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ABOUT ETHICSPPOINT

1. What is EthicsPoint?

EthicsPoint is a comprehensive and confidential reporting tool to assist management, employees, and contractors (collectively, “Personnel”) to work together to address fraud, waste, abuse, and other misconduct in the workplace, all while cultivating a positive work environment.

As a health care organization operating multiple programs and service lines, the Visiting Nurse Service of New York and all of its subsidiaries and affiliates (collectively, “VNSNY”) are proud of their long tradition of ethical and responsible conduct, and are committed to maintaining compliance with all laws and regulations that apply to the conduct of their various businesses, services, and operations.

2. Why do we need a system like EthicsPoint?

- EthicsPoint provides an open line of communication to the VNSNY Compliance Department and allows for persons to report violations, ask questions, or raise compliance concerns anonymously and confidentially.
- EthicsPoint facilitates reporting potential instances of non-compliance, fraud, waste, abuse (“FWA”), and criminal activity.
- An effective reporting system will augment our other efforts to foster a culture that promotes prevention, detection and resolution of instances of conduct that do not conform to organizational policies, state and federal laws or regulations, program requirements of the Centers for Medicare and Medicaid Services (“CMS”), the New York State Department of Health (“DOH”) and the Office of Medicaid Inspector General, and other federal, state and local health care programs.

REPORTING – GENERAL

1. May I report using either the Internet or the telephone?

Yes. With EthicsPoint, you have the ability to file a confidential and/or anonymous report via either the telephone or the Internet.

2. What type of situations should I report?

The EthicsPoint system is designed for any person to report any violation of our stated Code of Conduct, ask questions, or raise compliance concerns you may have. All reports of suspected or actual non-compliance should thoroughly detail the specific conduct the individual feels may violate the law or VNSNY's policies and procedures.

3. If I see a violation, shouldn't I just report it to my manager, security, or human resources and let them deal with it?

VNSNY has an open door policy and encourages and supports open communication, feedback and discussion about any matters that Personnel feel are important or concerning. When you observe some behavior that you believe violates our Code of Conduct or other VNSNY policies, we expect you to report it. Generally, you should bring any concerns to your direct manager, or other member of your management team. We recognize, however, that there may be circumstances when you are not comfortable reporting an issue or concern in this manner. It is for such circumstances that we have partnered with EthicsPoint so that you can report information anonymously if you wish.

4. Why should I report what I know?

Any individual or entity who reports suspected non-compliance, FWA or criminal activity in good-faith will be protected from retaliation or discipline. Because the failure to report suspected concerns or take action against violations of our Code of Conduct, VNSNY policies or law can be perceived as acceptance of non-compliance, FWA or criminal activity, the failure to report a violation may result in disciplinary action against any employee who fails to report, or could result in the termination of any contractor's contract.

Personnel reporting any concerns or suspicions to VNSNY, whether through EthicsPoint or otherwise, will retain all "whistleblower" protections under the law. Nonetheless, Personnel also has the ability to bring his or her concerns to the appropriate government agency, including, without limitation, CMS, Office of Civil Rights, and the Medicare Drug Integrity Contractors (MEDIC) under applicable federal and state laws – although VNSNY encourages Personnel to first report information to VNSNY so it can conduct a thorough investigation and take prompt correction action.

5. Does management really want me to report?

Yes, VNSNY will not tolerate any retaliation or intimidation against any employee or contractor for reporting issues or concerns that come to his/her attention. VNSNY will never take disciplinary or retaliatory action against an employee or contractor who in good faith raises a compliance concern or otherwise participates in the VNSNY Compliance Program. Retaliation or intimidation in any form by any individual associated with VNSNY is strictly prohibited and is itself a serious violation of the Code of Conduct. Managers have the responsibility to maintain an environment whereby employees feel comfortable raising issues or asking questions. Managers should also take appropriate steps to address concerns that are raised and communicate the results of corrective action whenever possible or appropriate. If any employee or contractor feels that he or she is being intimidated or retaliated against, that individual should contact the VP of Compliance & Regulatory Affairs ("VP of Compliance") immediately. Any employee or contractor who commits or condones any form of retaliation or intimidation will be subject to discipline up to, and including, termination.

6. Where do these reports go? Who can access them?

Reports are entered directly on the EthicsPoint secure server to prevent any possible breach in security. EthicsPoint makes these reports available only to specific individuals at VNSNY who are charged with evaluating the report. Everyone who receives the report for evaluation has had training in keeping these reports confidential.

All information, reports and questions provided or raised by any individual will be held in the strictest confidence permitted by applicable law. Also, to the extent possible, VNSNY will not disclose the identity of anyone who reports a suspected violation of law or who participates in an investigation. All Personnel should be aware, however, that the VP of Compliance, VNSNY Director of Compliance, VNSNY CHOICE Director of Compliance and compliance counsel are obligated to act in the best interests of VNSNY and do not act as any person's representative or lawyer. Accordingly, confidentiality may not be guaranteed if disclosure is necessary to an investigation or is required by law.

You can elect to report anonymously using the EthicsPoint system. However, we encourage Personnel to identify themselves when making reports so that an investigation can be conducted with a full factual background and without undue delay.

REPORTING SECURITY & CONFIDENTIALITY

- 1. It is my understanding that any report I send from a company computer generates a server log that shows every web-site that my PC connects with, and won't this log identify me as a report originator?**

EthicsPoint does not generate or maintain any internal connection logs with IP addresses, so no information linking your PC to EthicsPoint is available. In fact, EthicsPoint is contractually committed not to pursue a reporter's identity.

If you feel uncomfortable making a report on your work PC, you have the option of using a PC outside of your work environment (such as one located at an Internet café, at a friend's house, etc.) through the EthicsPoint secure website.

- 2. Can I file a report from home and still remain anonymous?**

A report from home, a neighbor's computer, or any Internet portal will remain secure and anonymous. An Internet portal never identifies a visitor by screen name and the EthicsPoint system strips away Internet addresses so that anonymity is totally maintained. Plus, EthicsPoint is contractually committed not to pursue a reporter's identity.

- 3. I am concerned that the information I provide EthicsPoint will ultimately reveal my identity. How can you assure me that will not happen?**

The EthicsPoint system is designed to protect your anonymity. However, if you wish to remain anonymous, you - as a reporting party - need to ensure that the body of the report does not reveal your identity by accident by including identifying information. For example, if you included information such as "From my cube next to Jan Smith..." or "In my 33 years...", the report recipient may be able to identify you by accident.

- 4. Is the telephone toll-free hotline confidential and anonymous too?**

Yes. You will be asked to provide the same information that you would provide in an Internet-based report, and an interviewer will type your responses into the EthicsPoint Web site. These reports have the same security and confidentiality measures applied to them during delivery.

- 5. What if I want to be identified with my report?**

There is a section in the report where you can identify yourself.

TIPS & BEST PRACTICES

- 1. I am aware of some individuals involved with unethical conduct, but it doesn't affect me. Why should I bother reporting it?**

VNSNY promotes ethical behavior. All unethical conduct, at any level, ultimately hurts VNSNY and its Personnel, including you. You only have to consider what happened in recent corporate scandals to see the disastrous effects that a seemingly harmless lapse in ethics can have on an otherwise healthy company. So if you know of any incidents of misconduct or ethical violations, consider it your duty to yourself and your coworkers to report it.

Because the failure to report suspected concerns or take action against violations can be perceived as acceptance of non-compliance, FWA or criminal activity, the failure to report a violation may result in disciplinary action against any employee who fails to report, or could result in the termination of any contractor's contract.

- 2. I am not sure if what I have observed or heard is a violation of company policy, or involves unethical conduct, but it just does not look right to me. What should I do?**

File a report. EthicsPoint can help you prepare and file your report so it can be properly understood. We'd rather you report a situation that turns out to be harmless than let possible unethical behavior go unchecked because you weren't sure.

- 3. What if my boss or other managers are involved in a violation? Won't they get the report and start a cover-up?**

The EthicsPoint system and report distribution are designed so that implicated parties are not notified or granted access to reports in which they have been named. Please know that intimidation of, and/or retaliation against, anyone who in good faith participates in the VNSNY Compliance Program or who in good faith reports potential FWA - in any form - is strictly prohibited and is itself a violation of the Compliance Program and the Code of Conduct.

4. What if I remember something important about the incident after I file the report? Or what if VNSNY has further questions for me concerning my report?

When you file a report at the EthicsPoint Web site or through the EthicsPoint Call Center, you receive a unique user name and are asked to create a password. You can return to the EthicsPoint system again either by Internet or telephone and access the original report to add more detail or answer questions posed by the person at VNSNY evaluating your report and add further information that will help resolve open issues. We strongly suggest that you return to the site in the time specified to answer VNSNY questions. You and VNSNY now have entered into an “anonymous dialogue,” where situations are not only identified, but can also be resolved, no matter how complex.

5. Are these follow-ups on reports as secure as the first one?

All EthicsPoint correspondences are held in the same strict confidence as the initial report, continuing under the umbrella of anonymity.

6. Can I still file a report if I don’t have access to the Internet?

You can file an EthicsPoint report from any computer that can access the Internet. You can file from home. Many public locations, including the public library, have Internet computers. If you don’t have access to or are uncomfortable using a computer, you can call the EthicsPoint toll-free hotline, which is available 24 hours a day, 365 days a year.