

COMPLIANCE POLICY

The Smile Way Group

POLICY/PROCEDURE TITLE	Reporting of Fraud, Waste, Abuse, and/or Other Potential Misconduct		
POLICY/PROCEDURE NUMBER	CC-109		
DEPARTMENT	Corporate Compliance Department		
Original Issue Date	09/20/2018		
Next Scheduled Review Date	03/28/2024		
Last Review Date	03/23/2023		
Revision Date History	3/2023 Revised organizational information to apply to The Smile Way Group		
APPLIES TO			
<input checked="" type="checkbox"/>	SAP: ReachOut Healthcare America Ltd. dba Smile America Partners	<input checked="" type="checkbox"/>	MI: Michigan Dental Outreach, P.C. dba Michigan Dental Outreach
<input checked="" type="checkbox"/>	AZ: Arizona Mobile Dental, PC dba Big Smiles	<input checked="" type="checkbox"/>	MO: Nevin K. Waters D.D.S., P.C. dba Big Smiles
<input checked="" type="checkbox"/>	CA: Elliot Paul Schlang, DDS, Professional Corporation dba Big Smiles	<input checked="" type="checkbox"/>	NC: Theodore F. Mayer, DDS P.A. dba Smile North Carolina
<input checked="" type="checkbox"/>	GA: Shurett Dental Group, P.C. dba Shurett Dental Group	<input checked="" type="checkbox"/>	NY: Big Smiles Dental New York, PLLC
<input checked="" type="checkbox"/>	GA: Mark Shurett, DDS, PC dba Help A Child Smile	<input checked="" type="checkbox"/>	NY: Smile New York Outreach, LLC
<input checked="" type="checkbox"/>	IL: Elliot P. Schlang, D.D.S. P.C. dba Smile Illinois	<input checked="" type="checkbox"/>	OH: Elliot P. Schlang DDS, Dental Outreach PLLC dba Ohio Dental Outreach
<input checked="" type="checkbox"/>	IN: Elliot P. Schlang DDS, Dental Outreach PLLC dba Indiana Dental Outreach	<input checked="" type="checkbox"/>	PA: Big Smiles Pennsylvania P.C. dba Smile Pennsylvania
<input checked="" type="checkbox"/>	KS: Nevin K. Waters D.D.S., PA dba Big Smiles	<input checked="" type="checkbox"/>	UT: Big Smiles Utah, P.C. dba Big Smiles
<input checked="" type="checkbox"/>	KY: Big Smiles Kentucky PSC dba Big Smiles	<input checked="" type="checkbox"/>	VA: Big Smiles Virginia PC dba Smile Virginia
<input checked="" type="checkbox"/>	MA: Elliot P. Schlang DDS Big Smiles Massachusetts P.C. dba Smile Massachusetts	<input checked="" type="checkbox"/>	WA: Michael LaCorte Dentistry, PC dba Big Smiles
<input checked="" type="checkbox"/>	MD: S.K. Pesis D.D.S., Big Smiles Maryland, PC dba Smile Maryland	<input checked="" type="checkbox"/>	WV: Elliot P. Schlang DDS, Inc. dba Smile West Virginia

I. PURPOSE:

The purpose of this policy is to combat fraud, waste, and abuse at ReachOut Healthcare America, Ltd. d/b/a Smile America Partners ("SAP") and its affiliated Dental Professional Practices ("DPPs") (hereinafter collectively referred to as "The Smile Way Group"). Failure to comply with applicable federal, state, or local laws and other types of misconduct threatens Smile America Partners' ability to provide effective administrative services in support of serving patient dental needs. Detected but uncorrected misconduct can seriously endanger the mission, reputation, and legal status of The Smile Way Group.

II. POLICY:

The Smile Way Group is committed to conducting its business activities with integrity and in compliance with federal, state, and local laws and regulations. Since the DPPs are participants in federal and state healthcare programs and receive reimbursement from Medicaid agencies for services performed for Medicaid beneficiaries, The Smile Way Group is committed to detecting, correcting, and preventing fraud, waste, and abuse.

Further, contractors, subcontractors, agents, and other persons which or who, on behalf of The Smile Way Group, furnish or otherwise authorize the furnishing of Medicaid healthcare items or services, perform billing or coding functions, or are involved in monitoring of healthcare provided by The Smile Way Group, are required to adopt these policies and procedures to continue to do business with the DPPs.

III. DEFINITIONS:

Fraud is generally defined as knowingly and willfully executing, or attempting to execute, a scheme or artifice to defraud any health care benefit program or to obtain (by means of false or fraudulent pretenses, representations, or promises) any of the money or property owned by, or under the custody or control of, any health care benefit program. (18 U.S.C. § 1347)

Waste is overutilization of services or other practices that, directly or indirectly, result in unnecessary costs to the health care system, including the Medicare and Medicaid programs. It is not generally considered to be caused by criminally negligent actions, but by the misuse of resources.

Abuse Payment for items or services occurs when there is no legal entitlement to that payment and the individual or entity has not knowingly and/or intentionally misrepresented facts to obtain payment.

III. PROCEDURE:

How to Report Fraud, Waste, and Abuse

If you suspect fraud, waste, or abuse, you must report it to your manager, supervisor, or the Chief Compliance Officer and we will investigate. Your actions may help improve our systems and reduce costs for The Smile Way Group and customers. To report suspected fraud, waste, or abuse, you can contact us in one of these ways:

- Report the suspected fraud, waste, or abuse directly to your manager or supervisor. When managers and supervisors receive reports of suspected fraud, waste, or abuse they must report it to the Chief Compliance Officer.
- Chief Compliance Officer: Craig Thomas, cthomas@mobiledentists.com, 33533 W 12 Mile, Suite 134, Farmington Hills, MI 48331, 623-434-9343 ext. 21115
- Compliance Helpline:
 - Phone: 1-800-447-9207
 - Online self-reporting portal: <https://www.mycompliancereport.com/report?cid=SAP>

You can choose for your report to remain anonymous. All information received or discovered by the Compliance Department will be treated as confidential, and the results of the investigations will be discussed only with persons having legitimate reasons to receive the information (e.g. state and federal authorities, senior management, or legal counsel).

The Investigation Process

Our investigation process will vary depending on the allegation presented and/or any facts or evidence provided. Our investigational steps may include some or all of, but are not necessarily limited to, the following:

- Contact with relevant parties to gather information. This may include contacting the reporter, if contact information is available, a dental professional, or a patient's parent or guardian to get a better understanding of the situation. For example, we may contact a dental professional or a patient's parent or guardian to ask about a dental service visit. We may ask the individual being interviewed to describe the services provided, who provided the care, etc.
- Review of dental records. We do this to validate that the records support the services billed. We rely on this information to make a fair and appropriate decision.
- Notification, review and discussion of the allegation and any findings with the associated DPP owner, as appropriate.
- Notification of suspected fraud and abuse to law enforcement and any other applicable state and/or federal agencies.

Common Coding and Billing Issues To Be Aware Of:

- Billing for services not rendered
- Billing for services at a frequency that indicates the provider is an outlier as compared with its peers
- Billing for non-covered services using an incorrect CPT, HCPCS and/or Diagnosis code in order to have services covered
- Billing for services that are actually performed by another provider
- Up-coding
- Lack of documentation in the records to support the services billed
- Alteration of records to get services covered

The Smile Way Group has a zero-tolerance non-retaliation policy (see CC-111 Non-Retaliation Policy) and will not discipline employees for reporting conduct that they knew, suspected or reasonably believed to be fraud, waste, or abuse. Good faith reporting of known or suspected fraud, waste, and abuse is encouraged.

Approvals:

DocuSigned by:

Steve Higginbotham

3/23/2023

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Steve Higginbotham, CEO

DocuSigned by:

Craig Thomas

3/24/2023

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Craig Thomas, CCO & SVP HR