



## FRAUD POLICY

### **Background**

The OSSTF ELHT Board of Trustees is committed to protecting the OSSTF Benefits Trust's reputation, revenue and assets from any attempts of fraud, abuse, or other improper conduct, by employees, Board members, stakeholders, health service professionals, contractors or OSSTF Benefits Plan members.

### **Overview**

This document sets out the policy and procedures of the OSSTF Board of Trustees with respect to fraud, abuse and other improper conduct, together with the steps that might be taken where any of these practices are suspected, reported or discovered. The term "Fraud" as used in this Policy refers to any intentional act committed to secure unfair or unlawful gain including, but not limited to:

- Embezzlement
- Misappropriation, misapplication, destruction, removal or concealment of property
- Alteration or falsification of paper or electronic documents, including the inappropriate destruction of paper or electronic documents
- False claims and/or misrepresentation of facts
- Theft of an asset including, but not limited to, money, tangible property, or intellectual property
- Bribery, kickbacks or rebates

### **Reporting**

It is the responsibility of every employee, Board member, and/or agent of the Board of Trustees to take all reasonable steps to report reasonable suspicion of instances of fraud, abuse or improper conduct committed by or against the Trust, whether by Trust employees, Plan Members, stakeholders, health service professionals or contractors.

### **Process**

#### ***Beneficiary/Health Service Professional Fraud***

1. The Carrier, using best industry standards, has the primary responsibility for all investigations involving Plan Member or health service professional fraud, abuse or improper conduct.
2. The Carrier shall contact the Executive Director with suspected cases of fraud, abuse or improper conduct.
3. Cases shall be presented anonymously to the OSSTF ELHT Board of Trustees
4. The Executive Director shall communicate the decision of the OSSTF ELHT Board of Trustees to the Carrier.

#### ***Employee, Contractor, Board Member, Stakeholder Fraud***

1. Suspicion of fraud, abuse or improper conduct shall be reported to the Chair of the ELHT Board of Trustees who shall coordinate the investigation.
2. If the suspicion of fraud, abuse or improper conduct is related to the Chair of the ELHT Board of Trustees, it shall be reported to the Vice Chair of the ELHT Board of Trustees, who shall coordinate the investigation.

3. Should it not be possible to report suspicion of fraud, abuse or improper conduct to the Executive Director, the report may be directed to the Chair of the ELHT Board of Trustees.
4. If the investigation substantiates that fraud, abuse or improper conduct has occurred, the Executive Director or the Chair of the ELHT Board of Trustees will issue the appropriate reports to the Board. Legal counsel or audit services shall be used where deemed necessary.

### **Action**

#### ***Plan Member/Health Service Professional Fraud***

Actions recommended by the Board may include but are not limited to:

- Suspension of, or permanent removal of, access to online claims
- Referral of all future claims to Carrier Risk Management for monitoring and verification
- Pursuit of overpayment through Carrier
- Filing of a statement of facts with law enforcement
- Civil litigation

#### ***Employee, Contractor, Board Member, Stakeholder Fraud***

Decisions by the ELHT Board of Trustees may include but are not limited to:

- Disciplinary action up to and including termination of ELHT employee(s)
- Filing of a statement of facts with law enforcement
- Civil litigation
- Recommending termination of the Trustee to the appointing party
- Termination of Contract with the ELHT

If investigation results in a recommendation to discipline or terminate an individual in the employ of the ELHT, the recommendation will be reviewed by legal counsel before such action is taken.

- The Executive Director shall report quarterly on the number of fraud claims detected. The report shall include the number of cases where the fraud exceeded \$5000 and on any public process(es) that resulted from the fraud.

### **Confidentiality and Non-Retaliation**

Every reasonable effort will be made to ensure the confidentiality of the reported fraud, abuse and improper conduct concern and the identity of those providing information. Investigation results will not be disclosed to anyone other than those who have a legitimate need to know.

The ELHT Board of Trustees will not tolerate action against any individual for reporting, in good faith, known or suspected fraud, abuse or other improper conduct.