



# HOME HEALTH AIDE / PERSONAL CARE AIDE EMPLOYEE HANDBOOK



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1707 L Street, N.W., Suite 900  
Washington, D.C. 20036  
Ph: 202-829-1111; Fax: 202-783-7583  
[www.hmihomehealth.com](http://www.hmihomehealth.com)



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## WELCOME TO HMI HOME HEALTH AGENCY

Dear Employee:

It is my privilege to welcome you as an employee of Health Management, Inc. Since its inception in 1983, HMI has been committed to serving the community in a broad range of health related programs, nationally and internationally. Our goal is to do so through full compliance with all applicable legal and regulatory requirements, and HMI takes all such compliance efforts very seriously.

Our vision, mission, and values are important to us and we strive daily to manifest them in our practices. To sustain and enhance our reputation for quality, we need your commitment to excellence in action and personal integrity.

I invite you to share the ideals and goals of HMI and to commit your energy and expertise to the continued success of the company.

I wish you the best as you begin your new responsibilities. Together we are building the future of HMI.

Sincerely,

A handwritten signature in black ink, appearing to read 'Seelan Abraham', written in a cursive style.

Seelan Abraham  
President

## PURPOSE OF THIS HANDBOOK

This is your personal handbook for important information about HMI. We welcome you as a new team member. This Handbook and the information in it should be treated as confidential. This handbook is the property of HMI, and no portion of this Handbook should be disclosed to others, except Company employees and others affiliated with HMI whose knowledge of the information is required in the normal course of business.

The employee handbook is designed to provide employees with general information about HMI including policies and procedures and benefits pertinent to you as an employee. You are responsible for reading and becoming familiar with each of the provisions contained in this handbook. For complete details on policies and procedures, refer to the HMI Policy and Procedures Manual or contact your supervisor. The Manual is available for your review in HMI's main office upon request.

From time to time, we may need to change or revise certain policies in this Handbook. Although we will always try to keep you advised of any changes to policies, changes may occur before any written revisions are distributed to everyone in the organization. Please disregard any prior Handbook versions that you may have received.

**THIS HANDBOOK IS NOT INTENDED TO BE NOR DOES IT CONSTITUTE AN EXPRESS OR IMPLIED CONTRACT OF ANY KIND. NOTHING IN THIS HANDBOOK IS INTENDED TO CREATE ANY TYPE OF AGREEMENT FOR EMPLOYMENT OR CONTINUED EMPLOYMENT, AND NOTHING IN THIS HANDBOOK SHOULD BE VIEWED BY ANY EMPLOYEE AS AN ENFORCEABLE PROMISE OR GUARANTEE OF ANY KIND REGARDING TERMS AND CONDITIONS OF EMPLOYMENT.**

All HMI employees are "at will". This means that employees have the right to resign their positions at any time, with or without cause and/or notice. Likewise, the Company can terminate the employment relationship with any employee at any time with or without cause and/or notice. The only person authorized to enter into any form of contractual relationship with an employee is the President of HMI, and any such agreement or contractual relationship must be in writing. For this reason, no employee should claim that he/she reasonably relied on any statements or promises about terms and conditions of employment allegedly made by managers and other executives if those statements are contrary to the existence of an at-will employment relationship or contrary to the written provisions of this handbook.

## **ORGANIZATIONAL OVERVIEW**

HMI Home Health Agency was founded in 1983 by Mr. Robinson Abraham, who is the CEO and Chairman of the Board of Health Management, Inc., and the Administrator of the HMI Home Health Agency.

### **HMI MISSION STATEMENT**

To continually enhance the quality of life and productivity for individuals and organizations that receive and deliver our services.

### **OUR VISION**

To inspire our staff to provide, educate and promote quality healthcare and thus improve quality of life for residents and develop a wholesome community.

### **HMI MOTTO**

Committed to excellent services, professionalism and respect to everyone at all times.

### **VALUE STATEMENT**

The value statements, which continue to make HMI a strong leader in home health, are:

- **Effective Leadership:** We inspire effective leadership through excellent communication, a shared vision and the willingness to lead by example.
- **Customer Services:** We measure our success by the extent to which we benefit and enrich the lives of those we serve.
- **Integrity In Relationships:** We respect the dignity and uniqueness of others and treat employees, affiliates and clients with honesty and fairness.
- **Supportive and Nourishing Environments:** We are supportive, nourishing and strengths-based in our interactions with clients and each other to enable the highest performance possible.
- **Creative Diversity:** We actively promote diversity in thoughts and actions in order to be continuously insightful and innovative with projects, challenges and solutions.
- **Fiscal Responsibility:** We manage our operations efficiently in order to maximize strengths, opportunities and dynamic change. Fiscal responsibility is vital to our stability, services and sustainability.

### **EMPLOYMENT PHILOSOPHY**

HMI selects the best qualified person for each position after considering factors such as previous experience, proven skills, professional strengths, growth potential and educational background. Additional employment considerations include an evaluation of the candidate's interpersonal skills and an assessment of the candidate's willingness to be service-oriented.

## **EQUAL EMPLOYMENT**

In order to provide the most effective and optimum quality service, HMI seeks to select the best-qualified and well-suited persons for all positions. In this regard, HMI is an equal employment opportunity employer and is committed to providing a work environment that is free of discrimination of any type. All applicants for employment and employees will be considered and treated equally without regard to the individual's sex, gender identity or expression, race, color, religion, national or ethnic origin, age, sexual orientation, marital status, personal appearance, disability, matriculation, political affiliation or any characteristic protected by federal or District of Columbia law. The Company will make job-related reasonable accommodations for any employee with a disability if the person is otherwise qualified to safely perform all of the essential functions of the position and upon notification by the employee that an accommodation is needed.

Any employee who feels that he/she has been subjected to unlawful discrimination or denied an equal employment opportunity under this policy should immediately raise such a concern through HMI's Open Door Policy, which is set forth in a later portion of this handbook.

## **HMI'S POLICY PROHIBITING ALL FORMS OF UNLAWFUL HARASSMENT**

### **Sexual/Racial/Other Unlawful Harassment:**

HMI is committed to providing a work environment that is free of all forms of unlawful harassment. In keeping with this policy, the Company strictly prohibits harassment of any kind, including harassment on the basis of an individual's sex, gender identity or expression, race, color, religion, national or ethnic origin, age, sexual orientation, marital status, personal appearance, disability, matriculation, political affiliation or any characteristic protected by federal or District of Columbia law.

Harassment may take many forms, but the most common forms include:

- (1) Verbal harassment such as jokes, epithets, slurs, negative stereotyping, and unwelcome remarks about an individual's body, color, or physical characteristics;
- (2) Physical harassment such a physical interference with normal work, impeding or blocking movement, assault, or other unwelcome physical contact;
- (3) Visual harassment such as offensive or obscene photographs, calendars, posters, cards, cartoons, drawings and gestures, display of sexually suggestive or lewd objects, unwelcome notes or letters, and any other written or graphic material that denigrates or shows hostility or aversion toward an individual because of his/her sex, that is placed on walls, bulletin boards, or elsewhere on the employer's premises or circulated in the workplace.

Sexual harassment includes any situation where an individual's submission to or rejection of unwelcome sexual conduct is used as a basis for employment decisions affecting that individual, including granting of employment benefits. Sexual harassment also occurs when unwelcome sexual conduct unreasonably interferes with an individual's job performance or creates an

intimidating, hostile, or offensive working environment, even if it does not lead to tangible or economic job consequences. Sexual harassment includes harassment of women by men, of men by women, and same-sex gender-based harassment.

Other forms of harassment occur where derogatory language creates an intimidating, hostile or offensive work environment based on a protected characteristic (e.g., race, age, national origin, etc.).

If you believe that the conduct of any co-employee, supervisor, client or person doing business with or for the Company is offensive, you should immediately report the facts of the incident to your supervisor or, in the case of a violation by your supervisor, to your supervisor's superior and to the Director of Human Resources. Supervisors and other management personnel who become aware of a potential incident of discrimination and/or harassment must report the incident immediately to the Director of Human Resources or, if that is not feasible, to the President of HMI. The Company's policy is to immediately investigate the complaint, and take whatever remedial action is necessary and appropriate. Confidentiality will be maintained to the fullest extent permitted by the circumstances. No individual should experience any retaliation for reporting any incidents of harassment, or perceived harassment, for making any good faith complaints of harassment or for participating in good faith in any investigation of incidents of harassment or perceived harassment. Any perceived retaliation should be reported immediately to Human Resources.

## **WORKPLACE VIOLENCE**

HMI has “**ZERO TOLERANCE**” for workplace violence. All violent acts, threats of violence, and/or attempts to intimidate will be taken seriously and immediate action will occur depending on the severity of the act. Violence can escalate when unchallenged behavior repeats itself, inappropriate venting mechanisms are used, threats are not taken seriously, or warning signs are not recognized. Violence can take the forms of:

- **Physical injury**
- **Verbal abuse**
- **Property damage**
- **Implied violence such as intimidation and threats**

HMI has **NO** tolerance for any form of abuse, and that is particularly true for the clients that use HMI's services. Employees, clients and visitors have the right to be free from verbal, mental, physical, and sexual abuse, including involuntary seclusion and misappropriation of property. The term “Abuse” primarily includes willfully inflicting injury, unreasonable confinement, intimidation or punishment with resulting physical harm, pain, or mental anguish.

Mental Abuse includes humiliation, harassment, threats of punishment, or threats to take things away from employees or clients.

Verbal Abuse includes any oral, written, or gestured language that willfully includes derogatory terms to employees, clients and visitors, or within hearing distance regardless of one's ability to understand it.

Physical Abuse includes slapping, hitting, pinching, kicking, and controlling behavior through physical punishment. It is important to protect employees and clients from all forms of abuse. This includes abuse from anyone, including family, visitors, employees, friends, or other individuals.

**Actions of such may result in immediate termination or up to ten (10) days suspension without pay.**

Employees are expected to notify their immediate Supervisor of any occurrences of abuse that they may witness in the workplace.

## **PATIENT PRIVACY AND CONFIDENTIALITY**

HMI employees are expected to respect and protect the privacy of our clients and employees. Clients and employees have the right to privacy and HMI assures that unauthorized disclosure of personal identifiable health information, to include electronically transmitted information is prohibited. All information concerning the health, financial circumstances of clients and employees are maintained in the strictest confidence. Even casual discussion of clients and employee information is prohibited, excluding only any discussions of employee information that occur in the context of employee discussions about terms and condition of employment that are protected by law. Confidentiality of clinical records includes protection of records from loss, alteration, unauthorized access and/or release of personnel/clinical information or damage. As required by the Health Insurance Portability and Accountability Act of 1996 (HIPPA), personal information will not be released unless authorized by the individual or as required by state or federal law. Failure to observe and adhere to the principles of confidentiality of information or records may result in immediate termination.

## **DRUG-FREE WORKPLACE POLICY**

HMI is committed to maintaining a safe and healthy work environment free from the effects of illicit drug use and alcohol abuse. The use, sale, purchase, transfer or possession of alcohol, illicit drugs, controlled substances, other intoxicants, drug paraphernalia or any combination thereof while working or while on any HMI premises or work sites (including HMI vehicles or private vehicles parked on HMI premises or work sites) are grounds for immediate termination for the first offense.

When observed, if employee behavior is such that management has reason to believe the employee has violated the drug and alcohol policy, management may require appropriate testing. The Director of Operations or designated representative will decide if a drug or alcohol test will be administered or if the employee's personal property located on HMI's premises, worksites, facilities or grounds will be inspected. Failure to submit to an authorized test or search is grounds for discharge.

## **Definitions**

***Illicit drugs*** – include drugs which are listed in the Federal Controlled Substances Act and for which an individual does not have a valid prescription, or is using in a manner inconsistent with the individual’s valid prescription. Illicit drugs may include, but are not limited to, marijuana, cocaine, amphetamines, phencyclidine, opiates, barbiturates, and benzodiazepines, as well as “designer drugs.” Please note that the prohibitions on the use, sale, purchase, transfer or possession of illicit drugs while working or while on Company property apply to marijuana notwithstanding any legalization of marijuana’s use by local laws, ordinances or regulations.

***Legal drugs*** – include prescription drugs and over-the-counter drugs being used in their prescribed and appropriate manner. Alcohol is also a legal drug under this policy. Employees who use prescription and/or over-the-counter medication, which could impair their ability to perform safely, are responsible for notifying their immediate Supervisor so steps can be taken to minimize the safety risks posed by such use. It is each employee’s responsibility to consult with his or her health-care provider and/or to review relevant dosing instructions to determine whether the use of a medicine could lead to impairment. No medications containing alcohol should be used during or immediately prior to an employee’s scheduled work time unless by prescription. The employee should notify his or her Supervisor of such use. Documentation of such drugs should be delivered to the Office Manager for inclusion in the employee’s confidential file.

## **Drug-Free Workplace Provisions**

HMI requires all employees who are convicted of any drug-related crime to notify the Office Manager within five days of the conviction. Any employee who pleads no contest or guilty, or is convicted of any drug-related offense while working for HMI, may be subject to discipline, up to and including termination depending on the circumstances surrounding the conviction.

It is the responsibility of each employee to seek assistance *before* the employee’s alcohol or drug abuse problems leads to a violation of this or another HMI policy that could result in disciplinary action. An employee’s decision to seek help voluntarily will not be used as a basis for disciplinary action against the employee.

While an employee’s decision to participate in treatment is confidential, entering such a program can neither absolve nor protect employees from consequences of continued substandard work performance or policy infractions. HMI encourages employees who may need assistance for drug or alcohol abuse to seek help from their physician or a rehab facility. The decision to seek assistance will be treated as confidential and communicated only to those individuals at HMI on a need-to-know basis.

## **THE FALSE CLAIMS ACT**

HMI is committed to ensuring that all of its employees comply with the requirements of the federal False Claims Act, 31 U.S.C. § 3729 *et seq.* The False Claims Act makes it unlawful for any person or company to submit a fraudulent claim for payment to the federal government. The False Claims Act prohibits anyone from: (1) knowingly presenting (or causing to be presented) to the federal government a false or fraudulent claim for payment; (2) knowingly using (or causing to be used) a false record or statement to get a claim paid by the federal government; (3) conspiring with others to get a false or fraudulent claim paid by the federal government; and (4) knowingly using (or causing to be used) a false record or statement to conceal, avoid, or decrease an obligation to pay money or transmit property to the federal government.

HMI's Care Watch Telephony System is designed to help HMI and its employees verify that time entries – which will be submitted to the government for payment – are accurate. HMI's timesheet practices and timesheet requirements are similarly designed to prevent the submission of any false claims. HMI has put in place a reporting procedure that is binding on every employee and which requires an employee to report any perceived false claim or error in billing services. HMI expects every employee to adhere to this reporting requirement.

### **Whistleblower Protection**

The False Claims Act makes it unlawful for an employer to retaliate against any employee because of the employee's investigation for, initiation of, testimony for, assistance in, or any other lawful action taken done by the employee on behalf of the employee or others in furtherance of, an action filed, or to be filed, under the False Claims Act. HMI prohibits any such retaliation. HMI's complaint procedure provides for an immediate, thorough and objective investigation of any claim of retaliation prohibited by the False Claims Act or similar state laws. If you believe that you have been retaliated against, you should provide a written or verbal complaint to the Director of Human Resources as soon as possible. Your complaint should be as detailed as possible, including the names of individuals involved, the names of any witnesses, and any documentary evidence.

All complaints of prohibited retaliation will be investigated. HMI will immediately undertake an effective, thorough and objective investigation of any such complaints. The investigation will be completed and a determination regarding the complaint will be made and communicated to the employee who complained and to the person(s) accused of retaliation.

If HMI determines that an individual has suffered adverse action in retaliation, HMI will take appropriate remedial action against the person who has committed an act of retaliation, including, but not limited to, termination of employment. HMI will also take action to deter any future retaliation. Whatever action is taken against the person responsible for the retaliation will be communicated, in substance, to the employee who made a complaint.

## **EMPLOYMENT REQUIREMENTS**

### **EMPLOYMENT STATUS IN GENERAL**

Whether a Home Health Aide/Personal Care Aide works for HMI or for a different Home Health Agency in the District of Columbia, there are certain licensing/certification requirements that each Home Health Aide/Personal Care Aide must meet in order to work in their chosen profession. Since those requirements are necessary regardless of which Agency employs those Home Health Aides/Personal Care Aides, HMI expects its Home Health Aides/Personal Care Aides to provide at their own expense the necessary proof that they are eligible to work in the District of Columbia as a Home Health Aide/Personal Care Aide. This proof of eligibility to work in this capacity includes the employment requirements set forth below.

#### **Tuberculin Test (PPD) Or Chest X-Ray And Physical**

All direct care workers at HMI must have proof of a negative PPD or chest x-ray as a condition of employment with HMI prior to beginning work. Chest X-rays must be within 5 years. Anything after five years must be retaken by the employee or re-evaluated by the primary physician. Annual PPD's are required as a condition of employment with HMI.

All direct care workers must have a physical annually. Employees who fail to maintain their health credentials will be removed from their case. The employee will then be placed on another case upon availability once they are in full compliance with regulation and HMI policy.

#### **Hepatitis B Vaccination (HBV)**

OSHA regulations are posted in the staffing office and are updated periodically. These regulations inform the employee of their rights to a safe and healthy workplace. Employees are informed of OSHA regulations on Hepatitis. Viral Hepatitis is an inflammation of the liver caused by any one of several viruses. Hepatitis B is usually spread by contact with infected blood or blood products. While most individuals recover, the disease can be very serious and even fatal.

Direct care workers may have occupational exposure to blood or potentially infectious materials particularly those who perform tasks such as the personal and clinical care of clients, maintenance of their environment, cleaning their clothes and personal belongings.

HMI strongly urge employees to get the Hepatitis B vaccination by their personal physicians before starting work. Employees who do not get the vaccination must sign a form stating that they have been informed about the risks inherent in being a direct care worker and that they chose not to be vaccinated.

## **References/Background Checks/Drug Screening**

References to include work history and education must be provided and verified prior to being hired. Upon receipt of a conditional offer of employment from HMI, potential hires must undergo a criminal background check, have work eligibility status verified via the Department of Homeland Security e-verify system and submit to a pre-employment drug screen evaluation if requested. An incorrect statement on your application, discrepancies in references, or unsatisfactory references may be sufficient cause to withdraw an offer of employment or terminate employment upon awareness of the discrepancy. Convictions that occur subsequent to the commencement of an employee's employment may result in immediate termination of employment with HMI depending on the circumstances surrounding the criminal act.

## **Certifications / Proof of Education / Credentials**

All Home Health Aides/Personal Care Aides must be licensed by the D.C. Board of Nursing and are expected to keep their license current at all times.

Prior to employment, Home Health Aides/Personal Care Aides must provide proof of education as a Home Health Aide/Personal Care Aide, skills check list and in-service certificates required by the District of Columbia. Exemptions apply only to Aides who recently graduated within a 90 day time period of employment. It is the employee's sole responsibility to maintain his/her credentials current. Only employees with complete and current credentials will be assigned a case.

**You may fax your credentialing documents to (202)783-7583 and follow-up with a call. You may also drop the documents at the HMI drop box located near the parking garage.**

## **EMPLOYEE ORIENTATION**

All new hires will participate in an orientation program which provides the initial information and training necessary for an employee to accomplish the requirements of the job and know the policies and procedures of the company.

## **INTRODUCTORY PERIOD**

Upon hire, each new employee will enter into an introductory period of 90 calendar days (3 months), during which both the employee and the Company can assess whether they wish to continue the employment relationship. The introductory period shall be regarded as an integral part of the selection process and shall be utilized for closely observing the new employee's job performance, to secure the most effective adjustment for the position, and for discontinuing the employment of any employee whose performance does not meet established work standards or needs of HMI. Newly hired employees may be terminated at any time during the introductory period and are not subject to the provisions of the "Absenteeism and Tardiness" policy or the steps of the "Disciplinary Action" policy.

## **JOB DESCRIPTIONS**

All employees will receive a job description during Orientation. Job descriptions contain the functions and responsibilities of each employee position and the job expectations of HMI in a clear and concise manner. The content of each job description is used to evaluate your position within HMI and to determine whether the employee is meeting the expectations outlined for their particular job. HMI reserves the right to update job descriptions as deemed necessary.

## **PAYROLL & COMPENSATION PRACTICES**

### **WAGE & SALARY**

Compensation for Home Health Aides/Personal Care Aides is determined by the HMI management based on the Federal and District of Columbia wage laws and the way HMI is reimbursed for services provided. HMI does not guarantee any employee any minimum number of hours that work can be assigned to them. The work assigned to employees is based solely on the clients that are referred to HMI and the schedule that has been authorized for those clients.

Home Health Aides/Personal Care Aides are compensated on an hourly basis, and the number of hours that a Home Health Aide/Personal Care Aide is authorized to work will depend on the number of hours that have been authorized for purposes of Medicare, Medicaid or insurance reimbursement. It is HMI's expectation that all Home Health Aides/Personal Care Aides will complete their assigned duties within the number of hours authorized on a particular day for a particular client.

Home Health Aides/Personal Care Aides who are unable to complete their assigned duties within the number of hours authorized on a particular day for a particular client must contact their supervisor at the earliest opportunity to obtain authorization/approval to commence work earlier than their scheduled assignment or continue work beyond the ending time of their scheduled assignment. No Home Health Aide/Personal Care Aide is permitted to work overtime without advance authorization of his/her supervisor.

HMI will meet its legal obligation to compensate a Home Health Aide/Personal Care Aide for all hours worked in a work week, including any overtime hours. However, Home Health Aides/Personal Care Aides who fail to obtain the necessary authorization for overtime work or who demonstrate an inability to complete their assigned duties within their assigned hours will be subject to disciplinary action, up to and including immediate termination of employment for poor performance.

Any work time during a work week that exceeds the reimbursable hours that are covered on the timesheets of Home Health Aides/Personal Care Aides must be recorded on an HMI form entitled "Additional Hours Report", and that form must be submitted with the Home Health Aides/Personal Care Aides' timesheets at the end of each pay period. Since Home Health Aides/Personal Care Aides perform their work away from HMI's home office, no Home Health Aide/Personal Care

Aide should expect HMI to know about or compensate any unreported work hours or portions of work hours.

## **MANDATORY CLOCK-IN AND CLOCK-OUT POLICY/PROCEDURE**

HMI has an obligation to ensure as best it can that the timesheet hours that are submitted for client care purposes are accurate, and HMI takes this obligation very seriously. To assist HMI's efforts to demonstrate that our Home Health Aides/Personal Care Aides are accurately recording their starting and stopping times as reflected on their timesheets, HMI has put in place a **Care Watch Telephony System** that allows Home Health Aides/Personal Care Aides to call in to an HMI phone number to report the employee's starting and stopping time for that day's work.

Phone calls from an employee's personal cell phone are not a sufficient means of compliance with the Telephony reporting requirement since such calls could be made from any location and might not reflect the employee's presence at the client location. For this reason, it is imperative that employees **clock-in and clock-out** through the Telephony system by placing calls from the client's home telephone. This is mandatory for all of HMI Home Health Aides/Personal Care Aides. So, if a client does not have a phone option for the employee to use, it is important for the Home Health Aide/Personal Care Aide to bring such information to HMI's attention immediately by calling the staffing coordinators at the start and end of each day or if corrections need to be made to the recorded clock-in or clock-out time. The employee should leave a clear message and follow up by email if possible if the staffing coordinator's voice mailbox is reached.

Calling in to the Telephony system only takes a few minutes. Follow the instructions provided to you during orientation and use the *Telephony System Quick Guide* to assist you.

**The number to call into the Care Watch Telephony System is:**

**1-844-823-3542**

## **PAYROLL AND TIME SHEET REPORTING PROCESS**

In order for an employee's timesheet to be processed for payment during the regular published pay dates, the following criteria must be met. If the employee fails to abide by any of the following, he or she will likely have to wait for the next pay cycle for the timesheet to be processed since HMI will lack the necessary information to determine what pay is due to the employee for the pay period. Paychecks are not issued between pay cycles.

1. Aide (employee) name and Client (patient) name must be clearly written in the appropriate places on all documents (timesheet and communication sheet).
2. Employee's NPI number must be written on the timesheet and communication sheet.
3. The date for each day worked must be written in the appropriate places on all documents.

4. The actual time In and Out – which should be consistent with the time reported through the Care Watch Telephony System – must be recorded on the timesheet legibly, including the total hours and minutes worked for each day.
5. For each activity performed on the day of service, enter the total amount of time. Time for each activity must be shown in 15-minute increments. Round up or down to the nearest 15 minutes.
6. If the employee provides a service more than once a day, the total time for each activity will be added and recorded.
7. The total time per service category will be recorded – this time should match the times recorded for individual activities performed when added together.
8. For each day worked, the questions on the communication sheet regarding physical condition, client's behavior, and wounds should be answered.
9. The patient signature, employee signature, and date must be recorded for each date of service provided and for the entire week.
10. The employee must drop both the timesheet and communication sheet in the drop box at 1707 L Street, NW, Washington, DC 20036. These must be dropped off every other week no later than 5:00 pm on Monday, according to the published schedule.

## **PAY PERIODS & PAY DAYS**

HMI follows a biweekly pay cycle. The week begins on Monday and ends on Sunday. Every other week timesheets must be submitted to the office by Monday at 5:00 pm. The timesheets are dropped in the mailbox in the office garage at 1707 L Street, NW, Washington, DC 20036.

Paychecks will be mailed by the Finance Department to the address on file for the employee. These checks should arrive in the employee's mail every other Friday. Lost or missing paychecks are not the responsibility of HMI. It is the responsibility of the employee to notify HMI of any address changes as soon as possible. A fee is charged for issuing of replacement check.

HMI does not give advances on payroll checks or loan money to employees for any reason.

## **GARNISHMENT/DEBT COLLECTION**

HMI is required by law to comply with applicable state and federal laws related to Garnishments/Debt Collection. The amount withheld from the employee's pay would equal the amount specified by the Court Order. If garnishment notices are received from more than one source, the money will be paid (to the extent available) to each creditor in the order in which notification is received. Employees will be notified by the Finance Department regarding receipt of notice and pending payroll deduction.

## **EMPLOYEE BENEFITS**

### **401 (K) PLAN**

HMI has established a 401 (k) savings/salary deferral plan for employees meeting eligibility requirements. The eligibility requirements are:

- At least six (6) months of continuous employment with HMI.
- Must have worked at least 1,000 hours during those 6 months

Further details about benefits, eligibility and other enrollment procedures can be obtained from the Vice President/Controller. Enrollment is at the beginning of each calendar quarter.

### **TRANSPORTATION BENEFIT**

A monthly commuting benefit is available as a pre-tax deduction to all employees. Further details about benefits, eligibility and other enrollment procedures can be obtained from the Director Human Resources.

### **HEALTH INSURANCE BENEFIT POLICY**

Health insurance benefits are offered to all HMI employees pursuant to the Company's health insurance benefit policy. Employees are eligible to participate in HMI's group health insurance plan if the following conditions are met:

1. The employee is regularly scheduled to work at least thirty (30) hours per week.
2. The employee has completed a sixty (60) day waiting period of working at least 30 regularly scheduled hours.
3. The employee is not covered by any other health insurance program, such as Medicaid, Medicare, a spouse's group insurance plan, or another employer's group insurance plan.

Coverage and enrollment options are provided to the employee at hire and during a designated yearly enrollment period. Further details about benefits, eligibility and other enrollment procedures can be obtained from the Director of Human Resources.

### **SICK AND SAFE LEAVE POLICY**

HMI will provide accrued paid sick leave benefits in accordance with the provisions of the D.C. Sick and Safe Leave Act. Leave will accrue at the rate of one (1) hour for every 37 hours worked, up to a maximum of fifty six (56) hours per calendar year beginning on January 1 of each year.

1. An employee may use paid leave under this policy for the following reasons:
  - a) Physical or mental illness, injury, or medical condition of the employee;
  - b) Absence resulting from obtaining professional medical diagnosis or care or preventive medical for the employee;

- c) An absence for the purpose of caring for a family member (meaning spouses [or equivalent domestic partners], parents, children and their spouses, spouses' parents, brothers and sisters and their spouses) for conditions noted above;
  - d) An absence for the purpose of dealing with situations where the employee, or employee's family member, is a victim of stalking, domestic violence, or sexual abuse, and the absence is directly related to medical, social, or legal services pertaining to such situations.
2. Any employee seeking to utilize sick leave benefits shall:
- a) At least ten (10) days prior provide written notice to the staffing coordinator when the covered absence can be planned in advance; or
  - b) If the need for the absence is known less than ten days in advance, written notice must be given as soon as the need is known, or at least the next business day after it is known; or
  - c) If the need to use paid leave is not foreseeable, the employee must make an oral request to the staffing coordinator prior to the start of the work shift for which the paid leave is requested; or
  - d) If an emergency prevents the employee from making prior notification, the staffing coordinator must be notified prior to the start of the next work shift or within twenty four (24) hours of the start of the emergency, whichever occurs sooner; and
  - e) The employee shall make a reasonable effort to schedule paid leave in a way that does not unduly disrupt the provision of care to the patients. If paid leave is requested in a non-emergency situation, the employee shall consult with the staffing coordinator regarding the date and time the leave is to be taken; and
  - f) Written notice shall be given in the form provided by HMI.
3. Certification: Where the leave request is for three (3) or more consecutive days, the employee must provide appropriate certification justifying the leave. Such certification must be provided upon the employee's return to work or within one (1) business day thereafter. Required certifications include, where applicable:
- a) A physician's signed document affirming the illness of the employee or employee's family member.
  - b) A police report indicating that the employee or employee's family member was the victim of stalking, domestic violence, or sexual abuse.
  - c) A court order indicating that the employee or employee's family member was the victim of stalking, domestic violence, or sexual abuse.
  - d) A signed written statement from a victim and witness advocate affirming that the employee or employee's family member is involved in legal action related to stalking, domestic violence or sexual abuse.
4. Additional provisions.
- a) An employee cannot access accrued leave until the employee has completed 90 days of service for HMI.

- b) Unused paid leave accrued in one calendar year shall be carried over to the next calendar year.
- c) An employee shall not use more paid leave in one year than the employee accrues in that year.
- d) Accumulated leave shall not be paid to an employee upon discharge or resignation of an employee.

## **FAMILY AND MEDICAL LEAVE**

### **Eligibility**

Employees are eligible for unpaid family leave under this policy if they have been employed by HMI for one (1) year without a break in service and have worked at least 1,000 hours during the 12-month period immediately preceding the request for family or medical leave. An eligible employee can take up to 16 weeks of family leave and up to 16 weeks of medical leave under this policy during a rolling 24-month period, measured backward from the date an employee uses any leave under this policy. Each time an employee takes leave, the Company will compute the amount of leave the employee has taken under this policy, and subtract it from the 16 weeks of available leave. The balance remaining is the amount the eligible employee is entitled to take at that time.

### **Coverage**

HMI's family and medical leave policy provides for leave for the following occasions:

- Birth of a child
- Adoption (the placement of a child with the employee for adoption)
- Foster care (the placement of a child with the employee for foster care)
- Parental responsibility (the placement of a child with the employee for whom the employee permanently assumes and discharges parental responsibility)
- Serious health condition due to which an employee is unable to perform the functions of their position
- Care for a seriously ill family member

The right to leave for reasons of the birth of a child, adoption, foster care, or parental responsibility expires 12 months after the birth or placement of the child with the employee. In the case of leave for a serious health condition or care for a seriously ill family member, the leave may be taken intermittently when medically necessary, subject to the 16-week limit and the requirement for certification.

### **“Family Member” Defined**

For purposes of this policy, the term “family member” means:

1. A person to whom the employee is related by blood, legal custody, or marriage;
2. A child who lives with an employee and for whom the employee permanently assumes and discharges parental responsibility; or

3. A person with whom the employee shares, or has shared, within the last year, a mutual residence and with whom the employee maintains a committed relationship.

### **Notification**

HMI requires employees to make a written request for leave under this policy. The following guidelines must be followed:

**Child Birth or Placement:** If an employee anticipates leave will be needed based on an expected birth or placement of a child with the employee, the employee must provide reasonable prior notice, at least 30 days in advance.

**Planned Medical Treatment or Supervision:** If an employee anticipates leave will be needed based on planned medical treatment of supervision, the employee must:

1. Provide reasonable prior notice (30 days, if practical); AND
2. Make a reasonable effort to schedule the medical treatment or supervision, subject to the approval of the appropriate health care provider, in a manner which does not disrupt unduly the operations of HMI.

Upon receipt of notice from the employee of the need for family and medical leave, the Company will notify the employee of his or her obligations, including any recertification requirement.

### **Medical Certification**

A request for leave due to a serious health condition or for family care supervision must be accompanied by a written certification issued by the health care provider of the family member. The certification must state:

1. The date on which the serious health condition commenced;
2. The probable duration of the condition; and
3. The appropriate medical facts within the knowledge of the health care provider that would entitle the employee to take leave.

For medical leave requests due to the employee's own serious health condition, the certification must include a statement that the employee is unable to perform his or her job. With respect to family leave involving care for a seriously ill family member, the certification must include a statement that the employee is needed to care for the family member, and an estimate as to the amount of time the employee is needed for such care. For requests for intermittent or reduced leave schedules, the certification should also include the expected duration and schedule necessary for the intermittent or reduced leave.

Where intermittent leave or a reduced work schedule is requested, HMI may temporarily transfer the employee to an alternative job with equivalent pay and benefits if the employee is qualified for the position and it better accommodates recurring periods of leave than the employee's regular job.

HMI may require, at its own expense that the employee obtain the opinion of a second health care provider approved by HMI, in regard to any of the foregoing information. If the second opinion differs from the opinion in the certification, the employee may obtain the opinion of a third health care provider mutually agreed upon by the Company and the employee, in regard to the foregoing information. HMI will pay the cost of the opinion of the third health care provider, whose opinion on this issue shall be final and binding on HMI and the employee. HMI reserves the right to require subsequent recertification on a reasonable basis.

Any health care provider approved or mutually agreed upon under the above may not be retained on a regular basis by HMI, or otherwise bear a close relationship to the employee that would give the appearance that the certification is biased.

### **Certification and Benefits During Leave**

Generally, family and medical leave is without pay. The employee's paid sick and/or vacation time may be substituted. In the case of a medical leave for the employee's own serious health condition, short-term disability benefits may be payable. Any paid time off used will be counted against allowable family and medical leave.

Employees may not extend their family and medical leave rights by taking additional annual leave or other paid sick leave time.

Subject to the terms, conditions, and limitations of the applicable employee benefit plans, coverage in effect on the day before leave begins will be continued for the duration of allowed leave at the same level and under the same conditions that coverage would have been provided if the employee had continued in employment. No employee who takes family and medical leave will lose any employment benefit or seniority accrued before the date on which the family and medical leave commenced. During the unpaid portion of any family and medical leave of absence, your seniority will continue to accrue for a maximum period of 16 weeks.

With regard to payment of the employee's share of health/dental insurance premiums HMI requires employee to pay on the same schedule if the employee were not on leave. Regular payroll deductions may continue during periods of paid leave; during pay periods without pay, arrangements may be made to pay by personal check.

Sick leave will continue to accrue during any paid portion of FMLA leave. Should the employee experience any full pay periods that are entirely without pay, leave will not accrue during those pay periods.

### **Two-Employee Family**

If two family members are eligible employees of HMI, the Company limits to 16 weeks during a 24-month period the aggregate number of family and medical leave workweeks. HMI also limits to 4 weeks during a 24-month period the aggregate number of family and medical leave workweeks that each family member may take simultaneously.

## **Returning to Work**

Subject to certain conditions, when an employee returns from family and medical leave, HMI will restore the employee to the position of employment held when the family leave commenced, or to an equivalent position that includes equivalent employment benefits, pay, seniority, and other terms and conditions of employment. When you are ready to return to work, notify your manager. It is expected that an employee on family and medical leave will establish a return to work date in advance of taking leave, or as soon as reasonably possible. This is important so that your return to work is properly scheduled. HMI reserves the right to withhold restoration of employment when allowed by law, as in the case where the employee is among the five highest-paid employees in the organization, if necessary to prevent economic injury to HMI's business operations. If this happens, HMI will notify the employee at the time that it determines that denial of restoration of employment is necessary.

Failure to notify HMI of your availability for work, failure to return to work when called by the Company, or your continued absence from work after your leave expires may be deemed a voluntary termination of your employment with the Company.

## **Confidentiality**

Information that an employee provides regarding a family relationship, pursuant to which the employee seeks to take family and medical leave, and certification information requested by HMI, will be used only to make a decision regarding this policy and the D.C. Family and Medical Leave Act. HMI will keep any information regarding the family relationship and/or any medical information obtained from a certification request confidential.

## **No Interference With Rights**

HMI will not interfere with, restrain or deny the exercise of or attempt to exercise any right provided by this policy or the D.C. Family and Medical Leave Act. No person shall be discharged or discriminated against because the person opposes any practice made unlawful by the Act or assists in the investigation of a charge filed under the Act.

## **Pay and Benefits During Leave**

As noted earlier, FMLA leave will generally be unpaid, but you may choose to use your available balance of accrued leave, subject to the eligible rules of those leave policies. Your taking leave for your own serious medical condition may make you eligible for compensation through short-term disability benefits, if applicable. You should work with Human Resources to understand the types of pay that may be available during an FMLA leave.

If you take leave, you will not lose any benefits or seniority accrued before your leave began. Your group medical insurance coverage will continue at the same level and under the same conditions that existed before leave began. You must pay for your share of the premium for coverage during a leave of absence. If you fail to make required contributions, you may forfeit benefits until you resume employment.

## **PARENTAL LEAVE POLICY**

HMI will grant up to 24 hours of unpaid leave in any 12-month period to workers so they may participate in their children's school-related activities. Employees must provide at least 10 calendar days' advance notice of their desire to take school activities leave, unless the need is not reasonably foreseeable. Employees may use available vacation or personal leave for time off for parental leave.

HMI intends to comply with all aspects of this law and will not discharge or otherwise discriminate against employees who request this type of leave. For more information, please contact Human Resources.

## **WITNESS AND JURY DUTY POLICY**

Upon receipt of a jury summons, juror questionnaire or subpoena to testify, you should notify your Supervisor, provide the summons documentation, and request leave. Employees called to jury service for five days or less are entitled to compensation for scheduled work days, less the fee paid for jury duty. However, employees who would not have accrued regular wages if not serving as jurors and those who would not have worked more than one-half of a shift that extends into the following day are not required to be paid. Any leave above and beyond the limits described above will be unpaid. If you are called as a juror during a particularly busy time at work, HMI may ask you to request the court to postpone your jury duty to a more convenient time. PTO benefits will not continue to accrue during unpaid jury duty leave of 30 days or longer.

## **BEREAVEMENT POLICY**

The Company is respectful and sensitive in the event of loss suffered by employees. Bereavement time off is generally granted for the passing of the following: spouse, domestic partner, child, parent, step-parent or legal guardian, brother or sister, grandparent, grandchild, mother-, father-, sister-, brother-, son- or daughter-in- law, aunt, uncle, niece, or nephew. Bereavement time off may also be granted for a death not designated by one of the above relationships, if approved by a supervisor.

Employees may take up to three (3) scheduled work days off without pay for bereavement. A supervisor may approve additional unpaid time off in unique circumstances.

## **LEAVE REQUESTS**

A written leave request should be submitted a minimum of two (2) weeks in advance using the form available in the HMI offices or on the HMI Home Health website. If the need for the absence is known less than two (2) weeks in advance, written notice must be given as soon as the need is known, or at least the next business day after it is known. The employee shall make a reasonable effort to schedule paid and unpaid leave in a way that does not unduly disrupt the provision of care to the patients. If paid leave is requested in a non-emergency situation, the employee should consult with the staffing coordinator regarding the date and time the leave is to be taken; and written notice shall be given in the form provided by HMI.

## **WORKER'S COMPENSATION & INCIDENT REPORTING**

HMI provides Worker's Compensation coverage when employees experience a compensable occupation disease, illness, or injury. Employees must notify their Supervisor and/or HMI Staffing Coordinator of any and all injuries immediately regardless of the extent of injury. Reporting must be made prior to the end of the work day during which the injury or illness occurred. No employee should leave work before the incident is reported to the employee's immediate Supervisor and/or the Staffing Coordinator unless in an emergency such as severe illnesses where paramedics and/or medical personnel are contacted. The employee is expected to document the incident which includes the time of incident, date, how the incident occurred and who witnessed the incident, if available. Documentation should be submitted to the office no later than 24 hours after the incident had occurred unless the employee is in the hospital or other emergency facility for which the employee cannot submit the necessary documentation. Thereafter, an investigation will occur by the Supervisor or designated personnel for further processing.

### **HMI WEBSITE**

The HMI Home Health website is a valuable resource for documents that the employee may need, such as timesheets, employee health certificates, and incident reports. These documents can be accessed by following these steps:

1. Go to [www.hmihomehealth.com](http://www.hmihomehealth.com)
2. Click on the button near the bottom of the page that reads "HHA Forms"
3. Enter User Name and Password
4. Click on the required form and save or print

If you do not have a User Name or password, please contact Human Resources for assistance.

## **EMPLOYEE HEALTH AND SAFETY**

HMI is committed to providing a safe and healthy working environment. Safety hazards must be reported immediately to the Office and/or Supervisor who is the HMI nurse who visits the client for whom you provide care. Reporting for work related injuries must be completed on the incident report and submitted within 24 hours of the incident.

The responsibility of all HMI employees are as follows:

1. Exercise maximum care and good judgment at all times to prevent accidents and injuries;
2. Report to the Office/Supervisor all injuries, regardless of how minor;
3. Report unsafe conditions, equipment, or practices to Office/Supervisor;
4. Use safety equipment, including gloves and masks as necessary;
5. Observe conscientiously all safety rules and regulations at all times.

## COMMUNICABLE / LIFE-THREATENING DISEASES

HMI recognizes that employees with a contagious or life-threatening disease may wish to continue as many of their normal pursuits as possible. As long as they are able to meet performance standards such employees will be treated consistently with other employees. However, in no case will the health of a client or colleague be threatened or compromised due to the health of an employee.

HMI complies with all state and federal laws and regulations regarding the reporting of communicable diseases.

## EMERGENCY PROCEDURES

### Medical Emergencies

If the clinician is not in the home, call 911 first for all medical emergencies. Contact the Office, the nurse supervisor and/or Clinical Director and the client's Emergency Contact.

If the client is not found at the place of residence or specified place of appointment, contact the staffing coordinator, nurse supervisor, case manager or Clinical Director and emergency contact. Speak to a live person for instructions. Speak to the client's building manager for access to the client's residence. Call 911 if necessary.

### Fire and Other Natural Disasters

During Orientation, Fire Emergency and Evacuation procedures are discussed. HMI wants you to know what to do in the event of an emergency. HMI also suggest that you evaluate your surroundings for multiple and fast escape routes in the event of an emergency. Discuss with the client/family/caregiver their emergency evacuation plans. List of medications should be available at an easily accessible place.

Anyone who discovers fire or smells smoke or unusual fumes should:

- |  |  |
|--|--|
| <b><u>R</u>escue</b>                     | Report discovery to client and evacuate immediately to an area that is safe. Then report to the office.  |
| <b><u>A</u>larm</b>                      | Activate nearest fire alarm system if available or alert authorities to the fire.  |
| <b><u>C</u>heck</b>                      | Check to ensure that client and family members are accounted for.  |
| <b><u>E</u>xtinguish/<u>E</u>vacuate</b> | Obtain a fire extinguisher if possible to put out the fire or contain it. If the fire is overwhelming do not be heroic. Evacuate the area immediately using the nearest stairwell. |

Using the fire extinguisher:

- P** Pull the pin
- A** Aim hose at base of fire
- S** Squeeze trigger handle
- S** Sweep the area with the hose

## **INCLEMENT WEATHER**

Direct care workers are expected to make every effort to report to work. If unable to do so, the Staffing Coordinator must be contacted immediately so that other arrangements can be made. The employee must also contact the client and/or emergency contact.

## **EMPLOYEE STANDARDS AND GUIDELINES**

### **HOURS OF WORK**

Employee Schedules: HMI reserves the right to adjust any employee's schedule for reasons deemed appropriate. Employees should only work the hours scheduled and must never ask the client for a schedule adjustment for their own personal convenience. Home Health Aides/Personal Care Aides are generally expected to work at least two weekends per month and three holidays per year. Individual schedules will vary. HMI does not guarantee a certain number of scheduled hours for any direct care worker.

Service Hours: HMI Home Health provides 24-hour home health care services seven (7) days a week.

Office Hours: Office hours are from 8:30 am to 5:00 pm Monday through Friday, except designated holidays. The office is closed on the following holidays: New Year's Day; Martin Luther King, Jr.'s Birthday; President's Day; Memorial Day; Independence Day; Labor Day; Thanksgiving Day; and Christmas Day.

On-Call Hours: On-call hours begin when the office closes and end when the office reopens for any reason. During on-call hours, the Staffing Department can be reached by dialing 202-829-1111. Please call only to discuss scheduling issues and service concerns.

### **ABSENTEEISM / TARDINESS / NO CALL NO SHOW**

Reporting to work on time is imperative. Failure to report to work as scheduled can result in disciplinary action up to and including termination.

Tardiness: Employees are considered tardy if they report to work more than 15 minutes late without approval. Employees who are excessively tardy (three (3) times in one (1) month or more than six (6) times in any three consecutive months) are considered excessively tardy.

Absenteeism: Employees who are absent three (3) times in a 90 day period will be considered excessively absent and will be subject to disciplinary action up to and including discharge. Employees who do not accept any work assignments in a ninety (90) day period will be made inactive and will be considered voluntarily terminated. Employees who are more than one (1) hour late without contacting Staffing Coordinator, unless in an emergency, might not be allowed to work and considered absent from that shift.

No Call/No Show: Failure of an employee to report to work without calling or without prior approval from the Staffing Coordinator or designee will be recorded as a No Call/No Show and will receive an immediate 5 day suspension upon their return. A second occurrence of a No Call/No Show within a six (6) month period will result in the employee's immediate termination. Failure to report to work after three (3) consecutive days will be considered a voluntary termination and job abandonment.

## **DRESS CODE**

HMI requires that every employee present a professional image to its clients and the public at all times while on duty. Personal cleanliness, good grooming, and specified dress according to policy are expected to be maintained while employees are on duty. Employees who report for work in unprofessional or inappropriate attire will be subjected to disciplinary action and not permitted to work.

**Appropriate grooming and dress for all HHA/PCA employees includes, but is not limited to the following:**

- Hair is to be clean, neat and worn off the face so as not to interfere with client care.
- Jewelry should be moderate and small. Excessive jewelry can be dangerous for clients as well as inappropriate and unprofessional.
- Nails are to be short to moderate length and clean. Long fingernails can be dangerous to self and clients.
- Footwear should be conducive to staff and client safety. Closed-toe shoes with non-skid soles should be worn.
- Clean and well-fitted scrubs (pants & tops, skirts & tops) ONLY. For colder months, long undergarments can be worn under scrubs. No other uniform is acceptable.
- ID badge must be worn and visible at all times. Badge holders and lanyards are provided prior to the employee's first shift.
- Heavily-scented perfumes and scented lotions should generally be avoided as clients may have sensitivities.
- Hats and head coverings should not be worn in work areas.

If an employee believes that he/she requires any accommodation/relief from the provisions of this policy because of religion, disability or other protected status, then that employee should contact Human Resources and make a request for the accommodation. The employee should make the request in writing and explain the basis for the request. Supporting documentation may be requested depending on the particular situation.

## **SERVICING RELATIVES OR FRIENDS**

HMI takes special precautions to avoid conflicts of interest, in appearance or in fact, regarding the employment of related employees or regarding work assignments that would result in someone being assigned to care for an employee's own family member. Standard hiring criteria will be applied and each direct care case will be determined on a case by case decision at the sole discretion of HMI.

## **PERSONNEL CHANGES**

Employees are expected to notify HMI immediately of any changes in name, address, telephone number, marital status, tax-withholding forms, and the person to be notified in case of an emergency.

## **TRANSPORTATION OF CLIENTS**

Employees should not transport clients in their own vehicles, nor drive or ride in a patient's vehicle. If they do so, HMI is not liable for any accident or injury that may occur during transport. The patient may request Medicaid transport through appropriate channels.

## **CELLULAR PHONES**

Use of cellular phones and computer equipment (laptops, etc.) is prohibited when working with clients. In emergency situations, employees may be permitted to use their personal cell phone for a very short period of time.

## **PERSONAL MAIL**

No personal mail is to be sent to the client's home. Violation of this policy is subjected to disciplinary action up to and including termination. HMI offices will not accept mail on behalf of the Aide.

## **SMOKING**

HMI employees are prohibited from smoking in the client's home. Employees who are in violation of the smoking policy will be subjected to disciplinary actions up to and including termination.

## **GIFTS, TIPS, & GRATUITIES**

Employees are not allowed to accept any gifts from clients or their family members. Employees are not to borrow money, ask for favors or property from clients or their family members. Similarly, employees may not enter into any contracts with clients to provide care or services for a fee on or off HMI premises. Violation of this policy is subjected to disciplinary action up to and including termination.

## **THEFT**

HMI will prosecute or assist authorities with prosecuting any employee who is found guilty of theft. Employee will also be terminated from HMI immediately and reported to the appropriate governing officials such as the Department of Healthcare Finance Fraud Unit, Board of Nursing and every entity necessary. **Theft of any kind is not tolerated.**

## **MEDIA INQUIRIES**

All inquiries received by staff from the news media (radio, television, newspaper and magazines) seeking comments by HMI are to be referred immediately to the Director of Operations. No staff member is authorized to disseminate any information regarding HMI to the media or public. Management will decide as to who will speak to the media when necessary.

## **FRAUDULENT ACTIVITY**

HMI expects all employees to comply with all provisions established under the False Claims Act and regulations and guidelines established under Centers for Medicare and Medicaid Services. HMI and its employees will refrain from all fraudulent activity. HMI employees who suspect that fraudulent activity has taken place will report such activity without any fear of retaliation. HMI assures that all whistleblowers will be free from fear of penalty or retaliation for reporting fraudulent activity or false claims. Prohibited conduct includes, but is not limited to, the following:

- Misrepresenting services that were rendered
- Falsely certifying that services were medically necessary
- “Upcoding” (billing for a higher rate than for the service performed)
- Billing for services not actually rendered
- Failing to provide the services on the patient’s plan of treatment
- Making false statements to governmental agencies about HMI Home Health Agency regarding any state or federal rules
- Making false claims concerning the condition or operations of HMI Home Health for which certification is required
- Charging rates greater than the established federal health care programs applicable rates
- Not refunding overpayments
- Sharing payment or promising payment to a patient
- A patient receiving benefits who does not need care
- Allowing someone to clock in and out on the employee’s behalf
- Misrepresenting the time worked or duties performed, either by leaving the client to attend to personal matters while clocked in, by persuading the client to sign timesheets without performing the services on the care plan, falsifying timesheets, signing timesheets on behalf of the client, calling the office for a clock-in or clock-out correction when the recorded hours are correct, calling the office from a personal phone to add a clock-in or clock-out when there is a phone accessible at the client location for telephony use, submitting timesheets to two or more agencies for overlapping time, or submitting timesheets for patients admitted to an inpatient facility or if the client is away from home.

- Providing “off-the-clock” or after-hours care or services for a client, whether for compensation or as a personal favor

All employees will receive fraud-prevention training upon initial employment and yearly. A record of yearly training will be placed in the employee file.

## **STANDARDS OF CONDUCT / WORK RULES**

HMI expects all employees to conduct themselves in a responsible and professional manner while on the job. Listed below are the more important instances of unacceptable conduct which HMI does not tolerate. Every example of unacceptable behavior cannot be described, and HMI may discipline up to ten days of suspension without pay and/or immediate termination for these and other types of misconduct.

- Neglecting one’s job, duties and responsibilities, willful violation of HMI rules or refusing to follow instructions or to perform assigned work. Leaving assigned work area without permission from the Office.
- Any malicious abuse, physical, verbal or neglect of a client or employee.
- Theft or willful destruction or defacement of property, records or other material belonging to HMI, its employees, clients or vendors.
- Excessive tardiness and/or absenteeism.
- Unexcused or unauthorized absence from work for three (3) consecutive scheduled work days
- Unauthorized extension of breaks and lunch breaks.
- Client abandonment
- Failure to use prescribed safety measures.
- Smoking in client’s home.
- Unauthorized possession, use, or distribution of intoxicating liquors or drugs on or near the client’s property or HMI property or reporting to work under the influence of intoxicants or drugs.
- Possessing explosive, firearms, or weapons on the client or HMI premises.
- Unauthorized use or intentionally damage of client’s property.
- Using client phone beyond an acceptable level (call-in/out) or excessive use of a personal cell phone for personal matters.
- Failure to maintain personal hygiene.
- Failure to cooperate in an investigation of client abuse, theft, drug and alcohol use in the work place or other work rule violations.
- Engaging in heated arguments or unprofessional outbursts with the client or other HMI employee or in a public form.
- Committing an act of violence verbally or physically.
- Provoking a fight or fighting during work hours or on HMI premises.
- Conducting personal business during work hours.
- Failure to notify the Staffing Coordinator of your inability to report to work.
- Failure to immediately report injuries or incidents involving client.
- Using profane written or abusive language towards the client, your Supervisor or other HMI employees.
- Failure to meet and/or maintain standards/expectations of work performance.

- Making false, vicious and/or malicious statements about any employee, the company, or its services.
- Disclosure of clients or employee's medical records, or other confidential information, without written authorization from client or employee.
- Falsification of records, time sheets, HMI records, or other forms of dishonesty.
- Giving your social security number to client, caregiver, anyone else in client's home or to another employee to clock time into the Telephony system.
- Clocking in to the Telephony system and then leaving the client for personal matters while on the clock and returning to clock out.
- Persuading the client to change the schedule for your convenience.
- Handling, removing, or altering another employee's time sheet.
- Insubordination or refusal to follow requests or assignments given by your Supervisor (Nurse in the field), Clinical Director, Staffing Coordinator or designee or Management.
- Violation of harassment policy as defined in this handbook.
- Failure to maintain up-to-date required certifications, in-services or credentials.
- Unauthorized use of HMI property.
- Sleeping while on duty (photographs may be taken for documentation).
- Any fraudulent or deceptive activities in the performance of duties.

Discipline will not be implemented for any conduct that would otherwise be protected under the National Labor Relations Act, and HMI respects the rights of employees to engage in or refrain from engaging in activities designed to address their terms and conditions of employment.

## **PERFORMANCE EVALUATIONS**

During employment with HMI, employee work performance will be observed and reviewed. New employees will receive an evaluation within 90 days of employment. Thereafter, employees will receive an evaluation annually.

## **DISCIPLINARY ACTION**

Discipline of employees for inappropriate behavior is imposed in a fair and consistent manner. Disciplinary action may be initiated for various reasons, including but not limited to violation(s) of the Company's policies and procedures, insubordination, or poor job performance. The severity of the disciplinary action generally depends on the nature of the offense and an employee's record. Disciplinary action may range from verbal counseling to immediate discharge.

Any employee whose actions are contrary to the best interest of HMI, its clients or fellow employees may be subject to disciplinary action up to immediate discharge. Moreover, employees typically will progress up the disciplinary ladder for any infraction of HMI's standards of conduct even if the type of infraction is different from the type of infraction that led to the lower form of disciplinary action.

## **Types of Disciplinary Actions**

**Verbal Warnings** – verbal warnings are used to respond to relatively minor and infrequent violations of HMI policies. A verbal conference with the employee making sure he/she is fully aware of the consequences if the violation occurs again. A counseling form will be completed by the appropriate staff member and signed by the employee.

**Written Warnings** – a written warning is a formal notice of violation. It serves as notice that continued infraction will result in more serious discipline up to and including termination. A counseling form will be completed by the appropriate staff member, signed by the employee, and placed in the employee's file.

**Suspension** – for serious or repeated minor violations of work rules, an employee may be suspended up to ten (10) work days without pay. A suspension typically follows at least a verbal and written warning. However, if the violation is more serious, immediate suspension can occur. A suspension will be placed in the employee's file.

**Termination** – this level of discipline takes place when the Company determines in its sole discretion that no further disciplinary action would be beneficial to either the employee or HMI. A counseling form and/or a final letter to the employee will be completed and placed in the employee's permanent record.

Although the above disciplinary actions have been listed, HMI has the sole discretion, at all times, to terminate any employee who has engaged in unprotected conduct that causes HMI to determine that continued employment may interfere with the smooth operation of HMI.

## **OPEN DOOR POLICY**

From time to time problems or complaints may occur that affect staff relationships or work. Employees may feel they have not been treated fairly or that a mistake was made in the administration of a policy or process that affects them. To maintain an open and productive work environment and one that is responsive to employee issues, situations and/or concerns, employees are encouraged to discuss these matters with their immediate Supervisor.

If the employee cannot discuss their concerns with their immediate Supervisor or if he/she is unable to find a solution satisfactory to all parties concerned, the employee should discuss the concern with their immediate Supervisor's Supervisor, the Director of Nursing and Clinical Services, and/or the Director of Human Resources. If necessary, further discussion can be arranged with higher-level management.

## **CHAIN OF COMMAND**

HMI has a professional environment. Therefore, professionalism is expected of all employees. If employees are having issues/problems with a colleague, it is HMI's policy that the employee try to work out differences immediately with their colleague first. If differences cannot be worked out, the parties involved should make an appointment with their Supervisor. If the problems persist,

the Director of Operations, Director of Nursing and Clinical Services, and/or the Director of Human Resources should be made aware of the situation. Counseling/investigation with parties involved should be conducted and the final decision to be made. You may request the presence of the Director of Human Resources at any counseling session.

## **EMPLOYEE GRIEVANCE PROCEDURES**

All HMI employees have the right to voice their complaints. Should an employee feel a condition is unsatisfactory, the complaint should be brought to the attention of the appropriate individual in the manner outlined below:

**Definition:** A grievance is a perceived wrong to the employee and considered by that individual as grounds for a complaint.

**Time Limitation:** A grievance must be filed in writing no later than five working days after the date when the employee reports the adverse event or condition.

### **Procedure:**

- **First Step:** An employee with a complaint or grievance should first present the complaint or grievance verbally to an immediate supervisor. The supervisor should reply to the employee within three (3) working days of receipt of the complaint. If the complaint directly involves the supervisor, the grievance process will commence at the third step. Similarly, if the complaint involves the Administrator, the grievance procedure will commence at the Third step.
- **Second Step:** If the supervisor's verbal response is deemed inadequate by the employee, then within three (3) working days of receiving the response, the employee may submit a signed and dated written statement to the supervisor explaining why the employee believes the supervisor's response is wrong or inadequate. If the matter cannot be brought to a satisfactory conclusion within three working days of its written presentation to the supervisor, the employee may pursue the grievance or complaint to the third step.
- **Third Step:** A copy of the original complaint and the responses given at the first and second steps may be presented by the employee to the Director of Human Resources within three (3) days of the completion of the second step. Upon receipt of the appeal, the Director of Human Resources will review the report(s) of grievance, conduct investigatory activities deemed necessary and take one of the following actions within five (5) working days:
  - a. If the Director of Human Resources decides the grievance is warranted, notification of action to be taken to correct the situation will be given in writing to the supervisor and the employee.
  - b. If the Director of Human Resources determines that the grievance is not warranted, notification in writing will be given to the supervisor and the employee.

## **EMPLOYMENT SEPARATION**

Both HMI and the employee have the right to terminate the employment relationship at any time. In the event of a voluntary separation, HMI encourages employees to provide two weeks' notice and the reason for the employee's decision to terminate employment.

Separations will be considered either voluntary or involuntary and will be in accordance with the policy and procedures as outlined below:

A. **Voluntary Termination** is defined as separation from employment resulting from voluntary action initiated and carried out by the employee, or in certain circumstances, inaction by an employee. The following are examples of voluntary terminations:

1. Written or oral resignation.
2. Absence from work for three (3) consecutive work days without notifying and receiving permission from Staffing Coordinator or designated personal.
3. Failure to return from an approved leave of absence at the expiration of the leave.
4. Failure to accept assignments three (3) times in a row or failing to work for ninety (90) days in a row (other than authorized leave).

To resign in good standing, the employee must notify HMI, in writing, two weeks prior to the effective date of their resignation. Employees who resign in good standing can re-apply for employment.

B. **Involuntary Termination** is defined as separation from employment resulting from a decision made and action initiated by HMI. The following are examples of involuntary terminations:

1. Laid off for lack of work – when HMI reduces its work force for economic or other reasons.
2. Release without fault – when an employee, through no fault of his/her own, is unsuited for or incapable of performing work assigned and no appropriate change of assignment is available.
3. Dismissal for cause – when an employee who is suited for and is otherwise capable of performing the work, is terminated due to specific flagrant violations of work rules or termination because he/she has progressed through the disciplinary action procedure up to termination. These employees are ineligible for rehire.

## **SOLICITATION AND DISTRIBUTION OF MATERIALS**

Solicitation or collection of monetary or other contributions, or the distribution of notices, pamphlets, advertising or other literature or materials, by non-employee representatives of outside organizations is prohibited in the Company's office and work sites.

No employee is permitted to solicit contributions or other support from another employee during the working time of either employee, nor may an employee distribute materials to another employee during the working time of either employee or in areas where work is being performed. This policy does not prohibit solicitation or distribution activities in non-work areas such as break rooms or parking lots.

## **PROPERTY SEARCHES, E-MAIL, VOICEMAIL, AND COMPUTER NETWORK SYSTEM PRIVACY**

The Company respects the individual privacy of its employees. However, an employee cannot expect privacy rights to extend to work-related conduct or the use of Company-owned equipment or supplies. You should be aware of the following policies.

**The Company's right to inspect Property:** The Company reserves the right to inspect Company space and property, including but not limited to lockers, handbags, boxes, desk drawers or other property that an employee brings onto HMI-owned property. Any employee who refuses to allow inspection as described herein shall be subject to disciplinary action, up to and including termination. Any employee who is found to be in possession of contraband, such as illegal drugs, intoxicants, or stolen property, will be subject to disciplinary action, up to and including termination.

**The Company's right to access information:** Although some HMI employees have individual access codes to voicemail, e-mail, and computer network systems, these systems need to be accessible at all times by the Company and may be subject to periodic unannounced inspections by the Company for business purposes. All system pass codes must be available to the Company, and employees may not use pass codes that are unknown to the Company. Additionally, no employee, may access another employee's voicemail or e-mail without the prior consent of the President of the Company.

**Systems use restricted to Company business:** Employees are expected to use HMI's resources, including telephones, fax machines, email, voicemail and computer network systems for Company business only and not for personal purposes. Personal purposes include, but are not limited to, soliciting or proselytizing for commercial ventures, religious or political causes, outside organizations, or other non-job-related solicitations. HMI e-mail accounts of individual employees are the property of HMI and are subject to review by the Company at any time and for any reason. As a result, no employee should believe that he/she has an expectation of privacy related to Company e-mail accounts, computer systems or other Company property that the employee uses or has access to during the course of a workday.

**Forbidden content:** Employees are prohibited from using the Company's information systems in any way that may be disruptive or offensive to others, including, but not limited to, the transmission of sexuality explicit messages, cartoons, ethnic or racial slurs, or anything that may be construed as harassment or disparagement of others.

**Password security and integrity:** Employee may not use the access codes of other employees to gain unauthorized access to their e-mail and voicemail messages.

Personal or other inappropriate use of the Company's information systems may result in disciplinary action up to and including termination, though discipline will not be implemented for any conduct that would otherwise be protected under the National Labor Relations Act, and HMI respects the rights of employees to engage in or refrain from engaging in activities designed to address their terms and conditions of employment.

## **CONFIDENTIAL AND PROPRIETARY INFORMATION**

All ideas, concepts, information and written material relating to the operation of the Company, its business or its clients are the sole and exclusive property and proprietary information of the Company. All proprietary information that is not known generally to the public or the industry, or is known only through improper means, is confidential information. This information includes, but is not limited to, customer lists, information related to clients or competitors, computer records, financial and marketing data, process descriptions, research plans, formulas, electronic codes pricing, cost and margin information, company reports, and other business and business strategy documentation. E-mails may also contain confidential and proprietary information.

All information that the Company maintains as confidential and that has actual or potential economic value because it is not readily known to the public or to other persons who can obtain economic value from its disclosure or use is a trade secret of the Company. Trade information may include, but is not limited to, methodologies, computer programs, formulas, processes, compilations of information, marketing data, sales programs, pricing strategy, proposals, job notes, reports, records, data, databases, customer lists, cost and margin information, Company reports, business strategy documentation, and client information. This prohibition does not restrict discussions or communications between employees about wages, hours or other terms and conditions of employment.

Employees may not take or copy Company documents without explicit authorization. This includes forwarding documents by e-mail or forwarding e-mails to the employee's home e-mail address or to the e-mail account of any other person.

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CONFIDENTIALITY AGREEMENT

**Confidential Information**

I understand that the patient expects to communicate with health care practitioners with confidence that none of the information communicated will be released without appropriate authorization. I have read and understood HMI Home Health’s Patient Privacy and Confidentiality Policy which outlines my duties under HIPAA regulations.

I understand that the information considered confidential involves all reports within medical records, employee health records, and/or automated information systems concerning examination, test, treatments, observations, and diagnosis or the patient/employee. It also includes information I learn in conversations with the patient/employee. I understand that patient demographic information, including all financial data, is private.

I understand that HMI Home Health will be releasing information only according to policy.

I understand that information about physician credentialing, quality improvement, utilization management, risk management, and business information of the organization are to be treated as confidential and may only be released by those authorized to do so.

**Duties and Obligations**

I understand and agree that as an employee of HMI Home Health, I must hold certain confidential information in strict confidence, regardless of the method of communication, including but not limited to hard copy, faxed, electronically transmitted, oral conversation, or any printed data. This confidence must be kept when performing my duties, as well as during breaks, rest periods and time away from work. I understand that I may not seek access to or release written or computerized confidential information unless my work assignment specifically authorizes me to do so.

I understand that discussions concerning confidential information are not to occur in hallways, elevators, or other public areas where confidential information can be inadvertently overheard by someone not authorized to receive the information. I understand that when I discuss confidential information, I must take precautions so that unauthorized persons will not overhear my discussion.

**Electronic Signature**

I understand that the combination of log on and password codes forms my electronic signature. Divulging my password code or that of another, or utilizing the password code of another, or allowing someone else to use mine is not permitted. If I leave the work area, I will sign off the application/system to prevent unauthorized access.

**Consequences**

I understand that violation of the terms of this statement may result in disciplinary action up and including dismissal. In addition, I understand the civil and criminal sanctions that may be imposed by the Department of Health and Human Services.

\_\_\_\_\_  
Employee Name (please print)

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

(EMPLOYEE COPY – RETAIN FOR YOUR RECORDS)

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RECEIPT OF HOME HEALTH AIDE EMPLOYEE HANDBOOK

I acknowledge that I have been given a copy of Health Management, Inc.'s ("the Company") Employee Handbook with an effective date of December 2016. I understand that this Handbook summarizes the Company's personnel guidelines, and that it is furnished to me solely for my information.

I further understand that the statements contained in the Handbook do not create any contractual or any other legal obligations. I also understand that the Company at any time may modify or rescind any of its policies, benefits, or practices described in the Handbook, except for its policy of at-will employment and those policies required by law.

I acknowledge that it is my responsibility to read and become familiar with the contents of the Handbook.

I ACKNOWLEDGE THAT I AM AN AT WILL EMPLOYEE, WHICH MEANS THAT EITHER I OR THE COMPANY CAN TERMINATE THE EMPLOYMENT RELATIONSHIP AT ANY TIME FOR ANY REASON OR FOR NO REASON AT ALL.

Date: \_\_\_\_\_

Signed: \_\_\_\_\_

Printed Name: \_\_\_\_\_

(EMPLOYEE COPY – RETAIN FOR YOUR RECORDS)





## Policy Updates Effective January 1, 2019

### MANDATORY CLOCK-IN AND CLOCK-OUT POLICY/PROCEDURE

HMI has an obligation to ensure as best it can that the timesheet hours that are submitted for client care purposes are accurate, and HMI takes this obligation very seriously. To assist HMI's efforts to demonstrate that our Home Health Aides/Personal Care Aides are accurately recording their starting and stopping times as reflected on their timesheets and as verified through a location-based confirmation, HMI has put in place the **Carewatch GO Mobile Clock-In System** that allows Home Health Aides/Personal Care Aides to utilize a free mobile application to report the employee's starting and stopping time, location verification, and submission of timesheets for that day's work.

It is imperative that employees **clock-in and clock-out** and **submit timesheets** through the Care Watch system by downloading the **Carewatch GO mobile app**, enabling location services on your phone and allowing the app access to your location, and utilizing the app for all clock-ins, clock-outs, and timesheet submissions. This is mandatory for all of HMI Home Health Aides/Personal Care Aides. So if there are problems with signal or location services at any client location, it is important for the Home Health Aide/Personal Care Aide to bring such information to HMI's attention immediately by calling the staffing coordinators at the start and end of each day. The employee should leave a clear message and follow up by email if possible if the staffing coordinator's voice mailbox is reached.

Clocking in using the mobile app only takes a few minutes. Follow the instructions provided to you during orientation or inservice and use the *Carewatch GO Quick Guide* to assist you.

### PAYROLL AND TIME SHEET REPORTING PROCESS

In order for an employee's timesheet to be processed for payment during the regular published pay dates, the following criteria must be met. If the employee fails to abide by any of the following, he or she will likely have to wait for the next pay cycle for the timesheet to be processed since HMI will lack the necessary information to determine what pay is due to the employee for the pay period. Paychecks are not issued between pay cycles.

1. Submit timesheets through the mobile app
2. For each day worked, the questions on the communication sheet regarding physical condition, client's behavior, and wounds should be answered.
3. The patient signature and employee signature must be recorded daily
4. Locations recorded at clock-in and clock-out must reflect the client's location

**I have received the above policies and understand the content. I have been given the opportunity to ask questions regarding these policies.**

Name: \_\_\_\_\_

Signature: \_\_\_\_\_





**Policy Update Effective December 15, 2019**

**WORK DAY LIMIT OF 16 HOURS**

In order to facilitate beneficiary/patient safety, employee health and safety, and by order of the DC Department of Health Care Finance (DHCF) issued in June 2016, PCAs are not allowed to provide care to Medicaid beneficiaries for more than 16 hours during any calendar day beginning at 12:00 am (midnight). This daily limit applies to all hours worked in total for HMI and any other agency combined.

It is the employee's responsibility to make sure that she/he does not work more than a total of 16 hours in any given day even if working for more than one agency during that day.

DHCF monitors the billing for PCAs on a regular basis and will deny claims for PCAs who have worked more than 16 hours for any given day. The review can extend back to prior periods as well. Based on DHCF's reports, HMI may review the billings with the other agencies, and should it become apparent that time reported by the PCA overlapped with another agency, HMI is obligated by law to report such incidents to DHCF's Division of Program Integrity (Fraud Unit).

**I have received the above policy and understand the content. I have been given the opportunity to ask questions regarding these policies.**

**I further agree that if DHCF denies any such claims, HMI will recoup the denied hours from my pay.**

**Printed Name:** \_\_\_\_\_

**Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_