include Mexico, Canada, India, Germany, and Japan.

Subcontractors that are considered offshore can be either American-owned companies with certain portions of their operations performed outside of the United States or foreign-owned companies with their operations performed outside of the United States. Offshore subcontractors provide services that are performed by workers located in offshore countries, regardless of whether the workers are employees of American or foreign companies.

If the vendor utilizes the services of any offshore entity (offshore: outside the geographical bounds of United States territory) to facilitate, fulfill or help fulfill requirements contracted to your organization additional oversight and monitoring will apply. Offshore requirements pertain to any transaction or operational element that receives, processes, transfers, handles, stores, or accesses (in any form or capacity and whether it be oral, written or electronic) any portion of Majestic Care's ISNP members' Protected Health Information (PHI) and/or Personally Identifiable Information (PII). This includes, but is not limited to, people, data and servers located offshore.

- If the vendor participates in any plan marketing activities, they must comply with the applicable requirements set forth in the Medicare Communications and Marketing Guidelines (MCMG). This may include co-branding, use of social media or mobile applications, file and use rules, language and disclaimer requirements, certain communication to enrollees, and promotional materials.
- The vendor must be able to produce federal and state required reporting for any delegated services.
- If applicable, the vendor must comply with all turnaround times, notification and claims processing requirements pertaining to organization determinations, coverage determinations, appeals, and/or grievances as outlined in Parts C & D Enrollee Grievances, Organization/Coverage Determinations, and Appeals Guidance.
- If applicable, the vendor must be able to correctly identify when a member should be referred to the plan. These Customer Service/Call Center/Online Chat scenarios would include benefit inquiries, complaints, organization determinations, coverage determinations, appeals, and grievances.

Medicaid Managed Care Vendor Requirements

- Pursuant to 42 CFR 455.104, if the vendor is a disclosing entity, fiscal agent, and/or a managed care entity (see definitions 42 CFR 455.101) you are obligated to:
 - Within 35 days of request, provide to Majestic Care ownership or control interest disclosure of the organization and/or managing employees; and
 - Disclose any criminal convictions by managing employees related to that person's involvement in Medicare, Medicaid or Title XX programs, which in turn will be disclosed to State Department of Health;
- The vendor facilitates, all relevant exclusion list checking both prior to hire of associates and prior to contracting with subcontracted entities and monthly thereafter. This includes:

- The Office of the Inspector General's (OIG) List of Excluded Individuals & Entities (LEIE);
- The System for Award Management (SAM) Exclusions, formerly the Excluded Parties List Service (EPLS);
- The National Plan and Provider Enumeration System (NPPES) NPI Registry (only applicable to certain vendors that employ or contract with providers).
- State and/or Federal vendor requirements for providing applicable healthcare services to Majestic Care communities.

■ Record retention:

- The vendor maintains documentation/proof of all associates who completed individual compliance training, in addition to all other supporting records for a period of 10 year.
- The vendor maintains documentation of members' medical records for a period of 10 years from the date of service rendered. If the record contains information (medical records, claims or services rendered/denied) concerning a minor (under 18 years of age), the record retention period must be extended until ten (10) years after the minor reaches age 18.

- The vendor should not utilize the services of any offshore entity (offshore: outside the geographical bounds of United States territory) to facilitate, fulfill or help fulfill requirements contracted to the organization. Offshore pertains to any transaction or operational element that receives, processes, transfers, handles, stores, or accesses (in any form or capacity and whether it be oral, written or electronic) any portion of Majestic Care's member's Protected Health Information (PHI) and/or Personally Identifiable Information (PII). This includes, but is not limited to people, data and servers located offshore. If the organization does currently use offshore services to support Majestic Care's contract please contact the Compliance Department and your Majestic Care business partner for further discussion.
- All subcontractors providing any clinical services utilized by the vendor have been disclosed to Majestic Care and are licensed by the state in which they are practicing.

Contact Information

How to access Majestic Care's Compliance Resources

- Hotline (Confidential): (833) 460-0008
- Compliance Department Email: Compliance@MajesticCare.com
- Compliance Department: (317) 759-8523
- Report Online (anonymous): <https://>

Individual Contacts

- Mark Muntel, Chief Information Security Officer
- Angela Rewa, Chief Compliance & Privacy Officer: (317) 759-8523

Majestic Care

777 E Main St. Westfield, IN 46074

