# Employee Policy Manual

## Introduction

---

## Section I – Positions and Responsibilities

- Patient Coordinator (Scheduler/Reception) .................................................. 6
- Call Center ........................................................................................................ 7
- Patient Financial Services Representative (Check-Out) ................................. 8
- Billing & Collections Specialist .................................................................. 8
- Head Dental Assistant .................................................................................. 8
- Dental Assistant .......................................................................................... 10
- Business Manager ....................................................................................... 10
- Privacy Officer ............................................................................................. 11
- Dental Hygienist ........................................................................................... 11
- Organizational Code of Conduct .................................................................. 11

## Section II – Employment Policy

- Probationary Period ....................................................................................... 15
- Employment Physical Examination ............................................................... 14
- Confidentiality .............................................................................................. 15
  - Company Confidential Information .......................................................... 15
  - Client Information and HIPAA ................................................................. 16
  - Media Relations ....................................................................................... 17
- Antitrust Compliance ..................................................................................... 17
- Medical and Fire Emergency Training ......................................................... 17
- Ongoing Training Methods .......................................................................... 17
- Background Checks-Screening and Credentialing ....................................... 17

## Section III – Attendance Policy

- Work Week .................................................................................................... 19
- Holidays .......................................................................................................... 19
- Paid/Unpaid Days Off ................................................................................... 19
  - Bereavement Policy .................................................................................. 19
  - Election Day Policy .................................................................................... 19
  - Inclement Weather Policy .......................................................................... 19
  - Jury and Witness Duty Policy ................................................................. 20
  - Parental Leave ........................................................................................... 20
  - Family and Medical Leave Policy ............................................................ 20

- Tardiness and Absentee Policy .................................................................... 21

## Section IV – Employee Policy & Conduct

- Open Door policy ......................................................................................... 22
- Breaks ............................................................................................................ 22
- General Business Principles ........................................................................ 22
- Conflict of Interest ....................................................................................... 22
- Business Gifts and Hospitality ..................................................................... 24
- Bribes and Kickbacks .................................................................................. 24
- Embezzlement/Fraud ................................................................................... 25
- Political Contributions and Activities ......................................................... 27
- Performance Evaluation Policy ................................................................... 27
- Diversity Policies ......................................................................................... 25
- Child Abuse .................................................................................................. 26
- Prescription Policies ..................................................................................... 26
- License and Certifications .......................................................................... 26
- Drug and Alcohol Use .................................................................................. 29

Rev 050719
### Miscellaneous Conduct Policies

- Personal Appearance, Dress & Grooming Standards ................................................. 27
- Use of E-mail/Computer/Phone ................................................................................. 28
- Cellular Phones, text messaging , and Emails ......................................................... 28
- Text Messaging ......................................................................................................... 29
- Social Media ............................................................................................................ 29
- Communication ....................................................................................................... 29
- Clean Work Space ................................................................................................. 29
- Surveillance Camera .............................................................................................. 29
- Gum Chewing ........................................................................................................ 29
- Progressive Discipline ........................................................................................... 29
- Termination of Employment .................................................................................... 30
- Exit Interviews ........................................................................................................ 31

### Section V. Employee Rights

- Complaints and Concerns ...................................................................................... 32
- Equal Employment Opportunity ........................................................................... 32
- Anti-Harassment ...................................................................................................... 32
- Grievance Procedure .............................................................................................. 33
- Accommodations for Employees with Disabilities .................................................. 33

### Section VI. Workplace Safety and Security

- Work Place Violence ............................................................................................... 34
- OSHA ...................................................................................................................... 34
- Bloodborne Pathogens Standard Policy ................................................................. 34
  - Exposure Control Plan ......................................................................................... 34
  - Compliance Methods ............................................................................................ 37
  - Uniform Maintenance ............................................................................................ 37
  - Hepatitis B Vaccination ....................................................................................... 37
  - Training ................................................................................................................. 37
  - Records ................................................................................................................ 37
- Hazard Communication Standard Policy ............................................................... 38
  - Hazard Communication Program ..................................................................... 38
  - Labeling ................................................................................................................ 38
  - MSDS .................................................................................................................... 38
  - Training ................................................................................................................. 38
- Emergency Action Plan ........................................................................................... 38
  - Building Safety ..................................................................................................... 39
  - Evacuation ............................................................................................................. 39
  - Medical Emergency ............................................................................................. 39
  - Fire Prevention Plan ............................................................................................. 39
- Terrorism and Other Catastrophic Events ............................................................... 39
- Bomb Threats .......................................................................................................... 40
- Chemical Spill ......................................................................................................... 40
- Hostage Situation .................................................................................................... 40
- Mail Handling Policy ............................................................................................. 40
- Natural Disasters ...................................................................................................... 41
  - Floods .................................................................................................................... 39
  - Hurricanes ........................................................................................................... 41
  - Earthquakes .......................................................................................................... 41
- Building/Office Security ......................................................................................... 41
- HIPAA Electronic Security Policies ........................................................................ 40
  - Computer Use PHI Policy .................................................................................... 40
  - Disasters/Computer Failure ................................................................................ 40
  - Security Incident .................................................................................................. 40
- Ergonomic Policy ..................................................................................................... 41
- Radiography ............................................................................................................. 41
- Hepatitis B Testing ................................................................................................... 41
  - Hepatitis B ............................................................................................................ 41
  - Post Exposure Evaluation .................................................................................... 41
  - The Vaccine .......................................................................................................... 41
- Occupational Illnesses or Injuries – Worker’s Compensation .............................. 41
Section VII. Delegation of Patient Care Functions ................................................. 42
   Delegation of Patient Care Functions to Dental Hygienists .................................. 43
   Registration Requirements .................................................................................. 43
   Permissible Scope of Services .............................................................................. 43
   Delegation of Patient Care Functions to Dental Assistants .................................. 45
   Credentials Requirements .................................................................................. 45
   Permissible Scope of Services .............................................................................. 46
   Certified Dental Assistants (CDAs) and Formerly Trained Dental Assistants (FTDAs) ... 47
   Certified Orthodontic Assistants ......................................................................... 48
   On the Job Dental Assistants .............................................................................. 49

Section VIII. Patient Record Documentation .......................................................... 51
   Patient Record Documentation Standards .......................................................... 51
   Procedures .......................................................................................................... 51
   Patient Record Maintenance and Retention ........................................................ 55

Section IX. HIPAA .................................................................................................. 56
   HIPAA Confidentiality of Patient Records and Information .................................. 56
   Patient Access to Medical Records ..................................................................... 59
   Amendment of Patient Records ......................................................................... 60
   Accounting for Disclosure of Patient Information .............................................. 61
   Computerized Patient Records ......................................................................... 61
   Disciplinary Sanctions for Failure to Abide These Procedures ............................. 61

Section X. Billing, Coding and Payment Procedures .............................................. 63
   Reimbursement Data and Documentation Standards ........................................... 63
   Coding Services .................................................................................................. 63

Section XI – Compensation ...................................................................................... 65
   Pay Days ............................................................................................................. 65
   Time Reporting .................................................................................................. 65
   Deductions Policy .............................................................................................. 65
   Employment Categories ..................................................................................... 65
   Overtime ............................................................................................................ 66
   Unemployment Compensation ........................................................................... 66

Section XII Benefits ................................................................................................ 66
   Basic Benefits .................................................................................................... 66
   Paid Time Off and Paid Sick Leave ("PTO") .......................................................... 69
   Business Travel / Expenses .............................................................................. 69
   Professional Liability (Malpractice) Insurance Policy ........................................... 69
   Continuing Education Policy ............................................................................ 69
   Performance Appraisals/Raises ......................................................................... 69

Section XIII – Miscellaneous Policies ..................................................................... 71
   Personnel Records .............................................................................................. 71
   New Hire Checklist ............................................................................................ 71
   Personal Information ........................................................................................... 72
   Pre-Employment Drug Testing Agreement ......................................................... 73
   Consent Form: Hepatitis B Vaccine ...................................................................... 74
   Declination Form: Hepatitis B Vaccine ................................................................. 74
   Organizational Chart .......................................................................................... 75
   Verification of Completion .................................................................................. 76
Introduction

Welcome to the group of practices listed below (the Company):

Family Orthodontics
New England Family Dentistry
DBA Children and Family Dental Group and Children and Family Dentistry and Braces
Metrowest Dental Center
Allure Family Dental
Hudson Braces
Central Orthodontics
Medfield Braces
Milford Orthodontic Associates
OMG
Walnut Dental
Factor Dental
The Pediatric Dental Group
Children’s Dentistry

We look forward to working with you. You are being hired as an employee to work at one or more of these practices in one or more locations. The dental group retains the right to approve and terminate all personnel, along with other rights and privileges. In all practical matters, you will be treated as an employee of the dental group.

Family Orthodontics/New England Family Dentistry (the “Company”) is committed to conducting its operations in accordance with the highest standard of business ethics and quality. Such standard is achieved by fostering a work environment wherein employees are expected to conduct themselves responsibly, thoughtfully and respectfully. Such conduct necessarily entails full compliance with the law and industry regulations, exercising sound business judgment in accordance with the Company’s expectations, and affording those with whom one works the utmost personal dignity and respect.

Consistent with its commitment to ethical business Company, the Company has adopted the following policies respecting its employees. These policies provide general parameters and guidance concerning how employees should perform their jobs and function responsibly within the organization.

While these policies serve as a general guide, they are not intended to create any contractual obligation by the Company to its employees or any third party, nor are they a final statement. The Company employs all employees at will, such that either party may terminate the employment relationship at any time and without cause. Neither the existence nor presentation of these policies in any way modifies the at-will relationship. In addition, as the business environment evolves and/or laws and regulations change, the Company’s business will correspondingly evolve. Accordingly, these policies are subject to change without notice.

All employees should carefully read the following policies as they are expected to fully abide by them. Questions or concerns should be addressed to the Management. The Company is committed to fostering open communication and thus encourages dialogue and questions. The Company is similarly committed to compliance. As such, any employee who either suspects or knows of a violation of any of the following policies should contact the Management. Such inquiries will be kept confidential to the fullest possible extent.
Section I – Positions and Responsibilities

Patient Coordinator (Scheduler/Reception)

Responsible for patient scheduling, patient management, collecting fees and maintaining appearance and order of the dental office. Reports to the Office Manager. Specific duties include the following:

- **Reception Management**
  - Open and close dental office according to office protocol
  - Answer and respond to phone calls

- **Scheduling**
  - Schedule patients and check daily schedule for accuracy
  - Triage patients (by phone)
  - Update and maintain doctors schedule in scheduling system
  - Conduct the morning huddle

- **Insurance**
  - Obtain and record insurance information on all patients in the system
  - Coordinate with the Patient Financial Services Rep to verify insurance benefits

- **Financial**
  - Collect patient portions and co-pays prior to treatment

- **Patient Management**
  - Keep front lobby and reception desk area clean
  - Stock, manage, and keep coffee bar area clean
  - Greet and welcome patients and visitors
  - Check in patients according to protocol

- **Records Management**
  - Gather and accurately record dental, medical, insurance, and HIPAA information from patients prior to treatment
  - Present and gather consent forms prior to treatment
  - See that records are stored securely and handled in compliance with HIPAA
  - Accurately scan patient information and other relevant records
  - Prepare patient forms for the next day along with the appropriate team members

- **Office Participation & Professionalism**
  - Be kind and courteous to patients, staff, doctors, and others
  - Be an active participant in staff meetings
  - Perform tasks as assigned by the dentist or manager
  - Take initiative to identify and execute ways to continually improve individual and practice performance
  - To the extent possible, help others perform their tasks when overloaded or backed up or to otherwise increase the operational and emotional performance of the practice

Call Center Representative

Responsible for insurance and benefit verification, collecting fees, and submitting claims. Performs Receptionist duties as backup (refer to receptionist duties). Reports to Operations Directors. Primarily responsible for the following:

- **Phone Management**
  - Schedule patients and check daily schedule for accuracy
  - Triage patients (by phone)
  - Update and maintain doctors schedule in scheduling system
  - Serve as back up to satellite locations
- **Office Participation & Professionalism**
  - Be kind and courteous to patients, staff, doctors, and others
  - Be an active participant in staff meetings
  - Perform tasks as assigned by the dentist or manager
  - Take initiative to identify and execute ways to continually improve individual and practice performance
  - To the extent possible, help others perform their tasks when overloaded or backed up or to otherwise increase the operational and emotional performance of the practice

### Patient Financial Services Representative

Responsible for insurance and benefit verification, collecting fees, and submitting claims. Performs Receptionist duties as backup (refer to receptionist duties). Reports to the Office Manager. Primarily responsible for the following:

- **Insurance/Billing**
  - Retrieve insurance information for the various covered plans and determine benefits prior to treatment
  - Inform the patient how much their insurance covered, and what they will owe on the date of service
  - Collect any patient fees or co-pays due at the time of check-in (where possible) or check-out.
  - Determine insurance claims processing requirements (i.e., x-rays, etc.)
  - Prepare and submit insurance claims to business manager for review
  - Revise/submit insurance claims to insurance companies electronically/manually
  - Post insurance payments
  - Review and monitor secondary insurances to ensure accurate and timely processing of claims
  - Call insurance companies to determine claim status and request payment
  - Review, research, correct, and resubmit rejected claims
  - Bill secondary insurances

- **Financial Services**
  - Manage patient financing program
  - Present and review treatment plans and fees to patients (with or for Doctors)

- **Patient Management**
  - Prepare claim forms for patients
  - Schedule follow-up and return appointments

- **Reception**
  - Serve as backup receptionist as needed

- **Office Participation & Professionalism**
  - Be kind and courteous to patients, staff, doctors, and others
  - Be an active participant in staff meetings
  - Perform tasks as assigned by the dentist or manager
  - Take initiative to identify and execute ways to continually improve individual and practice performance
  - To the extent possible, help others perform their tasks when overloaded or backed up or to otherwise increase the operational and emotional performance of the practice
Collections Specialist

- Responsible for helping the Office Manager and Patient Financial Services Representative managing the collections process and to support the billing function. 
  Primary ownership of the collections and secondary billing processes. Provide support to the Office Manager and Patient Financial Services Representative as needed. Reports to the Office Manager. Duties include:

  - Billing
    - Support the Patient Financial Services representative in posting insurance payments and researching adjustments
  - Collections
    - Review and monitor AR aging reports and follow-up on any balance over 30 days
    - Call patients to collect balances
    - Prepare and send patient statements
    - Set up and manage patient payment plans (requires approval by Doctor)
    - Determine adjustments (requires approval by Business Manager)
    - Determine accounts to send to a collection agency (requires approval by Business Manager and Doctor)
  - Reception
    - Serve as backup to answer telephones, schedule, check-in, and check-out patients
  - Office Participation & Professionalism
    - Be kind and courteous to patients, staff, doctors, and others
    - Be an active participant in staff meetings
    - Perform tasks as assigned by the dentist or manager
    - Take initiative to identify and execute ways to continually improve individual and practice performance
    - To the extent possible, help others perform their tasks when overloaded or backed up or to otherwise increase the operational and emotional performance of the practice

Head Dental Assistant

- Responsible for assisting doctors in providing treatment. Responsible for coordinating with other assistants under the direction of the Office Manager and Doctors. Responsible for ordering, storing, and delivering materials and supplies. Responsible for maintaining all clinical areas, equipment, instruments and supplies. Responsible to the doctor group for all aspects of assisting and assigned tasks. Delegates and shares tasks among assistants as needed to ensure proper, accurate, and timely completion. Reports to the Office Manager. Duties include, but are not limited to:

  - Coordination with Doctors
    - Identifying the clinical process of every doctor and developing an assisting process to provide superior support
    - Identifying and coordinating equipment, instrument, and supply needs among the doctor group with the goal to standardize items where possible and reduce overhead costs
  - Managing Assistants
    - Assumes full and ultimate responsibility for all assisting duties and performance. Administration of assistants including delegation of responsibilities
    - Responsible for making sure an assistant is always available for each doctor on every date of service
Dental Assistant

Responsible for assisting doctors in providing treatment. Assists the Head Assistant in the completion of duties, including, but not limited to, the organization and maintenance of equipment, instruments, and supplies. Reports to the Office Manager. Duties include:

- **Dental Assisting**
  - Demonstrate superior knowledge of all doctor systems and assisting processes.
  - Bringing patients from check-in to the operating rooms
  - Breaking down and setting up rooms prior to treatment
  - Preparing patients for procedures by getting x-rays, setting up instruments, etc.
  - Giving doctors assistance during procedures when needed
  - Providing assistance to the business staff as needed
  - Supporting doctors in recording procedural codes in the information system

- **Materials Management**
  - Demonstrate superior knowledge of all equipment, instruments, and supplies
  - Stocking supplies and replenishment of treatment areas

- **Cleaning & Maintenance**
  - Cleaning, sterilization and storage of instruments
  - Cleaning and maintaining equipment and instruments
  - Cleaning and maintaining treatment room and staff lounge areas
  - Washing, drying, folding, and putting away soiled linens
  - Collection and preparation for disposal of medical waste

- **Office Participation & Professionalism**
  - Be kind and courteous to patients, staff, doctors, and others
  - Be an active participant in staff meetings
  - Perform tasks as assigned by the dentist or manager
  - Take initiative to identify and execute ways to continually improve individual and practice performance
To the extent possible, help others perform their tasks when overloaded or backed up or to otherwise increase the operational and emotional performance of the practice

- Serve as backup to answer telephones, schedule, check-in, and check-out patients

### Business Manager

Responsible for administering the day-to-day activities of the business office. Reports to the Director of Operations and the Doctor group. Specific duties include the following:

- Lead, inspire, and motivate others to perform and develop in their respective duties
- Manage day-to-day operations of dental office
- Manage and direct staff assignments and activities, in accordance with office policy and applicable laws
- Practice Marketing
- Provide monthly updates to the Directors
- Perform or delegate all other job functions not currently assigned.
- As the HIPAA Privacy Officer, manage compliance with HIPAA
- Manage compliance with OSHA
- Know dental office contingency plan
- Stay current with all legislation and regulations in the dental profession
- Manage patient financial accounts
- Manage the hiring, training, and ongoing performance of office staff
- **Insurance/Billing**
  - Review insurance claims for accuracy prior to submission
- **Patient Management**
  - Oversee patient relationships and handle patient complaints
  - Help receptionists with patients when needed
- **Staff Management**
  - Assign, direct, and manage staff duties
  - Determine staff schedules
  - Handle hiring process
  - Orient and train new staff
  - Train staff on HIPAA policies
  - Monitor staff performance
  - Coordinate staff meetings
  - Conduct staff evaluations which will be used during annual salary reviews
  - Engage in conflict resolution
  - Conduct disciplinary action when necessary
- **Records and State and Federal Regulations Management**
  - Ensure that records are properly stored securely and that HIPAA policies regarding patient information are being upheld by staff
  - Help implement state and federal regulations
  - Maintain staff personal records
  - Help dentist draft office policy
- **Accounts Receivable and Payable Management**
  - Enter patient financial activity in computer
  - Maintain accounts receivable activity
  - Prepare bank deposits
  - Prepare patient statements
  - Follow-up insurance claims
  - Ensure insurance coverage rates are up to date
  - Follow-up delinquent accounts
  - Arrange payment schedule with patient
Verify invoices with monthly statements
Write checks as directed
Prepare the material for the accountants

Office Participation & Professionalism
Be kind and courteous to patients, staff, doctors, and others
Perform tasks as assigned by the dentist
Take initiative to identify and execute ways to continually improve individual and practice performance
To the extent possible, help others perform their tasks when overloaded or backed up or to otherwise increase the operational and emotional performance of the practice

PRIVACY OFFICER:
Job Description
The Privacy Officer for the practice will be responsible for implementation of office policies to ensure compliance with HIPAA regulations. The privacy officer must follow the guidelines set out in the HIPAA Privacy Officer compliance guidelines set forth in the practice Section IX of this Manual. All inquiries regarding HIPAA and Privacy of Health Information should be obtained by consulting that section or the HIPAA Privacy Officer.

DENTAL HYGIENIST
Job Description
Hygienist is responsible for a wide range of challenges. In the dental office, the dentist and the dental hygienist work together to meet the oral health needs of patients. Since each state has its own specific regulations regarding their responsibilities, the range of services performed by hygienists varies from state to state. Some of the services provided by dental hygienists may include:

- Patient screening procedures; such as assessment of oral health conditions, review of the health history, oral cancer screening, head and neck inspection, dental charting and taking blood pressure and pulse
- Taking and developing dental radiographs (x-rays)
- Removing calculus and plaque (hard and soft deposits) from all surfaces of the teeth
- Applying preventive materials to the teeth (e.g., sealants and fluorides)
- Teaching patients appropriate oral hygiene strategies to maintain oral health; (e.g., tooth brushing, flossing and nutritional counseling)
- Counseling patients about good nutrition and its impact on oral health
- Making impressions of patients’ teeth for study casts (models of teeth used by dentists to evaluate patient treatment needs)
- Performing documentation and office management activities

Organizational Code of Conduct
The Organization and its employees must, at all times, comply with all applicable laws and regulations. The Organization will not condone the activities of employees who
achieve results through violation of the law or unethical business dealings. This includes any payments for illegal acts, indirect contributions, rebates, and bribery. The Organization does not permit any activity that fails to stand the closest possible public scrutiny.

All business conduct should be well above the minimum standards required by law. Accordingly, employees must ensure that their actions cannot be interpreted as being, in any way, in contravention of the laws and regulations governing the Organization’s operations.

Employees uncertain about the application or interpretation of any legal requirements should refer the matter to their supervisor, who, if necessary, should seek appropriate legal advice.

**General Employee Conduct:**
The Organization expects its employees to conduct themselves in a businesslike manner. Drinking, gambling, fighting, swearing, and similar unprofessional activities are strictly prohibited while on the job.

Employees must not engage in sexual harassment, or conduct themselves in a way that could be construed as such, for example, by using inappropriate language, keeping or posting inappropriate materials in their work area, or accessing inappropriate materials on their computer.

**Relationships With Clients and Suppliers:**
Employees should avoid investing in or acquiring a financial interest for their own accounts in any business organization that has a contractual relationship with the Organization, or that provides goods or services, or both, to the Organization if such investment or interest could influence or create the impression of influencing their decisions in the performance of their duties on behalf of the Organization.

**Dealing With Outside People and Organizations:**
Employees must take care to separate their personal roles from their Organization positions when communicating on matters not involving Organization business. Employees must not use organization identification, stationery, supplies, and equipment for personal or political matters.

When communicating publicly on matters that involve Organization business, employees must not presume to speak for the Organization on any topic, unless they are certain that the views they express are those of the Organization, and it is the Organization’s desire that such views be publicly disseminated.

When dealing with anyone outside the Organization, including public officials, employees must take care not to compromise the integrity or damage the reputation of either the Organization, or any outside individual, business, or government body.

**Prompt Communications:**
In all matters relevant to customers, suppliers, government authorities, the public and others in the Organization, all employees must make every effort to achieve complete, accurate, and timely communications - responding promptly and courteously to all proper requests for information and to all complaints.

**Privacy and Confidentiality:**
When handling financial and personal information about customers or others with whom the Organization has dealings, observe the following principles:

Rev 050719
• Collect, use, and retain only the personal information necessary for the Organization's business. Whenever possible, obtain any relevant information directly from the person concerned. Use only reputable and reliable sources to supplement this information.

• Retain information only for as long as necessary or as required by law. Protect the physical security of this information.

• Limit internal access to personal information to those with a legitimate business reason for seeking that information. Use only personal information for the purposes for which it was originally obtained. Obtain the consent of the person concerned before externally disclosing any personal information, unless legal process or contractual obligation provides otherwise.
Section II – Employment Policy

All material within this section should be reviewed by new employees during the training period with their trainee.

Probationary Period

Upon hiring, all employees will be put in a probationary period lasting 90 days. During this period employees will be able to assess the company and how well they fit within the Company and management will be able to assess the employee’s abilities and effectiveness. The probationary period will begin with job training and the rest of the 90 days will serve as a “trial” for both the employee and the company. During this period, employees are not eligible for any benefits.

At the end of the 90-day probationary period employees will receive an evaluation of their performance and the Company will determine if the employee is sufficient for the position they have been working at. Though completion of the probationary period will ensure a more permanent position for the employee it does not change the “at-will” relationship (meaning the company or the employee both have the right to terminate the employment relationship “at-will”). Following with our resignation policies, employees who wish to resign and the end of this probationary period are asked to give a two week notice.

Employment Physical Examination

We may ask employees to take a physical exam when we feel it is necessary to perform their job. This is for your safety and the safety of the patients.

Confidentiality

Many employees of the Company have access to privileged information at various levels of confidentiality, and it is our duty to protect such information from inappropriate dissemination outside our office. This includes both information regarding the Company and personal information of patients that are protected by law.

Company Confidential Information

Unless specifically agreed to in writing by the Company, all employees shall abide by the Company’s existing policy regarding confidentiality and shall hold in strictest confidence and not copy or otherwise remove from the Company or disclose to any third party any information obtained in the course of employment by the Company which relates to the business or operations of the Company or its clients or customers (“Confidential Information”).

Examples of Confidential Information include, but are not limited to, the following:

(i) Information Systems and Risk Management
  • Computer code and source code;
  • Information system processes;
  • Data manipulation concepts;
  • Approach to document management.

(ii) Marketing
  • Customer lists;
  • Marketing strategies and/or plans;
  • Product information (including information regarding development, pricing, presentation, rollout and implementation);
• Product development processes.

(iii) Accounting and Finance
• Financial Information;
• Billing records;
• Credit information;
• Status of accounts receivable and payable.

(iv) Legal
• Status of actual or threatened litigation;
• Status of any settlement discussions;
• Status of any governmental or quasi-governmental investigations;
• Approach to various contract terms;
• Employee policies;
• Authority limits.

(v) Human Resources
• Employee names;
• Employee personal information;
• Employee files/evaluations.

(vi) Miscellaneous
• Any documents, agreements, notes (including personal notes), computer files, archival or backup tapes or diskettes containing any of the foregoing.

The Company emphasizes that employee obligation regarding Confidential Information extends beyond the term of an employee’s employment with the Company. Upon the termination of employment, employees will be specifically reminded of the Company’s policy regarding confidentiality in an exit interview.

Employees will also be required to adhere to any Company policies and rights regarding patents and inventions.

Client Information and HIPAA

The Health Insurance Portability and Accountability Act (HIPAA) protect the privacy of all patient health information and the security of any document containing such information. All employees must adhere to the policies and procedures regarding obtaining, recording, storing, and retrieving of this information. When dealing with patients you must use the provided HIPAA forms. The following procedures must be followed:

• Speak soft enough so other patients do not overhear
• Keep all confidential papers, documents, and information out of patients’ view and away from areas that might be easily accessed by patients
• Do not discuss personal information or dental treatment of patient outside of the Company
• Do not divulge information about a patient to anyone, even their family, without permission from the patient first (unless the patient is under 18 years of age) and you first verify that the requestor is the legal guardian, such as parent of the patient.
• Adhere to all applicable laws covering the release of patient information as regulated by HIPAA privacy regulation.

Any questions regarding releasing patient information refer to Section IX of this Manual or inquiry your Privacy Officer.

Rev 050719
Media Relations

Employees are instructed not to comment, either formally or informally, to the media concerning Company or related industry activities. Any media requests for comments should be directed to the Chief Operations Officer.

Antitrust Compliance

The antitrust laws of the United States are designed to promote competition and to preserve the free enterprise system. Because antitrust laws can provide for civil and criminal penalties not only against the Company but also against the employees who violate them, it is imperative that employees responsible for transacting Company business carefully follow the guidelines listed below. These guidelines are intended to serve as a reference to assist employees in recognizing and avoiding potential problems.

- Recognize that our competitors are often our partners on certain projects or development efforts.
- Avoid treating differently any customer competing with one or more other customers, unless such disparity is clearly justified by market conditions.
- Avoid injuring competitors by selling below cost, disparaging them, or by use of other unfair means.
- Do not discuss pricing for improper purposes or agree to focus on or refrain from focusing on doing business in certain regions.
- Remember that activities outside the United States may be subject to United States antitrust laws.

In addition to the above scenarios, certain other activities might raise antitrust concerns, including the creation of joint ventures and partnerships with competitors, the acquisition of the stock or assets of a company or the termination of certain long-time business relationships. Because of the likelihood that the Company will be involved in bidding and development situations with competitors, employees should discuss in advance with a Company attorney or Company Administrator whether a proposed course of action would violate the antitrust laws.

Medical and Fire Emergency Training

All employees should be properly trained on fire emergency policy. Locations of fire exits and fire extinguishers can be found in all locations. Proper procedures when using fire extinguishers should be taught during training. If there are any questions regarding the proper use of fire extinguishers, connect your manager.

There should always be an employee in the building other than the doctors who are trained and licensed in CPR and other medical emergency procedures. If staff scheduling does not permit this the Company will provide training as a solution. All employees who are trained should know the location of medical emergency equipment and how to use them.

Ongoing Training Methods

The Company values employees’ growth and ability to better perform their responsibilities. Task specific training is provided in the conference room at various times and all are invited to attend while some may be required depending on what is being trained. If there is training programs external to the company that an employee believe pertains to their job they may submit a request to management for reimbursements. Employees are asked to submit requests before taking courses as some requests may be denied.
Background Checks: Screening and Credentialing

In order to ensure that the Company hires employees and maintains working relationships with providers with the highest integrity and talent, management will conduct background investigations and screening of key providers, employees, independent contractors, and business partners. Such screening will seek to determine if potential employee candidates and third parties have any record of criminal or disciplinary sanction by a federal or state law enforcement, regulatory, or licensing agency; health care facility; professional association; or insurance company. As part of the application process, candidates will be asked to provide information relating to any past criminal or disciplinary action taken against them by a federal or state law enforcement agency; state or federal regulatory or licensing agency; hospital or other health care facility; professional society; or insurance company the Company will take appropriate and reasonable steps to verify that the information provided is accurate and complete.

PROCEDURES

1. The Company will utilize an application process which asks the candidate to provide particular background information including: education and employment history.

2. The application will also include inquiries pertaining to:
   (a) any prior criminal conviction or pending criminal charges imposed by any federal or state law enforcement agency;
   (b) any prior disciplinary action or sanction imposed by any federal or state regulatory or licensing agency;
   (c) any prior disciplinary action or sanction imposed by a hospital or other health care facility;
   (d) any prior disciplinary action or sanction imposed by any professional society or association; and
   (e) Any prior disciplinary action or sanction imposed by any insurance company or other third party payer for billing irregularities.

3. The Company will undertake to verify the accuracy and completeness of any and all information provided by the candidates.

4. It remains the responsibility of each candidate to answer the questions in the application and any interviewing process honestly.

5. In order to uncover any potential criminal record of the candidate, the application may ask the following questions:
   (a) Have you ever been convicted of a felony under federal or state criminal law? If yes, please provide the name of the court, the date, the crime you were convicted of and the sentence provided, if any. Please provide any other information you believe pertinent to this inquiry.
   (b) Are you now under investigation or are there any pending charges against you for any violation of criminal law? If yes, please provide the name of the court, the date, and the crime charged. Please provide any other information you believe pertinent to this inquiry.

6. In order to uncover any professional disciplinary history of the candidate, the application may ask the following questions:
   (a) Have you ever been the subject of any disciplinary charges or complaints by any duly authorized regulatory or licensing agency or board, health care facility, professional society or association, insurance company, or other third party payer? If yes, please
provide the name of the entity which initiated the complaint, the date, the charges
brought and the sanction entered. Please provide any other information you believe
pertinent to this inquiry, if any.

(b) Are there any pending charges or ongoing investigations against you by any
regulatory or licensing agency or board, health care facility, professional society or
association, insurance company, or other third party payer? If yes, please provide
the name of the entity which initiated the complaint, the charges pending and the
status of the matter. Please provide any other information you believe pertinent to
this inquiry.

7. The Company will seek to verify the credentials and current licenses of health care
professionals or entities employed by the practice or with whom we establish a business
relationship. The verification process shall include checking with local and state
regulatory agencies, the United States Department of Health and Human Services, the
Office of Inspector General's List of Excluded Entities; and the National Practitioners
Data Bank.
Section III – Attendance Policy

Work Week

Hours may vary based on location. Individual working hours may vary based on individual job requirements and emergency coverage. Full-time is considered 30 hours a week.

Holidays

The purpose of paid holidays is to provide staff with continuity of income for time off during the normal work week, where they may otherwise not be paid for those days that the office is closed. Additionally, the company observes any unpaid holidays required by local, state, and federal law. The Company observes the following paid holidays during each calendar year, which become paid holidays only after the initial 3 month probationary period:

- New Year’s Day
- Memorial Day
- Independence Day
- Labor Day
- Thanksgiving Day
- Christmas Day

During these times, the office will be closed. If the paid holiday falls on a weekend, on the Friday or Monday before or after the holiday the office will be closed. Only full-time staff will receive regular pay based on an eight hour work day. Part-time staff and part or full time staff in their probationary period are not eligible for holiday pay. The Company reserves the right to change this policy at any time upon notice to the staff.

Paid/Unpaid Days Off

Bereavement Policy

All full-time employees after 90 days of employment may take three paid days off from work in the event of death in the immediate family (spouse, children, parents and spouses’ parents). Part time employees may take one paid day off for the same. Non-paid bereavement days may be taken for non-immediate family members. Employees must notify their manager and request the day(s) they plan to miss.

Election Day Policy

Employees are encouraged to make arrangements for voting that does not conflict with their work schedule. If this is not possible employees are to discuss with their manager their reasoning why they must vote during work and their manager will determine a time of the day that they may temporarily leave work to vote. Employees election day absences are not paid by the employer.

Inclement Weather Policy

We may need to close the office because of inclement weather, “snow days”. Management will make this decision. If an employee believes the office may be closed due to weather they are to contact their manager for confirmation. In addition managers will try to contact all employees under their responsibility the moment management decides to close the office. Snow days are unpaid.
Jury and Witness Duty Policy

Our office recognizes the importance of jury service. We encourage our employees to exercise this civic responsibility. The Jury and Witness Duty Policy will be equal to the minimum amount regulated by law; currently as follows: when you are called for jury or witness service, present the summons to office manager on the workday after you receive it. Our office will pay the first three days of jury service for full and part time employees. Following the first three days of service the Commonwealth of Massachusetts pays employees $50.00 a day for each day that jury duty requires an absence from work. Following your jury duty, you must provide an official proof of service.

Mass. Parental Leave Act (PLA) replaces the Maternity Leave Act (MMLA)

Employees are eligible for leave under the PLA if:

A. They have been employed by the Company for at least three consecutive months as a full-time employee
B. They are absent from such employment for a period not exceeding twelve weeks for the purpose of:
   1. giving birth
   2. adopting a child under the age of 18
   3. adopting a child under the age of 23, if the child is mentally or physically disabled
C. They must give the Company at least two weeks notice of their anticipated date of departure and intention to return.

If an employee meets these eligibility requirements, the Company will grant twelve weeks of unpaid parental leave under the PLA. During the employees twelve week leave, the employee may use PTO which has been earned on the date of their leave. The following applies to employees who are granted unpaid leave:

A. PTO does accrue while on leave and can be used upon their return.
B. Group medical insurance may be continued if the employee currently earns that benefit and agrees to pay the entire premium amount

An employee returning from leave is entitled to receive vacation time, sick leave, bonuses, advancement, seniority, length of service credit, benefits, plans or programs for which they were eligible on the date of their leave. However, the Company does not include the time period of the employee's leave in the computation of such benefits. An employee returning from authorized leave will be reinstated to active employment without loss of continuity in service, provided a suitable work assignment is available. The employee may return in a job that is different from the one they left, but it would be a similar position and may also be subject to any action that affects other Company employees.

Family and Medical Leave Policy

The Company Family and Medical Leave Policy will be equal to the minimum amount regulated by law; currently, regular full-time and regular part-time employees of the Company may take up to 12 weeks of unpaid leave during any 12-month period for any of the following reasons in accordance with the Family and Medical Leave Act:
1. Birth of a child of the employee and in order to take care for such child.
2. Placement of a child with the employee for adoption or foster care.
3. Care of the spouse, or a child, or parent (referred to collectively as “family member”) of the employee, if such family member has a serious health condition.
4. A serious health condition that makes the employee unable to perform the functions of his or her position.

Employees requesting such leave should advise their supervisor as soon as the need for such a leave is suspected or known. Complete details regarding the administration of the family and medical leave policy, eligibility and other requirements can be obtained from any Company officer who will provide you with a complete copy of the family and medical leave policy.

The Massachusetts Paid Family and Medical Leave Law

1. The Massachusetts Paid Family and Medical Leave Law of 2018 entitles employees to receive annually, starting in January, 2021:
   - Paid family leave of up to 12 weeks to care for family members with a serious health condition, or for bonding by mothers and fathers with a child in connection with childbirth, adoption or foster care placement
   - Paid medical leave of up to 20 weeks for the covered individuals’ own serious health condition
   - Combined paid medical and family leave of up to 26 weeks

2. These benefits are based on an employee’s average weekly earnings, up to a maximum of $850/week, with the maximum adjusted periodically. The first seven calendar days of benefits are unpaid, but employees can use accrued sick time, vacation time or PTO for this initial period.’ The minimum income requirement to receive benefits is at least $4,700 over the last 12 months.

3. The benefits are paid through a combination of employer contributions and deductions from wages of employees which starts on July 1, 2019 and makes up a trust fund for distribution starting in January, 2020. The entire contribution is .63 percent, which is split about equally between employee and employer.

4. A covered “Serious Condition” includes in-patient care in a medical facility as well as conditions requiring “continuing treatment” of a health care provider. This includes chronic conditions, conditions involving short term incapacity involving ongoing treatment, and pregnancy.

5. Leave to care for family members who were injured while performing military service is up to 26 weeks.

6. “Family members” include a covered employee’s spouse, child and parent, domestic partners, parents of a spouse or domestic partner, grandchildren, grandparents and siblings.

Rev 050719
7. Employers can only deny an employee on leave for reinstatement to a position involving equal compensation and status only if the employer can show a change in economic conditions or operating conditions.

**Tardiness and Absentee Policy**

All employees should inform their manager of any tardiness no later than thirty minutes before the start time of their regular work day and of any unscheduled absentee the earlier of a) the moment an unscheduled absentee is determined, b) 7:00 am of the scheduled work day, or c) one hour before the start time of their regular work day. More than three consecutive occurrences or consecutive/multiple occurrences will be subject to disciplinary action. Failure of notification is also subject to disciplinary action, to the extent of termination in the case of an unreported absentee and will in such case be considered a termination “for cause”.

The Company provides *unpaid* sick leave to cover periods of extended absence resulting from illness or injury to regular full-time and regular part-time employees. Sick leave is provided as follows:

- The maximum annual sick leave days are 10, unless otherwise specified by law.
- Sick leave is unpaid.
- Sick leave may not be used in lieu of vacation.
- The Company reserves the right to request a doctor's statement to substantiate the medical basis for the use of sick leave.
- Employees are expected to notify their immediate supervisor as soon as possible on each day (no later than 7:00 AM) that they will not be reporting to work due to illness. In the case of extended illness, periodic notice will be required. If the employee is unable to call, it is expected that he or she will ensure that another responsible individual notifies their supervisor.
- Abuse of sick leave may result in disciplinary action, including termination.
Section IV – Employee Policy & Conduct

Open Door policy

Our Company maintains an open door policy for all its employees. If an employee has any concerns they are free to address them to management. Though all management is available to talk to, employees are asked to follow the organizational chart, beginning with their immediate supervisor.

Breaks

Lunch breaks will be taken when scheduling permits such that the front desk does not go unattended and patients are not left waiting for employees. Breaks may also be taken during scheduled idle time. Employees are encouraged to assist other employees in their duties so that all may benefit from breaks. The kitchen may be used for lunches and other breaks. Eating utensils, dinnerware, and kitchen appliances are provided for employees to make use of. Please see that the kitchen remains tidy and dishes are cleaned and restored to their proper place after use. Please see that prepared or purchased foods do not emit odors that could be bothersome to patients or staff (i.e., fish, popcorn, etc.). Eating and reading of personal materials at employee work stations are prohibited. Lunch breaks are unpaid (non-exempt staff must clock in and out), but brief breaks (under 10 minutes) twice per day are paid.

General Business Principles

Employees are expected to promote the best interest of the Company. In so doing employees shall comply with the letter and spirit of all applicable laws and regulations and shall act in the highest standard of business, professional and personal conduct. Employees are expected to conduct themselves in a manner to avoid even the appearance of impropriety. Employees shall exercise proper and reasonable care at all times in the use, protection and conservation of the assets of the Company.

Conflict of Interest

Employees are expected to serve the interests and needs of the Company with undivided loyalty. In fulfilling this obligation, each employee is expected to avoid conflict-of-interest situations and immediately report in writing to the Company Administrator any personal interest, direct or indirect, which might affect the impartiality of any employee in any matter relating to his or her job. Whenever practicable, even the appearance of a conflict-of-interest situation should be avoided.

Conflicts of interest may exist whenever an employee enters into a transaction or activity that:

- involves a matter that is directly or indirectly adverse to the interests of the Company;
- might affect or appear to affect the employee’s judgment or decisions on behalf of the Company; or
- might cause any adverse criticism of the Company.

To avoid potential conflicts of interest, employees shall refrain from:

- working for any other dental practice without consent of the Company;
- beginning or maintaining any relationship that involves compensation (including both financial and non-financial benefits to the employee or his or her immediate family) with an entity that is either a supplier to or competitor with the Company or that is likely to be so in the future;
• purchasing an interest in any entity that is a supplier to or that competes with the Company;¹; and
• accepting from any entity compensation (as described above) that could be construed as being related to the employee’s arranging business between the Company and such entity. An “entity” includes any organization or a representative of such organization with which the Company does business.

In short, employees should not participate in activities that could impair or appear to impair their ability to perform their duties or to exercise their judgment in a fair and unbiased manner.

**Business Gifts and Hospitality**

No gifts, other than those of nominal value, such as occasional business luncheons, dinners, or other modest entertainment, should be offered or accepted in connection with Company business. Offers of any gifts and/or hospitality should be evaluated on a case-by-case basis, taking into account the type of business relationship and the potential influence such hospitality may appear to have on the conduct of Company business. Employees should discuss any questionable offers with the Company Administrator. Offers of larger gifts and/or hospitality with a value in excess of $25.00 should be delivered (and reported in writing) to the Company Administrator, regardless if there is reason to believe the gift may have been offered to influence the employee in the conduct of his or her duties.

**Bribes and Kickbacks**

Under no circumstances shall any employee accept or pay in any form any bribe or kickback, or otherwise receive or confer any direct or indirect benefit from or on another party in connection with or to influence the Company’s activities.

**Embezzlement/Fraud**

Any embezzlement and/or fraud are strictly forbidden and will result in immediate termination. In addition the perpetrator will be prosecuted to the fullest extent according to the governing laws. Employee should be aware of co-workers who are suspiciously workaholics who stay long hours and often skip lunch. This is a common trait in embezzlers who are trying to hide their actions.

Some example of embezzlement and fraud are the following, though not limited to:

- **Pocketing cash** – Company cash is taken without authorization or unrecorded cash payments and kept by an employee instead of properly reporting and put in the cash drawer
- **Lapping**—Lapping involves the temporary withholding of receipts such as payments on accounts receivable. This system can become quite complicated to conceal over time as the accounts have to continually be falsified
- **Check-kiting**—The check-kiter must be in the position to write checks on and make deposits in two or more bank accounts. One account could be the embezzler’s personal account and the other a business checking account.
- **Dummy supplier(s)** – This involves falsifying documentation of fictitious purchase transactions.
- **Insurance Fraud** – Filling false insurance claims in order to pad customer expenses or to assist patients in collecting additional false insurance payments

¹ An employee may, however, purchase an interest in a public company that represents less than 1% of any class of securities of that public company and less than 10% of the employee’s net worth.

Rev 050719
• **Concealed Credit** – Returning company purchased products, withholding the credit invoice and redirecting credit to personal funds

In addition to refraining from embezzlement and fraud employees are expected to meet their financial obligations and avoid garnishments that could discredit themselves or the Company.

**Political Contributions and Activities**

No assets of the Company shall be used for political contribution, including direct expenditures or contributions of goods or services. Furthermore, because of legal restrictions, no employee or representative shall be compensated or reimbursed for any personal political contribution, or favored or prejudiced in any condition of employment, promotion or otherwise as a result of making or failing to make any personal political contribution, nor may an employee or representative engage in personal political activities on Company time or use Company property for such purposes.

**Performance Evaluation Policy**

It is the policy of this Company to provide employees with regular evaluations of work performance. The performance evaluation is a formal opportunity for the dentist and the employee to discuss job performance and career objectives. Performance reviews are based on the responsibilities detailed in the job descriptions, as well as on adherence to the standards of conduct expected by the Company. They are the basis for such important personnel decisions as merit raises, promotions, and termination of employment.

Each new employee receives a formal or informal performance review after three months of employment as described in the probation period section. After three months each employee will receive a formal evaluation at least once a year with salary review where the administration will determine if a raise has been earned and the extent of the raise. Administration will base their evaluations on the written evaluation completed by the employee’s immediate manager(s). If there is no raise the administration will explain why and what can be done the following year to greater the chance of getting a raise or increasing the raise. All evaluations will be kept on file with employee records.

**Diversity Policies**

This Company strives to be a forerunner in the evolution of workplace diversity. It employs personnel of multiple cultures with team members who speak multiple languages fluently. The Company will not tolerate discrimination in any form and such occurrence will result in immediate termination. Having a practice with a diverse staff speaking multiple language results in patients from many cultures, and it is imperative that our staff is sensitive to any cultural difference and respects all our patients regardless. In addition, employment and promotional decisions will not be based on race, sex, sexual orientation, age religion, or other protected characteristics, but on each employee's merit and success in serving our patients at the highest standards of professionalism. For further information regarding information refer to the equal opportunity section.

**When employees may speak other languages:**

- With a patient who expresses a preference that the employee speak in a specific language.
- On a break (including lunch).
- When making personal telephone calls.
- In work areas outside the presence of clients, vendors, and patients.
Prescription Policies

It is under the discretion of the doctors when and if prescribing drugs is necessary for patients and is not negotiable. It is not a patient's right to be prescribed drugs. If a patient believes they need a drug prescribed or were prescribed the wrong drug an inquiry may be made to the doctor, but any changes in prescription may only be made by the doctor who originally treated the patient. It is under the employee's discretion to determine if a request is valid to warrant an inquiry to the doctor. The majority of requests should not be entertained and the employee should politely notify the patient it is NOT the Company's policy to change prescriptions.

All prescriptions are to be recorded within the patient's records and prescriptions cannot be filled or refilled when patients' records are not readily available. Any patient needing pain relievers when their records are not readily available should be advised to go to a hospital emergency room to obtain them. Doctors have the right to assign a firm cut off date at which point mediation will not be prescribed. Patients are to be notified that after this date any remaining drugs are to be discarded and any continued consumption is illegal.

Generally our doctors will not dispense drugs within the Company other than Acetaminophens such as Tylenol and prescriptions are to be filled elsewhere.

Prescriptions are not to be refilled by phone under the following circumstances and are to be done in person:
- The patient has canceled or failed to keep an appointment since the last office visit
- The patient has lost, accidentally discarded, or had their medication stolen
- The patient has been discharged or does not have a future appointment scheduled

Patients who are already receiving pain medication from other sources (i.e. another Company, their physician) will not be prescribed additional medication from this office.

Child Abuse

Dentists are licensed health care providers and are thus mandated reporters of child abuse and neglect under Massachusetts law. If you become aware of or suspect that a child you are treating has been subjected to child abuse, neglect or maltreatment notify the supervisor to ensure that the situation is reported to the Protective Screening Unit of the Department of Children and Families. The report should include identifying information about the child and the person you believe is responsible for the abuse, the nature and extent of the suspect abuse and/or neglect, including any evidence of prior injury, abuse, maltreatment or neglect, and the circumstances under which you first became aware of the child’s injuries, abuse, maltreatment or neglect.

License and Certifications

Clinical assistants and technicians must obtain and maintain, at their sole expense, any and all licenses, certifications, or training that are necessary to qualify an employee for their position, or as otherwise required by the Company which requirements may be adjusted from time to time. All applicable licenses or certifications must be up to date and renewed when necessary. Any revocations of licenses, failure to pass re-certification exams or licenses renewal exams will result in immediate disqualification. All disqualified employees will be put on probation without pay (including PTO) until they are able to regain qualified status, if this is deemed possible in the sole discretion of management; otherwise, it may be grounds for immediate employment termination “for cause”. Employees who are on disqualified probation for an extended period of time are subject to termination.
Drug and Alcohol Use

Employees are prohibited from using alcohol or any drug (except over-the-counter and prescription medications used according to direction) during work hours or while engaged in work-related activities, and provided that such use does not pose a threat to the health or safety of patients or other staff.

Alcohol and drug use is a serious matter. In the event any employee has any concerns whatsoever that an alcohol or drug abuse problem may exist in the workplace or that any employee may be "under the influence" of alcohol or drugs, an officer should be contacted immediately so that appropriate corrective action is taken. When appropriate the Company may refer the employee to approved counseling or rehabilitation programs or take appropriate disciplinary action including suspension and discharge.

The unlawful sale, possession, or use of a controlled substance is strictly prohibited, and violators may be subject to immediate termination. All employees must notify the dentist of any drug conviction within five days after any such conviction.

This Company recognizes drug dependency and alcoholism as health problems. As members of the health care team, we are committed to providing help to any chemically dependent employee who seeks it. We will assist the employee in meeting his or her responsibility to recover from substance abuse by treating him or her as any other employee with a health problem. The employee would be covered by health, sick leave, disability, and other benefits according to office policy for medical problems.

If any employee refuses or does not attempt to correct a substance abuse problem, the employee will be subject to disciplinary action up to and including dismissal, even for a first offense.

Miscellaneous Conduct Policies

Personal Appearance, Dress & Grooming Standards

As an employee you represent the quality level of the company. Many of you come in direct contact with the patients and give them their first impressions of the company. It is imperative to arrive at work properly groomed, clean, and maintaining an acceptable appearance which includes appropriate and professional attire and moderation in jewelry, make-up, cologne, and perfume. Excessive jewelry and piercings of the tongue, nose, lip, or other unconventional items are distracting to patients and other staff, in some cases unsafe or unclean, and are prohibited at work at all times. Only 2 piercings per ear are permitted. Tattoos must be covered as much as possible. Extreme body altering and branding must not be visible. Fingernails are to be kept clean and cannot exceed ¼ inch from the tip of the finger. Only one color of nail polish is allowed. Hair is to be clean, well groomed, and a natural color (i.e. no pink, orange, blue). Bodily odors are also distracting and should be eliminated or otherwise reduced to not create an uncomfortable environment for patients, guests, or other employees.

The dress code of the Company is “business casual.” Business casual is defined as slacks and collared shirts for men and long skirts, slacks, blouses, dresses for women, and dress shoes. Only clinical staff may wear medical attire, including scrubs, lab coats, etc) as required. Tennis shoes may only be worn if clean and by Clinical staff wearing medical attire. Clinical staff may not wear open toed-shoes when working in treatment areas and with patients. Jeans are not allowed during normal business hours or when working with patients. Revealing or suggestive attire (such as shirts that expose the mid section of the body or any clothes that reveal under garments) are prohibited. Shorts, flip-flops, sweat or exercise clothing, and other “casual” attire are not allowed.
In addition, smoking is strictly prohibited on company premises. Smokers must use their best efforts to remove the smoke-related odors from their person prior to returning to the office, particularly when working with patients.

Use of E-mail/Computer/Phone

The use of the Company's computers, fax machines and telephones is strictly governed by the guidelines of this Handbook. Employees are not to make personal long distance phone calls, send personal emails or instant messages or online chat messages, fax personal correspondence, make personal photocopies, mail or express-mail personal communications, or perform any other activities that utilize the Company's resources without providing compensation for such use. The Company recognizes that, along with telephone usage, there will be occasional use of Company equipment to perform personal tasks; however, any extensive use of Company office, telephone, and computing equipment for one's personal affairs is inappropriate, not permissible, and grounds for disciplinary action. Examples of personal matters for which Company equipment may not be used under any circumstances include, but are not limited to, soliciting or conducting a commercial business, obtaining or soliciting pornography, seeking or interviewing for employment, violating copyright laws and other activities for personal gain or illegal purposes. In addition, the use on a Company computer or introduction of software to the Company's system is expressly prohibited unless approved in writing by the Company Administrator.

All communications made on the Company's equipment remain the Company's sole property. Employees are advised that they should not have an expectation of privacy with regard to any e-mail communications, use of computers, or telephone conversations made on Company premises or equipment.

The Company, at its discretion, may reimburse certain employees for business calls made from a personal cellular phone. Calls made by those employees must be made sparingly and with discretion. Cellular calls will only be reimbursed when a regular phone is unavailable or not readily accessible.

Cellular Phones, Text Messaging, and E-mails

Employees are prohibited from using or carrying cellular phones during work hours. Employees must leave all cellular phones in the break room during work hours. Text messaging and e-mailing is prohibited except while on break times.

Social Media

Employees are prohibited from using social media for personal usage while during working hours. The Company strictly complies with HIPAA regulations. Employees are not allowed to post or discuss information about patients, whether on their personal pages or on the practice page. Employees are not allowed to post any confidential, negative or potentially harmful material regarding another staff member or the practice as a whole. Employees who do not comply with the policy will be subject to disciplinary action, up to and including termination of employment and legal action.

Communication

Patients' perceptions of the company are developed through their personal interactions with its employees. Make sure to smile and greet patients, by name when able. Speak professionally, joyfully, and avoid use of slang or profanity when talking to patients and talk to them pleasantly. When answering questions ensure the patient is satisfied with the response. If you are unable to
answer a question do your best to find the answer or someone who can answer. Profanity is expressly forbidden on or around the premises.

When answering the phone, greet the caller by saying stating the company name, this is (Your Name) speaking, how may I help you?” When taking a message, gather all necessary information including name, phone number, and reason for calling. Always ask for permission before putting a caller on hold and thank them for calling at the end.

Employees must make their best effort to respond to messages and other communications on the day the message or communication is received.

Surveillance Cameras

The Company utilizes a video monitoring system that operates in all public areas of the office, in addition to the operatories. This is done for the health and safety of the patients and staff, and the videos are only reviewed by management and those persons qualified to do so under relevant privacy and HIPAA laws and regulations. The Company offices are public spaces and employees should have no expectation of privacy except in bathrooms and changing areas. Calls may also be recorded for quality assurance.

Clean Work Space

Employees are responsible for maintaining a clean work space, including floor, desk, computer, and wall areas. All work space should be clean, neatly organized, and free of clutter. Work space should be presentable at all times, regardless of patient or doctor traffic. Excessive personal items, including notes, pictures, objects that emit an odor, novelty items, cards, gifts, food, and ornamentations are prohibited. A clean and organized work space increases efficiency and reduces risk of loss or damage to important business papers, equipment, and materials and increases the life of Company assets.

Gum Chewing

In an effort to maintain professionalism, please note that gum or other food chewing is prohibited during work hours. Corrective action will be taken if an employee is found chewing gum during work hours.

Progressive Discipline

The purpose of this policy is to state the Company's position on administering equitable and consistent discipline for unsatisfactory conduct in the workplace. The best disciplinary measure is the one that does not have to be enforced and comes from good leadership and fair supervision at all employment levels.

The Company’s own best interest lies in ensuring fair treatment of all employees and in making certain that disciplinary actions are prompt, uniform, and impartial. The major purpose of any disciplinary action is to correct the problem, prevent recurrence, and prepare the employee for satisfactory service in the future.

Although employment with the Company is based on mutual consent and both the employee and the Company have the right to terminate employment at will, with or without cause or advance notice, the Company may use progressive discipline at its discretion.

Disciplinary action may call for any of four steps—verbal warning, written warning, suspension without pay, or termination of employment—depending on the severity of the problem and the
number of occurrences. Progressive discipline means that, with respect to many disciplinary problems, these four steps will normally be followed. However, there may be circumstances when one or more steps are bypassed.

The Company recognizes that there are certain types of employee problems that are serious enough to justify either a suspension or, in extreme situations, termination of employment, without going through the usual progressive discipline steps.

While it is impossible to list every type of behavior that may be deemed a serious offense, the Employee Conduct and Work Rules policy includes examples of problems that may result in immediate suspension or termination of employment. However, the problems listed are not all necessarily serious offenses, but may be examples of unsatisfactory conduct that will trigger progressive discipline.

By using progressive discipline, we hope that most employee problems can be corrected at an early stage, benefiting both the employee and the Company.

**Termination of Employment**

The following statements describe the employment termination policies of the Company.

The Company requests that if you wish to resign from the Company, you provide at least two weeks advance written notice. The Company reserves the right to release an employee due to expiration or breach of contract, unsatisfactory employee performance, incompetence, or other consideration. The Company will provide one week notice of termination whenever possible, without guarantee. However, misconduct on the part of an employee or a situation beyond the control of the Company could result in an immediate termination with little or no notice.

Terminated employees will be assisted by their supervisor in following close-out procedures. Any outstanding accounts will be settled before the final paycheck is disbursed. In addition, all company material (e.g., keys, equipment, computer, manuals, etc.) must be returned before the final paycheck is disbursed. The employee should also provide passwords to any computer program or file of which only the employee has knowledge.

Also, please note that except as otherwise provided below, any accrued benefit whatsoever that is described in this manual (or otherwise provided by the Company) that is not used prior to your termination, for any reason, will be compensated for or paid after your termination.

Regardless of Employment Category, both the employee and the Company have the right to terminate the employment relationship at will at any time.

Most disciplinary action results in termination after repeat offences and both verbal and written warning had been given prior. These offences include, but are not limited to:

- Unprofessional Conduct
- The inability to perform assigned duties to satisfaction
- Repeated violations of minor office policies
- Habitual tardiness or absence, with or without proper notice
- Constant poor hygiene
- Use of profanity or poor communication
- Improper dress
- Interference with work performance or another employee
- Spending work hours doing personal tasks, non-work related activities, or work for third parties
- Selling, soliciting or distributing materials or literature without permission from management
- Constant failure to adhere to the policies and conduct set forth by this manual

However, some actions will result in immediate termination with or without prior warning. These violations include as an illustration, but are not limited to:
- Theft
- Embezzlement or fraud
- Insubordination
- Deliberate destruction or abuse of company-owned equipment
- Physical violence
- Unauthorized possession or use of controlled substances, or working under the influence of alcohol or drugs.
- Disorderly, dishonest, illegal, immoral or unethical conduct
- Disclosing confidential information pertaining to patient care or Company business affairs
- Knowingly fail to adhere to HIPAA regulations
- Conviction, misdemeanor or felony
- Abuse of leave of absence or other leave policies
- Verbal or physical abuse to patients, employees, or co-workers
- Absence without notice for three successive scheduled working days
- Violating the Company non-solicitation and non-competition policy

Exit Interviews

Upon termination by employee or employer, an exit interview will be given. This interview will clarify any questions regarding the reasons for termination (i.e. an employee’s reason for quitting or an employer’s reason for firing), to ensure that company-owned items are returned, and to identify what information may possibly be released to future prospect companies of the exiting employee. The final paycheck will be sent within 24 hours.
Section V. Employee Rights

Complaints and Concerns

All employees have the right to voice their complaints and concerns without fear of retaliation. All complaints and concerns should be addressed to employees’ manager and/or director and not discussed with co-workers. Managers will work with the employee on such complaints and determine the necessary course of action.

Equal Employment Opportunity

Equal employment opportunity shall be afforded to all employees and applicants for employment regardless of race, color, religion, sex, national origin, age, sexual orientation, physical or mental disability unrelated to job performance, and other characteristics protected by law. Decisions concerning job assignments, promotions, compensation, transfers, layoffs, demotions and terminations shall be carried out consistent with this policy. All employees are similarly charged with the responsibility of conducting their responsibilities respectfully and in the fullest spirit of this policy.

Anti-Harassment

The Company is committed to fostering an environment wherein all employees are treated with respect and dignity. Harassment is unlawful, and the Company will not tolerate any harassment of its employees by another employee, manager, or even business associate.

The purpose of this policy is not to regulate employees’ morality, speech or private conduct. Instead, it is to ensure that no one harasses employees or otherwise interferes with their job duties and responsibilities, which is largely determined by the victim’s perception and reaction and not the perpetrator’s. Any questions about this policy should be directed to the Company Administrator.

The Company expressly prohibits verbal or physical conduct by any employee that harasses, disrupts, or interferes with another’s work performance or which creates an intimidating, offensive, or hostile environment. Specifically, and among other things, the Company’s anti-harassment policy prohibits otherwise non-consensual and unwelcome touching; sexual advances, propositions, or suggestions; verbal abuse of a sexual or non-sexual nature; comments about a person’s dress or body, color, religion, sex, national origin, age, disability or sexual preference; using sexually or otherwise degrading words to describe another; displaying or distributing sexually explicit or otherwise offensive material including posters, letters, poems, graffiti, cartoons or drawings; or engaging in racial, ethnic or religious slurs. Unwelcome advances of a sexual nature, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, (2) submission of or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individual, or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

An employee, who believes he or she has been or is being subjected to, or has observed, any form of harassment should bring the matter to the attention of either their manager, an officer or a director of the Company. An employee who believes harassment has occurred or is occurring should report such conduct to one of the above persons regardless of the position of the offending person (e.g., director, manager, fellow employee, client, etc.). If a complaint of harassment is made to a manager, the manager shall report the complaint to an officer or a director for prompt investigation. Nothing in this policy shall require any employee alleging harassment to present the matter to the person who is the subject of the complaint.
All complaints will be promptly investigated. Complaints will be handled as confidentially as possible. It is intended that the privacy of the persons involved will be protected, except to the extent necessary to conduct a proper investigation. If the investigation substantiates that the complaint is valid, immediate corrective action will be taken designed to stop the harassment and prevent its recurrence. Such corrective action may include discipline, up to and including discharge, of the offending person.

It is unlawful to retaliate against an employee for filing a complaint of sexual harassment or for cooperating in an investigation of a compliant for sexual harassment. An employee who believes she or he has been or is being subjected to harassment, or who believes she or he has observed harassment, and who reports the matter pursuant to this policy shall not be retaliated against or adversely treated, with respect to terms and conditions of employment, because of the making of the report or for cooperating in an investigation of a complaint for sexual harassment.

**Grievance Procedure**

If an employee feels any of their rights, as set forth above, are being violated or compromised or believe they are being treated unfairly they should bring the problem to the attention of Management. If a grievance is regarding a co-worker, employees are to attempt to resolve the problem amongst themselves. If this is not possible or the problem persists the matter is to be reported to the manager who will act as an intermediary.

**Accommodations for Employees with Disabilities**

The Company is committed to providing equal employment opportunities to otherwise qualified individuals with disabilities. Accordingly, the Company will make reasonable accommodations, consistent with federal and state law, to enable an employee with a disability to perform the essential functions of the job unless the requested accommodation(s) would pose an undue hardship on the practice. An employee in need of accommodation so he/she can perform the essential functions of the job should notify the Compliance Officer in writing and must provide a copy of the notice to management. The notice should include a description of the disability, the difficulty it causes and the accommodation requested. The Company may request medical documentation confirming the disability, may ask to speak with the employee’s physician, and may ask the employee to submit, at the practice’s expense, to an independent medical or other appropriate examination to help the practice assess both the need for accommodation and the accommodations available or necessary.
Section VI. Workplace Safety and Security

Establishing and maintaining a safe work environment is the shared responsibility of the Company and all employees. The Company is committed to ensuring a safe environment that complies with federal, state, and local safety regulations. Employees are expected to obey safety rules and to exercise caution in all their work activities. They are asked to immediately report any unsafe conditions to their manager.

Work Place Violence

Employees are also required to maintain a work environment free from violence, threats of violence, and other types of disruptive behavior, such as intimidation and harassment. Any disruptive behavior including, but not limited to, violence, threats, intimidation, gestures, and written and oral statements or expressions that communicate a direct or indirect threat of physical harm will not be tolerated. Employees and other individuals who commit such acts may be removed from the premises and will be subject to disciplinary action and criminal penalties when applicable. If you observe or experience such behavior, report it to your manager immediately. Note: Threats or assaults that require immediate medical or police attention should be reported first to 911.

OSHA

Not only managers, but employees at all levels of the organization are expected to correct unsafe conditions as promptly as possible. Because the company is concerned about the safety of all its employees we run business operations in accordance with Occupational Safety & Health Administration Act. If there is any actions in violation of OSHA observed, it must be reported immediately. For more information regarding OSHA refer to www.osha.gov.

Because this Company is concerned about the safety of its employees, we are dedicated to meeting OSHA standards for the dental workplace to the best of our abilities. Every employee is expected to contribute his or her finest efforts to making our dental Company safe for employees and patients.

Not following our office safety procedures is considered in this Company as cause for disciplinary action and possible termination.

Bloodborne Pathogens Standard Policy

Listed below are our office policies on the basic requirements of OSHA's Bloodborne Pathogens Standard. For further information, please refer to the Exposure Control Plan of this Company.

Exposure Control Plan

This office has a written Exposure Control Plan on file that is accessible to all employees. It is reviewed and updated at least once a year or whenever changes are made in procedures that affect occupational exposure. The Exposure Control Plan covers the following topics:

- Which employees are covered by the Bloodborne Pathogens Standard;
- Methods and schedule for implementing the standard;
- Protocol for post-exposure evaluation and follow-up;
- Procedure for evaluating an exposure incident;
- Labels and color-coding for biohazard communication;
- Employee training; and
- Access and maintenance of medical and training records.
Compliance Methods

During patient care, employees of this Company will use standard precautions to prevent contact with blood and saliva. “Standard precautions” is a new term that replaces what were previously called “universal precautions.” “Universal precautions” focus on preventing unprotected contact with blood, or other fluids containing blood, from all individuals—regardless of their serostatus for bloodborne pathogens. “Standard precautions” expand upon this principle by adding unprotected contact with all bodily fluids (except sweat), regardless of whether blood is present. Standard precautions also include prevention of unprotected contact with mucous membranes and non-intact skin. The office will be maintained in a clean and sanitary condition, following the written housekeeping schedule for the Company.

Uniform Maintenance

Employees will use appropriate personal protective equipment (PPE), such as gowns, masks, eyewear, and gloves. Protective clothing and equipment will be provided, cleaned, repaired, and disposed of by the Company at no cost to employees. Part time employees are responsible for their own clothing. Reusable gowns worn as PPE should be changed when they become visibly soiled or be changed immediately if they are penetrated by blood or saliva. Used gowns should be removed before employees leave the office and placed in the designated container, marked with a biohazard symbol.

Hepatitis B Vaccination

The Hepatitis B vaccination is made available at no cost to all employees with risk for occupational exposure. The first dose will be administered within 10 working days of your assignment to a job that may involve occupational exposure. If you decline to be vaccinated, you must sign a copy of our informed declination form. If you were previously vaccinated, you will be asked to document that fact. This information will be kept in your confidential medical record. For further information of this matter refer to the Hepatitis B Testing section of this manual.

Post-exposure Evaluation

Any employee, who has an exposure incident, as defined in our Exposure Control Plan, must report it immediately to the office compliance manager. The Company will arrange for a confidential post-exposure evaluation and follow-up services at no cost to the employee. The employee will be offered any medically indicated prophylaxis recommended by the U.S. Public Health Service. Within 15 days after the evaluation, the licensed healthcare professional who provides post-exposure evaluation and follow-up services will give the employer a written opinion limited to stating that the exposed employee has been informed of the results of the evaluation and any medical conditions that may require further evaluation or treatment. The results will not be shared with the employer. The employee will be given a copy of the opinion, and the original will be kept in the confidential medical record.

Training

This Company provides training during work hours and at no cost to employees with risk of occupational exposure, when the employee starts work and annually thereafter. The training will cover such topics as the Bloodborne Pathogen Standards, symptoms of bloodborne diseases, modes of transmission, and use of standard precautions personal protective equipment, and contamination standards (i.e. when gloves must be discarded and new ones put on).

Records

This Company maintains accurate employee medical records. Records include the name and Social Security number of the employee, a copy of the employee’s hepatitis B vaccination status,
including the dates of all hepatitis B vaccinations and medical records relative to the employee’s ability to receive vaccination. Records will be kept confidential according to all HIPAA regulations and will not be disclosed or reported without the employee’s expressed written consent to any person within or outside the workplace except as required by law. Records confidentially will follow the same governing policies as patient records and further information regarding this matter can be found on the Notice of Privacy Practice.

**Hazard Communication Standard Policy**

Listed below are our office policies on the basic requirements of OSHA's Hazard Communication Standard. For further information, please refer to the written Hazard Communication Program of this Company.

**Hazard Communication Program**

A written Hazard Communication Program is on file in this Company and is available to employees upon request.

**Labeling**

Products used in this Company have been labeled by the manufacturer to alert employees to hazardous chemicals in those products. Labels on covered products include the manufacturer's name and address, the identity of the hazardous chemical(s), and the appropriate hazard warning. If the product is transferred from the original container to a secondary one, and is to be used at a later time or by other workers, the secondary container must be labeled with information about the identity of the hazardous chemical(s). In addition, any label that is damaged beyond legibility must be replaced. The appropriate hazard warnings must be transferred to the secondary container. Drugs and devices with FDA-approved labels are exempt from all requirements under this standard. Consumer products and drugs in solid, final form are exempt from OSHA requirements.

**MSDS**

A Material Safety Data Sheet (MSDS) is available for each product used in this office that contains a hazardous chemical. Contact your manager for further information.

**Training**

Employees with occupational exposure to hazardous chemicals receive training and information when they start employment and when changes in tasks or procedures occur that exposes the employee to hazardous chemicals. Any time new hazardous chemicals are introduced to the Company all employees who are exposed to handling them will receive further training. The training covers such topics as the Hazard Communication Standard; work operations involving hazardous chemicals; detection and health hazards associated with chemicals in the workplace; and how employees can protect themselves against chemical hazards.

**Emergency Action Plan**

Because we value employee safety, this Company has a written emergency action plan and a fire prevention plan on file. All new employees will receive training on both matters during their training period. All employees who wish to review either document are to contact their manager. The following is a summary of both:
Building Safety

Building exits should remain unobstructed, easily unlocked and clearly marked. The owner/dentist will be responsible for keeping the fire detection and alarm systems and fire extinguishers in proper working order. This Company has fire/smoke alarms and fire extinguishers mounted throughout the building.

Evacuation

If a fire breaks out in the building, employees should immediately notify their manager or pull the fire alarm located next to the stairway. When the alarm sounds, all employees should exit the building quickly and safely by the stairs. Do not use the elevators, do not try to fight the fire (unless you have been designated by your employer as responsible for doing so), and do not stop to retrieve personal belongings. The office manager will be responsible for making sure that all employees are accounted for as well as reporting anyone missing to the fire officials. You will be allowed to return to the building as soon as the fire department has given permission to do so. Emergency evacuations for other reasons should follow the same procedure.

Medical Emergency

In the case of serious medical emergency, employees should contact the doctors immediately and call the paramedics. Until trained medical personnel arrive, staff members should do what is necessary to make the person comfortable. There should be an employee trained in CPR and medical emergency of staff at all times. They are to administer any medical assistance until the paramedics arrive. First aid supplies are available in the staff lounge for use by employees, patients, or visitors. All emergency procedures will be recorded in the patient charting including: symptoms, time of symptoms, support services, drugs administered (time and dosage), referrals or calls for support services, progression of patient’s signs and symptoms, and instructions given to the patient.

Basic Life Support (BLS): All dental staff will maintain certification in Basic Life Support sponsored by either the American Heart Association or other entity approved by the Board of Registration in Dentistry, as required under the Massachusetts Dental Regulations. When a patient visitor or other individual is observed in distress, staff will respond according to current BLS recommendations.

In-Service Training: All dental staff will be trained in the below Emergency Response Plan listing assignments for specific practice personnel:

a) The doctor treating the patient with the medical emergency will stay with the patient and call for help. The doctor will monitor the patient’s vital signs and maintain airway, support breathing and monitor circulation until medical assistance arrives.

b) The nearest dental assistant will get the oxygen tank and set it up to administer oxygen to the patient.

c) The receptionist or nearest dental assistant will phone for help.

Fire Prevention Plan

In order to minimize the likelihood of a fire employees are to be aware of the location of all the fire extinguisher in the office. They are also to be aware of and avoid any electrical hazards. To help avoid electrically fire hazards employees are to use power-surges on all outlets.

Terrorism and Other Catastrophic Events
All employees are to be aware of any suspicious activity or unattended bags. In the event of a terrorist attack on the building or other catastrophic event employees are to call 911 immediately. They then are to assist and ensure that all patients evacuate the building and that any sedated patient gets the proper assistance to safely exit the building. Employees are advised to leave personal belongings and exit the building immediately once all the rooms are checked for people.

**Bomb Threats**

Allied dental personnel who answer the telephone during a bomb threat should ask the caller where the bomb is located and what time it is set to explode. Detailed mental notes about the telephone exchange—the caller’s gender, age, accents, and background noises—can help local law enforcement authorities later with the case. Law enforcement and fire officials should immediately be alerted to the call and the building should be evacuated.

**Chemical Spill**

During a chemical spill there may be a release of hazardous—flammable, reactive, radioactive, poisonous, etc.—gases into the atmosphere from a nearby manufacturing facility, rail yard, nuclear plant, etc. You may also receive an emergency warning to evacuate or to take cover indoors. Try to remain indoors until you receive an all-clear signal from the proper authorities. During the emergency, protect your breathing by covering your nose and mouth with a damp cloth. Heating/cooling/ventilation systems should be turned off.

You may come into contact with a small chemical spill in the workplace. Consult with your office’s MSDS’ to obtain the chemical and physical properties of the substance that could potentially be hazardous. Personal Protective Equipment (PPE) such as safety glasses, goggles, face shields, or gloves that meet OSHA standards should be used.

**Hostage Situation**

Experts suggest that in a hostage situation it is best to avoid ideological disagreements with the captors. Try to be empathetic to their cause, but most of all remain calm. Do not attempt to approach the captor. Follow instructions, and be cooperative. Turn over anything the hostage taker wants. Use purposeful movements. Avoid eye contact with the hostage taker, but try to notice features that you can later relay to the authorities. Of course, contact the police if you feel that you are not jeopardizing yourself and others. Most hostage incidents end a few hours later, with the release of the hostages and the surrender of the captor.

**Mail Handling Policy**

With the increased threats of terrorism, anthrax exposure, and fear of exposure of other biological agents, it is important to train your employees in the handling of mail and suspicious packages. Your employee office manual and handbook might mention this growing issue of concern.

According to the U.S. Postal Service, a suspicious package may have some of these characteristics: oily stains, discolorations, or crystallization on wrapping paper; a strange odor; lopsided or uneven appearance; excessive packing tape; addressed with badly typed or written misspelled words; and no return address.

The United States Postal Services and the Center for Disease Control recommends that employees take these fundamental steps when encountering a suspicious package:

- Handle with care; don’t shake or bump package;
- Do not carry the package, show it to or allow others to examine it;
- Don’t open, smell, touch, or taste the package or contents of the package;
▪ Immediately isolate the package in question by closing doors, not allowing others into the area, and shutting off the ventilation system, if possible;
▪ Alert others to the isolated package;
▪ Wash hands with soap and water to prevent spreading potentially infectious material to face or skin;
▪ Treat it as suspect and immediately call local law enforcement authorities; and
▪ Make a list of people who came into contact with the package and give it to the proper authorities.

Natural Disasters

Although natural disasters are rare, especially in the northeast, it is important that all employees are aware of what to do in case of the occurrence of one.

Floods

Floods are the most common and widespread of all natural disasters, except fire, according to FEMA (Federal Emergency Management Agency). Floods can be slow or fast-rising. Usually, they develop over a period of days. Most likely, employees will have enough warning and the Company will close office before any employee gets stuck in the office during a flood. However, in the case that employees and/or patients are in the office during a flood they are to stay clear of downed power lines and electrical wires; electrical currents pass easily through water.

Hurricanes

Usually, hurricanes can be predicted in advance. If there is not enough time to evacuate the dental office, patients and employees should be moved into interior rooms or hallways. Patients and staff should protect themselves from glass and debris and should avoid proximities near windows.

Earthquakes

Employees should try to help patients remain calm during an earthquake. Patients and staff should take cover under a large, heavy object or piece of furniture and protect themselves from falling debris. Earthquakes can demolish buildings, interrupt electrical and phone service, and rupture gas lines, creating fire hazards. After an earthquake, employees should clean up spills on the floor to prevent injury. Special care should be taken not to use matches during clean up for fire prevention purposes. Everyone should also be vigilant for earthquake aftershocks.

Building/Office Security

The security of the building is maintained by the building owner. They are responsible for overseeing everyone who enters and exits the building, monitoring the parking lots (specifically the lot located directly under the building), and locking the building at the end of each day. It is the offices responsibility to oversee the security of the office. All employees are to lock the office when there is no one present, even if another employee is arriving shortly or an employee is simple leaving the office for a brief moment. The cash drawer near the check-out desk is to remain locked at all times as well, only being unlocked to deposit or withdrawal money. Employees are to notify their manager when a substantial amount of cash accumulates in the cash drawer so that it may be transfers to the office vault. In addition the corporate wing of the office is constantly locked by key code pad whenever corporate deems necessary to close the doors. Employees are to notify corporate if anyone unauthorized gains access to the key code so they may change the code.
HIPAA Electronic Security Policies

HIPAA security regulations only apply to patients’ electronic PHI (protected health information). Electronic Security of PHIs Policies fall under the same guidelines and rules of HIPAA polices as stated above, but hold additional associated policies. To help protect PHIs all computer access requires a company given username and password. Only those employees who are protected entities of the privacy officer will have access to patient PHIs on the network. If an employee is being denied access to these folders and they believe their job requires them to view these PHIs they are to contact the privacy officer to gain access privileges.

Computer Use PHI Policy

Any computer with access to PHI is to be manned at all times. If an employee is leaving a workstation with access privileges that is accessible to authorized users they are to log off until they return at which point they may log back on. PHIs are to be kept in the folder on the network designated for them. They are never to be moved to other folders as unauthorized uses may have access to other folders. In addition, unless otherwise permitted, PHIs are not to be transferred to disks, portable drives, uploaded to e-mails or the internet, or moved to any other unauthorized electronic location.

Disasters/Computer Failure

All PHIs should be backed-up on a secure devise that is external to the network is case of computer failures, disasters, or any other reason that may cause electronic PHIs to be damaged or inaccessible. The external information is for storage and safety purposes only until such disaster occur, at which point they needs be immediately accessible such that the Company may run in emergency mode while the network/computer system is being repaired.

Security Incident

A “security incident” is defined as an “attempted or successful unauthorized access, use, disclosure, modification, or destruction of information or interference with system operations in an information system.” If any employee believes a security incident has occurred with any PHIs they are to notify the Privacy Officer immediately. Failure to do so will result in disciplinary actions.

Ergonomic Policy

Because we value employee safety, this Company follows the principles of ergonomics and motion economy in our daily routine of dental care of patients. This Company also works to seek solutions to enhance comfort and minimize risk. If you are experiencing what you think might be muscular-skeletal disorders (MSD’s), report them to your manager immediately.

Radiography

A thorough clinical examination, consideration of the patient history, review of prior radiographs, and consideration of both the dental and the general health needs of the patients should precede radiographic examination. The aim of dental radiographs is to obtain the desired diagnostic information with minimum exposure of the patient, dental personnel and public. Dental radiation is a safe and effective diagnostic tool. The following Company’s should be maintained when any employee is conducting a radiographic examination:

- Wear appropriate personal protective equipment (i.e., gloves and gown).
- Do not hold films in place for patients.
- Unless protective shielding is provided for the operator, the operator should stand at least six feet from the beam.
• Proper radiologic darkroom Company’s should be followed. These include (among others) maintaining a darkroom with adequate ventilation, avoiding repeated skin contact with processing chemicals, and avoiding microbial contamination in handling film packets.
• Confirm that x-ray units are properly collimated.
• Leaded aprons and collars should be used on patients to minimize any radiation exposure.
• Heat-sterilize non-disposable instruments/devices between patients or use disposable ones. Digital sensors that cannot be heat sterilized or immersed in liquid should be covered with disposable FDA-cleared barriers and cleaned with an appropriate disinfectant between patients (refer to manufacturer instructions). Disinfect or cover work surfaces and other contract areas between patients.

Hepatitis B Testing

Hepatitis B is caused by the Hepatitis B Virus (HBV). Although most people who contract Hepatitis B recover completely, the disease can be fatal. About one in 10 people who contract Hepatitis B become permanent carriers of the virus. Most carriers have no symptoms; however, they are capable of transmitting the disease to other people. Some carriers of Hepatitis B develop chronic active hepatitis and cirrhosis. The Hepatitis B Virus has been associated with the development of liver cancer.

The Vaccine

Immunization against Hepatitis B can help protect you against the risks of acute hepatitis, chronic active hepatitis, cirrhosis, and liver cancer. According to current medical literature, the vaccine will not result in serious side effects. A few people who receive the vaccine may experience low-grade fever, rash, nausea, joint pain, mild fatigue, or tenderness or redness at the injection site.

If you are pregnant or nursing, you should not receive the vaccine unless it is absolutely necessary. The effect of the vaccine on a fetus—and the possibility of the vaccine entering human milk—are still under research by the medical community.

Before you receive the vaccine, you should be tested to determine your immunity. If you are already immune, you currently do not need the vaccine. Please talk to your personal physician if you have questions or concerns about the vaccine.

Occupational Illnesses or Injuries – Worker’s Compensation

Any on job accident, injury or job related illness may make an employee eligible for worker’s compensation. All accidents that result in injury must be reported to the appropriate manager, regardless of how insignificant the injury may appear. Such reports are necessary to comply with laws and initiate insurance and workers’ compensation procedures. If you believe any injury or illness qualifies you for worker’s compensation notify your manager and request the proper paperwork.
Section VII. Delegation of Patient Care Functions

The Company is committed to ensuring that our patients receive appropriate care from our office, and that these services are provided by staff personnel who are properly qualified to do so. It is therefore essential to define the various patient care functions and procedures which can be performed by each category of staff personnel, and to ensure appropriate supervision of these employees while they perform these functions.

This Section of the Manual defines the various patient care services which can be provided by our dental hygienists, our dental assistants, and our dental interns. It also establishes standards and procedures for ensuring that these personnel will be appropriately supervised as they perform these services. In establishing these policies, the management of the Company is aware of its responsibilities under the regulations of the Massachusetts Board of Registration in Dentistry at 234 CMR 2.03 and 234 CMR 2.04. The regulations divide the definition of Supervision into three separate categories which must be followed in performing all procedures, as listed below:

1. **General Supervision**, which means “supervision of dental procedures based on instructions given by a licensed dentist but not requiring the physical presence of a supervising dentist during the performance of those procedures.”

2. **Direct Supervision**, which means “supervision of dental procedures based on instructions given by a licensed dentist who remains in the dental facility while the procedures are being performed by the auxiliary.”

3. **Immediate Supervision**, which means “supervision of dental procedures by a licensed dentist, who remains in the dental facility, personally diagnoses the condition to be treated, personally authorizes the procedures, and before dismissal of the patient, evaluates the treatment rendered.”

While this Section of the Manual is intended to ensure appropriate delegation of patient care services to properly qualified members of our staff, and appropriate direction and control over their performance of those services, the ultimate responsibility for the quality and necessity of the care provided to each patient remains with the patient’s attending dentist and the management of the Company. No provision of this Section is intended to be construed or applied in a manner which is contrary to that basic principle.
Delegation of Patient Care Functions to Dental Hygienists

Dental hygienists play an important role in the delivery of dental services to our patients. However, state laws and regulations place certain limitations on the range of services dental hygienists can provide, and require varying degrees of supervision of their work. In order to ensure that we are fully compliant with those restrictions, the Company has adopted the following policies and procedures concerning delegation of patient care functions to our dental hygienists and supervision of those functions by our licensed dentists.

Registration Requirements

1. All dental hygienists employed by the Company must be properly registered with the Massachusetts Board of Registration in Dentistry at all times when performing dental services for patients.
2. Each dental hygienist employed by our practice shall present proof of current, valid registration with the Board to management at the time he or she is hired, and at such intervals thereafter as management may require. In the event that there is any change in the dental hygienist’s licensure status, the dental hygienist is responsible for notifying management of that change.
3. As noted in Section 2, section 1 of this Manual, a dental hygienist whose registration with the Board is expired, lapsed or otherwise ineffective may be prohibited from working until his or her registration is reinstated, and may be subject to disciplinary action, up to and including termination from employment, for failure to do so.

Permissible Scope of Services

1. A dental hygienist may perform any and all of the following services under General Supervision, or pursuant to instructions given by a licensed dentist, even though a licensed dentist is not physically present in the office at the time the procedure is performed:
   (a) Remove tartar deposits, stains and accretions from all exposed tooth surfaces;
   (b) Remove of tartar deposits, stains and accretions from areas directly beneath the free margin of the gums;
   (c) Take dental x-rays;
   (d) Provide oral health instruction to patients;
   (e) Perform dietary analysis for dental disease control;
   (f) Take and record vital signs;
   (g) Chart dental restorations and record lesions;
   (h) Take intra-oral photographs;
   (i) Retract lips, cheek, tongue and other oral tissues;
   (j) Place temporary restorations;
   (k) Irrigate and aspirate the oral cavity;
   (l) Isolate the operative field for oral surgery;
   (m) Take impressions for study casts, athletic mouth guards or custom trays;
   (n) Take wax bite registrations for identification purposes;
   (o) Apply topical anesthetic agents;
   (p) Take oral cytologic smears;
   (q) Remove sutures;
   (r) Place and remove periodontal dressings;
   (s) Place and remove rubber dams;
   (t) Perform minor emergency orthodontic adjustments to eliminate pain and discomfort;
   (u) Cement and remove temporary crowns and bridges;
   (v) Insert and/or perform minor adjustments of athletic mouth guards and custom
fluoride;

(w) Polish teeth after a dentist or dental hygienist has determined that the teeth are free of calculus;

(x) Apply anti-cariogenic agents;

(y) Remove surgical dressings;

(z) Apply dental sealants;

(aa) Perform periodontal charting;

(bb) Conduct dental screenings;

(cc) Perform preliminary examinations to determine needed dental hygiene services;

(dd) Perform sub-gingival and supra-gingival scaling;

(ee) Perform root planing and curettage;

(ff) Polish amalgam restorations;

(gg) Apply identification microdisks; and

(hh) Perform minor emergency denture adjustments to eliminate pain and discomfort for patients in nursing homes or long term care facilities.

2. A dental hygienist may perform any or all of the following services under Direct Supervision, or pursuant to instructions given by a licensed dentist, as long as the dentist who gave the instructions remains on site while the dental hygienist performs the procedures:

(a) Remove excess cement and bonding agents from bridges and orthodontic appliances with hand instruments;

(b) Take impressions for orthodontic retainers;

(c) Perform preliminary intra-oral fittings of orthodontic bands;

(d) Perform preliminary intra-oral fittings of archwires;

(e) Place and remove orthodontic separators; and

(f) Select headgear sizes.

3. A dental hygienist may perform any or all of the following services under Immediate Supervision, pursuant to instructions given by a licensed dentist, but only if the dentist who gave the instructions remains in the office, personally diagnoses the patient’s condition, personally authorizes the procedures, and evaluates the performance of the dental hygienist before the patient leaves the office:

1) Place amalgam in a tooth for condensation by the dentist;

2) Irrigate and dry root canals;

3) Assist in the administration of nitrous oxide;

4) Remove gingival retraction cords;

5) Apply cavity varnish;

6) Remove temporary restorations with hand instruments;

7) Place and remove wedges;

8) Place and remove matrix bands;

9) Place gingival retraction cords;

10) Prepare teeth for bonding of orthodontic appliances;

11) Place and remove orthodontic archwires;

12) Remove fixed orthodontic appliances;

13) Place elastics and ligature wires;

14) Place surgical dressings;

15) Perform pulp testing; and

16) Select and try stainless steel crowns or other pre-formed crowns for insertion by the dentist.

4. A dental hygienist shall not perform any of the following patient care functions, regardless of the level of supervision available from a licensed dentist:

(a) Diagnose a patient’s oral condition;

(b) Develop treatment plans for dental services;

(c) Surgically cut or remove hard or soft tissue, other than gingival curettage;
(d) Prescribe medications or drugs;
(e) Administer general anesthesia, parenteral sedation, conscious sedation or local anesthesia;
(f) Perform extractions of teeth;
(g) Place sutures;
(h) Perform endodontic therapy, other than irrigation and drying of root canals;
(i) Perform orthodontic therapies other than:
   a. Those specifically identified in Paragraph (1), subparagraph (T);
   b. Those specifically identified in Paragraph (2), and
   c. Those specifically identified in Paragraph (3), subparagraphs (J) through (M)
(j) Apply cavity liners or base materials;
(k) Place permanent or bonded restorations in or on natural teeth;
(l) Condense or carve amalgam or composite restorations;
(m) Intra-orally finish margins or adjust the occlusion of restorations;
(n) Apply or finish composite or bonding materials for restorative or cosmetic procedures;
(o) Take impressions for fabrications of restorations, appliances, or prostheses, except for:
   1. Taking impressions for study casts, athletic mouth guards or custom trays, or
   2. Taking impressions for orthodontic retainers.
(p) Permanently cement or re-cement cast restorations or stainless steel crowns;
(q) Fabricate dentures;
(r) Adjust dentures, except for minor adjustments for nursing home patients; or
(s) Perform any other procedure which has been prohibited by the Board of Registration in Dentistry.

5. The licensed dentist who provides the instructions and supervision to the dental hygienist as required by these procedures is personally and professionally responsible for the quality and adequacy of the dental hygienist’s performance of those delegated procedures.

DELEGATION OF PATIENT CARE FUNCTIONS TO DENTAL ASSISTANTS

Dental assistants also play a significant role in the delivery of services to our patients. As is the case with our dental assistants, the Company is committed to ensuring that our dental assistants are properly qualified to deliver the services they are asked to provide, and that they do so under an appropriate level of supervision and oversight.

In determining the appropriate scope of practice for its dental assistants, the Company will comply with the requirements of the Massachusetts General Laws and the regulations of the Massachusetts Board of Registration in Dentistry at 234 CMR 2.04(15)(b). Accordingly, the Company has adopted the following policies and procedures concerning the utilization of its dental assistants:

Credentials Requirements

1) All dental assistants employed by the Company shall possess one or more of the following sets of qualifications:
   a) Certification as a “Certified Dental Assistant” by the Dental Assisting National Board, Inc.;
   b) Certification as a “Certified Orthodontic Assistant” by the Dental Assisting National Board, Inc.; or
   c) Recognition as a “Formally Trained Dental Assistant” after successful completion of a formal training program in dental assisting, including a course in radiological techniques and safeguards which meets the requirements of the Massachusetts Board of Registration
in Dentistry, at a school which is accredited by the Commission on Dental Accreditation of the American Dental Association or by another accrediting body recognized by the Massachusetts Board of Registration in Dentistry.

2) The Company may also employ an individual as a dental assistant and train that individual in the specific procedures which that individual is to perform, subject to the limitations set forth in the regulations of the Massachusetts Board of Registration in Dentistry. These "On the Job Trained Dental Assistants" may perform only those procedures set forth in Paragraph (14) below, and then only if they can provide written verification that have been trained in the performance of those procedures by a licensed dentist.

3) Each dental assistant employed by the Company shall present management, prior to being hired, with satisfactory written proof that he or she possesses one or more of the sets of qualifications set forth in Paragraphs (1) or (2) above, and that any certification he or she holds are current and in good standing. Management may require such a dental assistant to provide satisfactory written proof that he or she continues to possess such qualifications at such intervals as management may require. In the event that there is any change in the dental assistant’s certification status or other qualifications, the dental assistant is responsible for notifying management of that change.

4) A dental assistant whose certification is expired, lapsed or otherwise ineffective may be prohibited from working until his or her certification is reinstated, and may be subject to disciplinary action, up to and including termination from employment, for failure to seek or obtain such reinstatement.

Permissible Scope of Services

5) A dental assistant may perform only those patient care functions and services which are specifically authorized for his or her category of certification or training, as set forth in Paragraphs (8) through (16) below, and then only if he or she receives the level of instruction and supervision required for that procedure.

6) A licensed dentist shall provide an appropriate level of instruction and supervision to a dental assistant, as specified in Paragraphs (8) through (16) below, whenever he or she delegates the performance of a patient care function or service to that dental assistant. The licensed dentist who provides the instruction and supervision is both personally and professionally responsible for ensuring that sufficient instruction and supervision is provided and that the dental assistant performs that patient care function or service in accordance with generally accepted standards of professional performance.

7) A dental assistant shall not, regardless of his or her level of certification or training, perform any of the following functions:
   a) Diagnose oral conditions;
   b) Develop treatment plans for dental services;
   c) Surgically cut or remove hard or soft tissues;
   d) Prescribe medications or drugs;
   e) Administer general anesthesia, parenteral sedation, conscious sedation or local anesthesia;
   f) Perform extractions;
   g) Place sutures;
   h) Perform any form of endodontic therapy other than irrigation and drying of root canals;
   i) Perform any form of orthodontic therapy other than those specifically authorized for his or her level of certification or training in Paragraphs (8) through (16) below;
   j) Apply cavity liner or base materials;
   k) Place permanent or bonded restorations in or on natural teeth;
   l) Condense or carve amalgam or composite restorations;
m) Intraorally finish margins or adjust the occlusion of restorations;

n) Apply or finish composite or bonding materials for restorative or cosmetic procedures;

o) Take impressions for the fabrication of restorations, appliances or prostheses, other than impressions for study casts, athletic mouth guards, custom trays or orthodontic retainers;

p) Permanently cement or re-cement cast restorations or stainless steel crowns;

q) Fabricate dentures;

r) Perform denture adjustments, other than minor emergency denture adjustments for the purpose of eliminating pain or discomfort for a nursing home patient; or

s) Perform any other procedure prohibited by the Massachusetts Board of Registration in Dentistry.

Certified Dental Assistants (CDAs) and Formally Trained Dental Assistants (FTAs)

8) A Certified Dental Assistant with current certification from the Dental Assisting National Board, or a Formally Trained Dental Assistant, may perform the following procedures under General Supervision, or pursuant to instructions given by a licensed dentist, even if no licensed dentist is physically present in the office at the time the procedure is performed:

a) Take dental x-rays;

b) Provide instruction to a patient concerning his or her oral health;

c) Perform dietary analysis for dental disease control;

d) Take and record vital signs;

e) Chart dental restorations and record lesions;

f) Take intra-oral photographs;

g) Retract lips, cheek, tongue and other oral tissues;

h) Place temporary restorations;

i) Irrigate and aspirate the oral cavity;

j) Isolate the operative field for oral surgery;

k) Take impressions for study casts, athletic mouth guards or custom trays;

l) Take wax bite registrations for identification purposes;

m) Apply topical anesthetic agents;

n) Take oral cytologic smears;

o) Remove sutures;

p) Place and remove periodontal dressings;

q) Place and remove rubber dams;

r) Perform minor emergency orthodontic adjustments to eliminate pain and discomfort;

s) Cement and remove temporary crowns and bridges;

f) Insert and/or perform minor adjustments of athletic mouth guards and custom fluoride;

u) Polish teeth after a licensed dentist or registered dental hygienist has determined that the teeth are free of calculus;

v) Apply anti-cariogenic agents; or

w) Remove surgical dressings.

9) A Certified Dental Assistant with current certification from the Dental Assisting National Board, or a Formally Trained Dental Assistant, may perform the following procedures under Direct Supervision, or pursuant to instructions given by a licensed dentist, but only if the licensed dentist who gave the instructions remains physically present on site while the dental assistant performs the procedure:

a) Remove excess cement and bonding agents from bridges and orthodontic appliances with hand instruments;

b) Take impressions for orthodontic retainers;

c) Perform preliminary intra-oral fittings of orthodontic bands;

d) Perform preliminary intra-oral fittings of archwires;

e) Place and remove orthodontic separators; and

f) Select headgear sizes.
10) A Certified Dental Assistant with current certification from the Dental Assisting National Board, or a Formally Trained Dental Assistant, may perform the following procedures under **Immediate Supervision**, or pursuant to instructions given by a licensed dentist, but only if the licensed dentist who gave the instructions remains in the office, personally diagnoses the patient’s condition, personally authorizes the procedures, and evaluates the performance of the dental assistant before the patient leaves the office:

(a) Place amalgam in a tooth for condensation by the dentist;
(b) Irrigate and dry root canals;
(c) Assist in the administration of nitrous oxide;
(d) Remove gingival retraction cords;
(e) Apply cavity varnish;
(f) Remove temporary restorations with hand instruments;
(g) Place and remove wedges;
(h) Place and remove matrix bands;
(i) Place gingival retraction cords;
(j) Prepare teeth for bonding of orthodontic appliances;
(k) Place and remove orthodontic archwires;
(l) Remove fixed orthodontic appliances;
(m) Place elastics and ligature wires;
(n) Apply dental sealants;
(o) Place surgical dressings;
(p) Perform pulp testing; and
(q) Select and try stainless steel crowns or other pre-formed crowns for insertion by the dentist.

**Certified Orthodontic Assistants**

11) A Certified Orthodontic Assistant with current certification from the Dental Assisting National Board may perform the following procedures under **General Supervision**, or pursuant to instructions given by a licensed dentist, even if no licensed dentist is physically present in the office at the time the procedure is performed:

(a) Provide instruction to a patient concerning his or her oral health;
(b) Perform dietary analysis for dental disease control;
(c) Take and record vital signs;
(d) Chart dental restorations and record lesions;
(e) Take intra-oral photographs;
(f) Retract lips, cheek, tongue and other oral tissues;
(g) Place temporary restorations;
(h) Irrigate and aspirate the oral cavity;
(i) Isolate the operative field for oral surgery;
(j) Take impressions for study casts, athletic mouth guards or custom trays;
(k) Take wax bite registrations for identification purposes;
(l) Apply topical anesthetic agents;
(m) Take oral cytologic smears;
(n) Remove sutures;
(o) Place and remove periodontal dressings; and
(p) Perform minor emergency orthodontic adjustments to eliminate pain and discomfort.

12) A Certified Orthodontic Assistant with current certification from the Dental Assisting National Board may perform the following procedures under **Direct Supervision**, or pursuant to instructions given by a licensed dentist, but only if the licensed dentist who gave the instructions remains physically present on site while the dental assistant performs the procedure:

(a) Remove excess cement and bonding agents from bridges and orthodontic appliances with hand instruments;
(b) Take impressions for orthodontic retainers;
(c) Perform preliminary intra-oral fittings of orthodontic bands;
d) Perform preliminary intra-oral fittings of archwires;  
e) Place and remove orthodontic separators; and  
f) Select headgear sizes.

13) A Certified Orthodontic Assistant with current certification from the Dental Assisting National Board may perform the following procedures under **Immediate Supervision**, pursuant to instructions given by a licensed dentist, but only if the licensed dentist who gave the instructions remains in the office, personally diagnoses the patient’s condition, personally authorizes the procedures, and evaluates the performance of the dental assistant before the patient leaves the office:

   a) Place and remove rubber dams;  
   b) Place amalgam in a tooth for condensation by the dentist;  
   c) Irrigate and dry root canals;  
   d) Assist in the administration of nitrous oxide;  
   e) Remove gingival retraction cords;  
   f) Apply cavity varnish;  
   g) Remove temporary restorations with hand instruments;  
   h) Prepare teeth for bonding of orthodontic appliances;  
   i) Place and remove orthodontic archwires;  
   j) Remove fixed orthodontic appliances; and  
   k) Place elastics and ligature wires.

**On the Job Trained Dental Assistants**

14) A dental assistant who does not possess current certification from the Dental Assisting National Board, but who has been employed and trained as a dental assistant by a licensed dentist, may perform the following procedures under **General Supervision**, or pursuant to instructions given by a licensed dentist, even if no licensed dentist is physically present in the office at the time the procedure is performed:

   a) Provide instruction to a patient concerning his or her oral health;  
   b) Perform dietary analysis for dental disease control;  
   c) Take and record vital signs;  
   d) Chart dental restorations and record lesions;  
   e) Take intra-oral photographs;  
   f) Retract lips, cheek, tongue and other oral tissues;  
   g) Place temporary restorations; and  
   h) Perform minor emergency orthodontic adjustments to eliminate pain and discomfort.

15) A dental assistant who does not possess current certification from the Dental Assisting National Board, but who has been employed and trained as a dental assistant by a licensed dentist, may perform the following procedures under **Direct Supervision**, or pursuant to instructions given by a licensed dentist, but only if the licensed dentist who gave the instructions remains physically present in the office at the time the procedure is performed:

   a) Irrigate and aspirate the oral cavity;  
   b) Isolate an operative field for oral surgery;  
   c) Take impressions for study casts, athletic mouth guards, or custom trays;  
   d) Take wax bite registrations for identification purposes;  
   e) Apply topical anesthetic agents;  
   f) Take oral cytological smears;  
   g) Remove sutures; and  
   h) Place and remove periodontal dressings.

16) A dental assistant who does not possess current certification from the Dental Assisting National Board, but who has been employed and trained as a dental assistant by a licensed dentist, may perform the following procedures under **Immediate Supervision**, but only if the licensed dentist who gave the instructions remains in the office, personally diagnoses the patient’s
condition, personally authorizes the procedures, and evaluates the performance of the dental assistant before the patient leaves the office:

a) Place and remove rubber dams;
b) Place amalgam in a tooth for condensation by the dentist;
c) Irrigate and dry root canals;
d) Assist in the administration of nitrous oxide;
e) Remove gingival retraction cords;
f) Apply cavity varnish;
g) Remove excess cement and bonding agents from bridges and orthodontic appliances with hand instruments;
h) Take impressions for orthodontic retainers;
i) Perform preliminary intra-oral fittings of orthodontic bands;
j) Perform preliminary intra-oral fittings of archwires;
k) Place and remove orthodontic separators;
l) Select headgear sizes;
m) Prepare teeth for bonding of orthodontic appliances;
n) Place and remove orthodontic archwires;
o) Remove fixed orthodontic appliances; and
p) Place elastics and ligature wires.
Section VIII. Patient Record Documentation

This Section of the Office Policies and Procedures Manual sets forth the policies and procedures which have been adopted by the Company with respect to creation and maintenance of dental treatment records regarding our patients; ensuring the confidentiality and security of information about our patients; and ensuring appropriate access to such information by our patients and by third parties.

Creating, maintaining and preserving accurate and complete records of the services we provide to our patients, and ensuring the confidentiality and security of those records and the information contained within them is a matter of the highest priority at the Company.

Establishing and maintaining complete and accurate records about the services we provide to our patients is vital to the success of our practice for many reasons. First and foremost, such records are the primary source of information about what we did for the patient and why we did it. Good patient records ensure appropriate treatment and proper coordination and continuity of care. They also provide a means of defending the practice against malpractice claims or complaints to regulatory agencies. Finally, careful documentation of services promotes financial success by providing a sound basis for obtaining appropriate payment for the services we provide.

Patient Record Documentation Standards

The dental record for the patient provides a history of that patient's examination and treatment by this office and documents all of the interactions between the health care providers and the patient. The purposes of the record are many and include documenting the patient's health status and course of treatment, promoting coordination and continuity of care, protecting against claims of malpractice, and documenting the services provided for purposes of billing and third-party reimbursement.

The Company provides reasonable and necessary dental and orthodontic care services to our patients. A proper dental record must document the patient's particular health status, the tests and examinations performed to assist in the development of a diagnosis, the diagnostic assessment which results from those procedures, a clearly and accurately defined treatment plan which describes the services that are indicated which are consistent with the diagnosis, and documentation of the patient's progress and response to that course of treatment. Billing records must be consistent with the content of that dental record, as well as the coding criteria established by administrative agencies and third party payors. The Company is committed to creating a patient treatment and billing record which complies with the standards of federal and state law and the regulations of the Massachusetts Board of Registration in Dentistry.

Procedures

1. All health care services provided to a particular patient, whether billed or unbilled, will be documented in the dental record established for that patient, in accordance with the procedures described in this Section.

2. Each patient will be registered within the practice's record system by name, and will be assigned a unique record number.

3. The dental record for each patient will include detailed information concerning the
patient, which will be segregated and organized as follows:

**Patient Information:**
- Full Name
- Date of Birth
- Social Security Number
- Home Address
- Home Telephone Number
- Employer Name, Address and Telephone Number
- Gender
- Marital Status
- Emergency Notification Information (Name, Address and Telephone Number of Person to be Notified in Case of Emergency)
- Language

**Responsible Party Data**
- Name
- Social Security Number
- Address
- Telephone Number
- Relationship to Patient
- Employer
- Employer Address and Telephone Number

**Insurance/ Financial Information**
- Insurer Name
- Insurer’s Address and Telephone Number
- Policy Number
- Insured’s Identification Number

**Patient's Medical Information**
- Referring/Attending Physician
- Referring/Attending Physician Address, Telephone and Fax numbers
- Date of each Patient Encounter
- Patient’s description of present symptoms or reason for seeking treatment/care
- Date and time of onset of present symptoms
- History of present symptoms
- Medical history
- Examination procedures performed
- Results of examination procedures
- Dental observations
- Results of special studies performed (x-rays, etc.)
- Diagnosis
- Treatment Plan (See Below)
- Informed Consent (See Below)
- Progress Notes (See Below)
- Special/supportive procedures performed
- Discharge Summary/ Final Diagnosis
- Patient Discharge Instructions

4. All health care services provided to a particular patient, whether billed or unbilled, will be documented in the al record established for that patient, in accordance with the procedures described in this Section.

5. Each patient will be registered within the practice’s record system by name, and will be assigned a unique record number.
6. The Company will act in conformance with 234 CMR 5.15, which requires that at a minimum the following activities be recorded in the patient’s dental record:

   a) The patient’s medical and dental history at time of examination;
   b) Diagnoses;
   c) Patient education;
   d) Treatment plan
   e) Referral for specialty treatment
   f) Pre and post-treatment instructions;
   g) Information conveyed to the patient pursuant to M.G.L. c. 112 Sections 43-53 and 234 CMR 2.0 (licensing).

7. Record entries will be made in chronological order.

8. The dental record for each patient will be well organized, and record entries will be recorded in a fashion which is legible to caregivers and third parties.

9. The Company will make every effort to document each encounter or interaction with a patient on the same day that the encounter or interaction occurs and, where possible, to have the patient acknowledge that encounter or interaction.

10. The Company will ensure that dental health care services or procedures are only administered to our patients following an appropriate examination as the circumstances dictate, development of a diagnosis or report of findings, and development of a treatment plan. All of these steps are to be documented in the patient’s dental record in a manner which is clear, complete and accurate.

11. The use of abbreviations will be limited and in those instances when abbreviations are used, codes and/or definitions will be provided for each and every abbreviation used.

12. The components of the treatment plan for each patient will include:
   a) A description of all therapies and/or treatment procedures to be employed;
   b) The anticipated frequency of treatment;
   c) The anticipated duration of the course of treatment;
   d) Work restrictions, if any;
   e) Anticipated periods of disability, if any;
   f) Prognosis, including complicating factors;
   g) Supplies or supplements recommended;
   h) Referrals to other providers;
   i) Short and long term goals; and
   j) Home care recommendations.

13. Informed consent shall be obtained for all new patients before treatment is administered to the patient. Informed consent shall also be obtained from established patients prior to administration of further treatment if there has been a significant change in the patient’s condition or diagnosis.

14. The process of obtaining and documenting informed consent shall include:
   a) An explanation of the physical examinations and tests to be performed;
   b) An explanation of the diagnostic findings made;
   c) An explanation of the proposed short and long term treatment goals;
   d) An explanation of the proposed treatment(s) to be used;
   e) An explanation of the benefits and material risks of each treatment option.
including the option of not undergoing any treatment;
f) The signature of the patient on a consent form indicating what, if any, treatment options the patient has chosen to undergo;
g) When a patient is a minor, the signed consent of a parent or guardian; and
h) When the patient is non-English speaking, a record of the effort to explain the above items and obtain the patient’s informed consent.

15. Progress notes on a patient shall be kept within the patient’s record and available for use by each clinician that treats a patient. Progress notes shall indicate patient’s conditions and complaints, the results of any examinations or observations of the patient, the clinician’s assessment, and the intended plan of action for the patient based on treatment data. The progress notes in the patients’ file should be brief, clear, and precise, and should document anything that affects the patient’s progress. These notes should be organized, report any changes from previous encounters, and should note any positive or negative examination findings and/or test results. These notes should relate the information gained to the treatment plan, explain inconsistencies, justify treatment goals, where applicable, and provide details regarding the patient’s status and any necessary changes in treatment approach. These notes should include a description of any referral to be made, further patient education or home recommendations, changes in the treatment plan, changes in the type, frequency or duration of treatment, and any discharge plans.

16. Each patient’s dental record will be maintained and assembled utilizing the standardized chart order noted in Paragraph 3 of this Section, and all documents will be properly secured in the patient’s dental record.

17. Deviations from this policy and procedure must be approved in writing by Management.
PATIENT RECORD MAINTENANCE AND RETENTION

1. Patient records are to be kept for a minimum of seven years from the date of the last patient encounter. In the case of a patient who is a minor (under the age of 18) at the time of the last patient encounter, the patient’s record shall be retained for seven years from the date of the last patient encounter, or for three years after the patient attains the age of 18, whichever is longer.

2. Dental and billing records of patients are to be maintained in a secure (locked) file cabinet accessible only to those designated by management to have access.

3. Dental and billing records must be secure to protect against loss, destruction, unauthorized access, unauthorized reproduction, corruption or damage.

4. All dental and billing records are to be returned to the secure filing cabinet promptly after use. In no event should any dental or billing record be unsecured at the end of the day.

5. In the event that a patient’s dental and billing records are to be destroyed, the records shall be destroyed in a manner which ensures that all contents of the record are rendered unintelligible.

6. Management or its designated representative is responsible for the maintenance, record keeping and security practices of this office and the ultimate destruction of patient records.
SECTION IX. HIPAA

The Health Insurance Accountability and Portability Act (HIPAA), HITECH HIPAA Omnibus Regulations must be followed with great attention in regards to the confidentiality and security of all our Protected Health Information, and the Company follows this statute in strict accordance with its provisions. The Privacy Officer plays an important role on ensuring that all employees comply with HIPAA, but employees must recognize that their individual responsibilities are significant as well. Individual liability and penalties for employees as well as employers can be assessed by government agencies. Training will be provided to employees on complying with these statutes.

Protecting the confidentiality of the information we obtain about our patients is the shared responsibility of management and staff. In the performance of job duties, employees may receive, overhear or have access to information regarding patient's medical, fiscal or other related information that may be considered confidential. Confidential information must not be discussed or shared in any way except in the course of business and any such discussions must be conducted in a secure, confidential setting. This office remains committed to being fully compliant with HIPAA and all applicable laws, rules and regulations that protect patient privacy and the confidentiality of patient information. Management has designated its Privacy Officer to oversee compliance with the policies and procedures, set forth below, regulating the privacy, confidentiality, security and maintenance of patient records and information.

HIPAA: Confidentiality of Patient Records and Information

1. **Protected Health Information:** “Protected patient information” (PHI), as used in this Section and under the Health Insurance Portability and Accountability Act (HIPAA) and HITECH regulations, means:
   (a) Information relating to the past, present or future physical condition or health status of a specifically identifiable individual;
   (b) Information relating to the past, present or future mental health status of a specifically identifiable individual; and
   (c) Information relating to past, present or future payment for any health care services rendered to a specifically identifiable individual.

2. **Privacy Officer:** The Privacy Officer for the practice will be responsible for implementation of office policies to ensure compliance with HIPAA regulations. The privacy officer must follow the guidelines set out in the HIPAA Privacy Officer Compliance Guide set forth in the practice HIPAA Policy Manual.

3. **Disclosure Through Written Authorization:** As a general rule, patient records and PHI shall not be released or disclosed to anyone other than the patient himself or herself without the prior written authorization of the patient. As required by the HIPAA regulations, such written authorizations will be written in plain, easily understandable language, and must:
   (a) Identify the patient whose information is being requested;
(b) Identify specifically the individual(s) to whom the information is being furnished;
(c) Specify the particular records or information which will be disclosed;
(d) Specify the purpose for which the information being disclosed will be used;
(e) Specify the length of time for which the party receiving the information will have access to it;
(f) Specify how the patient who gives the authorization may revoke that authorization; and
(g) Bear the signature of the patient whose information is to be disclosed, and the date on which the patient signed it.

4. **Authorization Not Required:** Written authorization from the patient, as described in Paragraph (3) above, will not be required for disclosure of PHI in the following situations:

(a) When the party requesting the information is the patient himself/herself;
(b) When the information being requested does not contain any data which would permit identification of the patient who is the subject of that information (e.g., aggregate data which does not identify particular patients or records which have had all patient-identifying information removed);
(c) When information about a specifically identified patient is being provided to another health care provider who has been or is currently providing services to that patient, and the information is being disclosed for the purpose of providing, coordinating or managing the delivery of health care services for that patient (e.g., disclosures made in connection with consultations with another health care provider concerning the patient’s care, or disclosures made for the purpose of referring the patient to another provider for further care);
(d) When information about a specifically-identified patient is being provided to another entity which is providing services for that patient, and the information is being disclosed to that entity for the purpose of obtaining payment for health care services rendered to that patient (e.g., disclosures necessary to determine coverage or eligibility for third-party payment, and disclosures necessary to obtain payment or reimbursement for services provided);
(e) When information about a specifically identified patient is being provided to another entity which is providing services for that patient, and the information is being disclosed for use in:
   (1) Quality assessment or improvement activities;
   (2) Provider performance evaluation, credentialing or accreditation;
   (3) Conducting or arranging for treatment reviews, utilization reviews, audits, fraud and abuse detection programs or compliance programs;
   (4) Underwriting, risk rating or risk re-insurance functions;
   (5) Business planning, development, management or administration.
(f) When information about a specifically-identified patient is being provided to a government agency which has regulatory authority over the Company in connection with an audit, complaint investigation or other regulatory oversight function;
(g) When information about a specifically-identified patient is being provided to a government agency authorized by law to collect or receive information necessary to prevent or control diseases or injuries;
(h) When information about a specifically-identified patient is being provided to a governmental agency which is authorized to receive reports of abuse, neglect or domestic violence because the patient in question is believed to be a victim of such abuse, neglect or domestic violence;
(i) When information about a specifically-identified patient is being disclosed in a judicial or administrative proceeding pursuant to a subpoena.

5. **Patient Opportunity to Agree or Object to Disclosure:** Although prior written authorization from the patient is not required for disclosure of PHI in the following
additional situations, the patient must be given an opportunity to orally agree to, or object to, disclosure of the information in the following situations:
(a) When information about specifically-identified patients is disclosed for the purpose of establishing or maintaining patient directories;
(b) When information about a specifically-identified patient is being provided to a family member, relative or friend who is involved in the care of that patient or payment for the care provided to that patient;
(c) When information about a specifically-identified patient is being provided to a family member, relative or friend for the purpose of notifying them of the patient’s location, general health status or death.

6. Preventive Steps to Prevent Unauthorized Disclosure:
Management and staff must take all reasonable and necessary steps to ensure that unauthorized third persons do not gain access to patient records and other protected patient information, including all steps reasonably necessary to ensure compliance with all applicable HIPAA regulations. These steps shall include, but shall not be limited to:
(a) Ensuring that patient records and other documents containing protected patient information are not left in locations where they might be viewed by others;
(b) Ensuring that such records and information are kept in a secure, locked cabinet when they are not in use; and
(c) Ensuring that protected patient information which is displayed on computer monitor screens is not visible to unauthorized persons.

7. Minimum Necessary Rule: All employees must be made aware of they should not use or access PHI except to the minimum extent necessary to perform their jobs.

8. Determination of Minimum Necessary Disclosure: If necessary, the Privacy Officer will determine the minimum necessary amount of PHI that can be disclosed based on these factors:
a) The amount of information being disclosed;
b) The number of individuals or entities to whom the information is being disclosed;
c) The importance of the use or disclosure;
d) The likelihood of further disclosure;
e) Whether the same result could be achieved with de-identified information;
f) The technology available to protect confidentiality of the information.

9. Patient Discussions: Management and staff must ensure that all discussions with patients concerning their health status, course of dental, insurance benefits, or financial obligations to the practice take place in a private room or other setting which provides sufficient visual and auditory privacy so that legally protected patient information will not be overheard by, or inadvertently disclosed to, unauthorized persons.

10. Business Associates: Management and staff must ensure that all entities with whom the Company does business (e.g., billing companies, practice management companies, etc.) and which are granted access to protected patient information follow the principles set forth in this Section, are abiding by their business associate agreement with management and that any unauthorized use of protected patient information by such entities is reported to the Company immediately upon discovery of such unauthorized use. Management and staff must also ensure that such entities either return any protected patient information which is in their custody to the Company, or destroy all such information, at the time the business relationship with the Company is terminated.
11. Notice of Privacy Practices: the Company will develop a written Notice of Privacy Practices which summarizes the policies and procedures about confidentiality of patient records. Copies of this Notice of Privacy Practices will be available for patients to retain, and will be in a conspicuous location in the office at all times. Copies of this Notice of Privacy Practices will be furnished to every patient at the time of the first patient encounter, and every effort will be made to ensure that each patient acknowledges receipt of that Notice.

12. Unauthorized Disclosures Record: As part of the Privacy Officer’s responsibilities as custodian of patient records and protected patient information, he or she shall record, in writing, in each patient’s dental record file, all unauthorized disclosures of patient records or protected patient information pertaining to that patient (breaches) which have been made by the Company or any of its employees or agents. This record of patient information disclosures shall include the date of each disclosure, the name and address of the party to whom the information was disclosed, and the purpose for which the disclosure was made. Disclosure logs shall be submitted to the United States Department of Health and Human Services (HHS) on an annual basis for breaches of HIPAA rules regarding disclosures of PHI involving less than 500 individuals, and immediately if the breach involves more than 500 individuals...

13. Training: The Privacy Officer shall be responsible for ensuring that all management and staff receive appropriate training on all such laws, rules, regulations and policy guidelines. The Privacy Officer must be aware of any major changes to HIPAA regulations and communicate these changes to all management and staff.

14. Rights to Restrict Disclosures to Insurance Plans: All employees must be aware of patients’ rights under the HIPAA, HITECH and HIPAA Omnibus regulations to restrict disclosures of PHI to an insurance plan to information concerning treatment for which the patient has paid in full.

15. Right to Receive Communications Through Alternative Means: All employees must be aware of patients’ rights under the HIPAA, HITECH and HIPAA Omnibus regulations to receive communications by alternative means other than electronic mail.

16. Risk Assessment of “Breach” for Notification Purposes: Any disclosure of PHI should be reported to the Privacy Officer, who will then determine based on a Risk Assessment whether or not there must be notification of the affected parties or the HHS, based on the following factors:

- The nature and extent of the PHI involved, including the types of identifiers and the likelihood of re-identification;
- The unauthorized person who used the PHI or to whom the disclosure was made;
- Whether the PHI was actually acquired or viewed; and
- The extent to which the risk to the PHI has been mitigated.

Patient Access to Medical Records and Information

1. Patients have the right to inspect and receive copies of their medical records.

2. All patient requests for access to their particular records must be made in writing.
3. Upon written request, the patient shall have access to review their records. However, the Company reserves the right to deny the patient access to certain portions of their medical records such as psychotherapy notes; information compiled in reasonable anticipation of or for use in a civil, criminal or administrative action or proceeding; protected health information maintained by a practice subject to HIPAA (to the extent access to an individual would be prohibited by law); or information which the Privacy Officer or designated representative reasonably believes could endanger the life or safety of the patient or others if accessed. The Privacy Officer or designated representative shall consult with legal counsel prior to denying a patient access to any portion of their medical record pursuant to this Paragraph.

4. The denial of access to patient record must be in writing and must contain an explanation of the reasons for the denial.

5. The patient shall have the right to appeal the denial of access to their medical records to the Privacy Officer or designated representative, in writing.

6. Decisions regarding such appeals shall be rendered in writing.

Amendment of Patient Records

1. This office recognizes the need and requirement to maintain accurate patient records.

2. The Privacy Officer or designated representative will serve as the office representative in those instances where a patient seeks to amend his or her record.

3. Any request to amend a patient record must be in writing and signed by the patient. The request must provide a specific portion of the record to be amended and a detailed reason for the amendment.

4. Upon receipt of the written request, the Privacy Officer or designated representative must then contact the author of the portion of the record which the patient is seeking to amend.

5. The author may either act to amend the record, or decline to do so. If the author elects to amend the record, he or she shall not alter the actual record but shall add the amendment as a supplement to the original record and include a reference to the amendment. The fact that the record has been amended and the specific reasons for the amendment must both be noted in the record itself. The author shall also sign and date the amendment.

6. The patient shall then be notified, in writing, of the decision to amend the record or denial of the request to do so. A record of that contact shall be kept in the patient’s file.

7. Where the decision of the author is to amend the record, the patient is to be notified of the decision, the change to be made and the date of the amendment. Where the decision is to not amend the record, the patient shall be notified of the decision, in writing, and the reason for the denial.
7. All patient requests to amend their medical records will be noted in the Compliance Log maintained by the Privacy Officer.

**Accounting for Disclosures of Patient Information**

1. Under Federal HIPAA regulations, a patient is entitled to receive an accounting of all disclosures of protected patient information which have been made in the six years immediately preceding the date of the patient’s request for the accounting. The Company recognizes this obligation and will honor all patient requests for such an accounting.

2. The Privacy Officer or designated representative will serve as the office representative in those instances where a patient requests an accounting of all disclosures of protected patient information.

3. Any request for an accounting of all disclosures of protected patient information must be in writing and signed by the patient.

4. Upon receipt of the written request, the Privacy Officer or designated representative shall review the patient’s record file and compile a list of the disclosures of patient records or protected patient information which have been made in the six years immediately preceding the date of the patient’s request. The resulting list of such disclosures shall then be furnished to the patient within the time period prescribed by HIPAA regulations.

**Computerized Patient Records**

1. If the office utilizes its computer system to maintain portions of the patient’s record, the Privacy Officer or designated representative is responsible to ensure that the computer system meets all reasonable, necessary and appropriate requirements for the protection, security and confidentiality of the patient records kept on the computer system.

2. The Privacy Officer or designated representative is responsible to ensure that all third persons to whom protected patient information is electronically transmitted meet the appropriate standards for the protection of patient confidential information as required by HIPAA and any other law.

**Disciplinary Sanctions for Failure to Abide by These Procedures**

1. The Company is dedicated to full compliance with this record keeping and confidentiality program.

2. All employees are required to be educated and trained in the policies and procedures for these record keeping rules and regulations. The Privacy Officer or designated representative will provide necessary education and training programs to employees regarding these policies and procedures concerning patient records and billing.
3. The Privacy Officer will monitor and/or audit a random sample of dental and billing records on a periodic basis to ensure that our health care providers and billing staff are acting in compliance with all relevant Laws, Rules and Regulations and the policies and procedures set forth in this Chapter. The Privacy Officer and staff must take the necessary steps to ensure that billing statements for reimbursement of services are submitted for patient and/or third party payer reimbursement, are accurate and true.

4. Each employee has an obligation to report any suspected violations of these rules and regulations. The failure to report such violations is the subject of potential disciplinary action, including termination.

5. Any employee who fails to act responsibly regarding patient records and information, as detailed above, will be subject to disciplinary action, including termination.

SECTION X. Billing Coding and Payment Procedures
Reimbursement Data and Documentation Standards

The Massachusetts Board of Registration in Dentistry requires dental practices to use proper billing practices for obtaining reimbursement for treatment. The Company recognizes that the purpose for such billing practices is to simplify paperwork, standardize procedures, prevent fraud and provide adequate measures of the care provided. The Company remains committed to ensuring that our reimbursement procedures comply with all federal and state laws, regulations, guidelines and policies. This commitment includes the adoption of the following policies and procedures to ensure accurate billing of claims for services that are actually rendered and deemed medically necessary. The obligations of this policy and the following procedures are applicable to all employees.

1. The intentional submission for reimbursement of any claim that is not true, or which is fraudulent or fictitious in any material respect is absolutely prohibited. Any employee who engages in such conduct shall be subject to disciplinary action, up to and including termination of employment, in addition to any penalties which may be provided by law.

2. The Company will also take reasonable steps, including but not limited to the procedures set forth below, in an attempt to prevent accidental submission of any claim that is false or inaccurate.

Coding of Services

1. The Company agrees to comply with the common coding definitions applicable for dentists, including evaluation and management services. Coding of all services rendered to patients shall be in accordance with those common coding definitions and coding decisions shall be based on the three essential criteria set forth in those coding definitions, which are:
   - History
   - Examination
   - Dental treatment

2. Employees who provide health care services/procedures will report, and submit for billing, only those services/procedures which are completely and accurately documented in the patient’s dental record.

3. Services or procedures performed for a patient will only be entered into the billing system for reimbursement following the submission of a completed service/procedure slip which identifies the specific services/procedures rendered with the attestation of the caregiver that they have completed and documented the identified services/procedures.

4. All data included in filed claims must be based on dental record documentation sufficient for proper auditing and verification.

5. Sufficient documentation may include, but shall not necessarily be limited to, the following:
   a) Dental records which provide complete and accurate dental information to support that the reported service(s)/procedure(s) were performed.
   b) Provider and professional components of physician fees should be supported by auditable physician time records.
c) Administrative services should be supported by contracts, description of services, etc.

d) Patient services for all third party payer types should be supported by logs, reconciliation, etc.

6. Questions regarding reimbursement and supporting documentation must be resolved prior to submitting any claim for payment.

7. Any questionable billings, errors, or lack of sufficient documentation must be reported immediately to management.

8. All employees will receive compliance training related to billing and reimbursement activities.

9. Any employee who has knowledge of any discrepancy related to submission of a claim for reimbursement which is false or contains false information must report that problem to management or use the suggestion box.

10. Failure to report a known discrepancy related to a claim for reimbursement will be grounds for disciplinary action.

11. Any employee who reports any discrepancy relating to a claim for reimbursement to the management, or who provides information in connection with any inquiry or investigation into any such alleged discrepancy, and who does so in good faith, will be protected from any retaliatory or disciplinary action.

12. All reimbursement and billing procedures contained in this policy will be integrated into the daily operations of the practice.

13. Management will respond to all problems, concerns or questions related to reimbursement practices, and ensure that appropriate remedial actions are taken for any billing or reimbursement irregularities uncovered.

14. Management will provide necessary training related to reimbursement practices, and that specialized training is provided to all reimbursement personnel by third party providers as may be appropriate.
Section XI Compensation

Pay Days

The payroll cycle begins on Monday and ends fourteen days later on Sunday. Payment is issued every 2 weeks. Each paycheck will include earnings for all work performed through the end of the previous pay period. Overtime will be paid in the next pay period following the pay period during which the overtime was accrued. If a regularly scheduled payday falls on a holiday, employees shall be paid on the last workday before the regularly scheduled payday.

Time Reporting

All employees are responsible for reporting their hours by clocking in at the beginning and at the end of the workday. Any variation in reported hours will be should be added or subtracted from the next period’s hours by notifying the manager and having the records adjusted for that variation. Improper use or abuse of this time reporting honor system may result in disciplinary action or termination.

Deductions Policy

Federal and state law requires the company to make certain deductions in employee paychecks. In addition the employee may be part of company programs that also require deductions such as medical insurance and 401k plans. All deductions are noted on each paycheck and the name associated with the deduction. If an employee has any questions regarding deductions they may contact their manager.

Employment Categories

Each employee shall be designated as either NON-EXEMPT or EXEMPT from federal and state wage and hour laws.

- **NON-EXEMPT** employees shall be entitled to overtime pay under specific provisions of federal and state laws. This category generally includes persons involved in administrative duties (i.e., secretarial, receptionist, clerical) not in a supervisory role.

- **EXEMPT** employees shall not be entitled to overtime pay and are excluded from specific provisions of federal and state wage and hour laws. This category generally includes professionals or administrative employees with supervisory responsibilities and/or exercising discretion and independent judgment relating to the management of the Company.

Additionally, each employee shall belong to one of the employment categories below:

- **REGULAR FULL-TIME** employees are those who are not in a temporary status and who are regularly scheduled to work the Company’s full-time schedule (i.e., a minimum of 30 hours per week). Such employees shall be eligible for the Company’s applicable benefits package after three months of service.

- **REGULAR PART-TIME** employees are those who are not assigned to a temporary status and who are regularly scheduled to work less than the full-time work schedule but at least 20 hours per week. Regular part-time employees shall be eligible for Company’s applicable benefits package after one year of service, but are responsible for benefit costs.
TEMPORARY employees are those who are hired on a temporary and/or interim basis. Employment assignments in this category are of a limited duration. Employment beyond any initially stated period does not in any way imply a change in employment status. Temporary employees shall retain their status unless and until notified otherwise in writing. Temporary employees shall receive legally mandated benefits (such as worker’s compensation insurance and Social Security), but are ineligible for participation in any benefits packages provided by the Company.

CONTRACT personnel are those who are retained to perform defined tasks as independent contractors. The work assignments may be given on an intermittent basis. This personnel category shall be classified as temporary and/or of a limited duration. Contract personnel shall be ineligible for the Company’s benefit program. Contract personnel are responsible for all aspects of reporting and paying their Federal Income, State Income and FICA taxes. The Company will report the contract compensation to the IRS on form 1099.

Overtime

Only those employees classified as NON-EXEMPT shall receive overtime pay for overtime work in accordance with the Fair Labor Standards Act.

Unemployment Compensation

This Company contributes to a state-administered program to provide financial assistance to those in periods of unemployment. For further information regarding this matter review the poster in the employee changing room (refer to the facility map in the appendix).
Section XII - Benefits

Basic Benefits

Regular full-time employees will be eligible for coverage in accordance with the terms and conditions of the Company’s policies and qualified plans, as they become available. Any benefit offered by the Company to its full and part-time employees may be changed at any time upon notice in the sole discretion of management, except for those benefits that are required by law.

Paid Time Off and Paid Sick Leave (“PTO”) (Full-time employees only)

PTO is planned absence from work, including vacation, sick leave, time for doctor’s appointments, and all other personal matters other than a paid holiday. PTO is a benefit for demonstrated service to the Company and is not an entitlement based on age or experience. Full-time personnel are qualified for combined PTO and paid sick leave (referred to as “PTO”). This applies to all regular staff members. Doctors have a separate vacation agreement within each individual employment contract. Part-time employees are not eligible for PTO.

Eligibility for PTO begins at the start of employment, but cannot be used until after the employee’s 3 month probationary period. If an employee leaves on his or her own or is terminated within 90 days of employment, the employee can keep the employee’s accrued PTO.

The Company encourages all personnel to make regular use of paid time off since annual time off is designed to provide you with an opportunity to rest and enjoy a departure from the normal work routine. The PTO is accrued as follows:

- 40 hours a year (1.54 hours each pay period) for the 1st year of employment
- 80 hours a year (3.08 hours each pay period) for the 2nd year of employment
- 120 hours a year (4.62 hours each pay period) for the 5th year of employment

This applies for all regular staff members. Doctors have a separate vacation agreement within each individual employment contract.

Starting with the calendar year 2016, full-time personnel will be able to carry over a maximum of 40 hours of combined PTO and paid sick leave each calendar year.

For the cycle ending on December 18, 2015, any PTO remaining after the 40 hours being carried over and the PTO the employee is taking during the last 2 weeks of December, 2015, will be paid out. For example, if an employee has 90 hours of PTO on the cycle closing on December 18, 2015 and such employee is taking 40 hours of PTO during the last 2 weeks of December, such employee will have 40 hours of PTO being carried over into the 2016 year, 40 hours of PTO as requested and an additional 10 hours of PTO paid out during the last 2 weeks of December. Part-time employees are eligible to accrue 1 hour of paid sick leave for every 30 hours worked up to a maximum of 40 hours, even though they are not eligible for PTO.

Paid Sick Leave (Part-time Employees)

Part-time employees are only eligible for paid sick leave, as required under Massachusetts Paid Sick Leave Act. Part-time employees are eligible to accrue 1 hour of paid sick leave for every 30 hours worked up to a maximum of 40 hours. The paid sick leave can be used to:
1. Care for his or her child, parent or spouse’s parent who is suffering from an illness or medical condition that requires home care, professional medical diagnosis or care, or preventive care;

2. Care for his or her own physical or mental illness, injury or medical condition that requires medical diagnosis or care, or preventive medical care;

3. Attend his or her own routine medical appointments or those of his or her child, spouse, parent, or spouse’s parent; or

4. Address the psychological, physical or legal effects of domestic violence.

5. To travel to and from an appointment a pharmacy, or other location related to the purpose for which sick time may be taken.

The paid sick time is not in addition to regular paid time off accrued by an employee, but allows employees with less paid time off to use the Massachusetts statute requiring paid sick leave to supplement that paid time off. It must be noted that the Company provides equal to or more than the amount of Paid Time Off that the law requires, and thus in very few instances would the law apply to full-time employees.

Under the Massachusetts Paid Sick Act, accumulated paid sick leave carries over into the following calendar year only to the extent that the employee has not earned at least 40 hours of paid sick leave in that following calendar year. No employee may use any more than 40 hours of paid sick leave in any calendar year. If an employee leaves on his or her own or is terminated within 90 days of starting employment, the employee is not eligible to take accrued paid sick leave.
Business Travel / Expenses

By way of introduction, while the Company is interested in ensuring employees’ comfort and well-being when traveling on behalf of the Company, extravagant expenses are unacceptable. The general guidelines are as follows:

**APPROVAL** - Business travel must be pre-approved by the employee’s manager.

**TRANSPORTATION** - With respect to rental cars, employees (1) should rent mid-sized cars, (2) should purchase any additional available insurance policies since the Company does not already carry such coverage, and (3) should refuel the car prior to returning it. With respect to use of personal vehicles for Company business, employees shall be reimbursed in accordance with IRS guidelines.

**MEALS** - Employees will be reimbursed for the actual and reasonable costs of meals.

**ENTERTAINMENT** - The Company will reimburse reasonable expenses incurred in entertaining prospective or existing clients and/or associates of the Company. Entertainment of other employees will not be reimbursed. Entertainment must be approved by a manager prior to incurring the expense and will not be reimbursed for any immoral, illegal or other venues unsuitable for business interaction.

**REIMBURSEMENT** - Employees will be promptly reimbursed for reasonable and customary expenses, in accordance with the current laws. As soon as possible after incurring such a reasonable expense, employees shall submit a Company-provided expense report to their manager for approval. Original receipts for any expenses in excess of $10.00 must be submitted with the applicable expense report. Expenses must be substantiated as to (1) amount, (2) time and place and (3) business purpose. For entertainment expenses, the business relationship of the person entertained must be substantiated. Expense reports filed beyond 30 days of the incurrence thereof may not be reimbursed at the Company’s discretion.

Professional Liability (Malpractice) Insurance Policy

Please refer to your employment contract for the Company Policy on each individual’s professional liability (malpractice) insurance policy.

Continuing Education Policy

This Company holds a strong interest in your professional advancement. Therefore, all employees are encouraged to attend continuing education class and will receive full reimbursement for approved classes. Some continuing education classes are held by the Company as well as its doctors and all employees are encouraged to attend. Classes must be approved in advance by a manager and director.

Performance Appraisals/Raises

Each year employees will receive a performance appraisal based on the employee’s date of hire or the calendar year, at the discretion of management. The objectives for appraising employees are to document accomplishments of an employee during the appraisal period, to provide the employee with performance measures and indicators for individual development and to document

Rev 050719
skills of the employee so the Company can fully utilize employee capabilities. Any raises or bonuses will be indicated during the appraisal.
Section XIII  Miscellaneous Policies

Personnel Records

Employees should notify Management when there is any change in status (e.g., change in marital status, change in address, change in withholding, etc.) This is necessary so personnel and payroll records can be updated. All employee personnel records are kept confidential. Employees may review their personnel records upon request, and upon leaving the Company may request to have a copy of their personnel records.

New Hire Checklist

As an employee of The Company we want to ensure that we have provided you with the proper training and information to perform your job. Review the following checklist and make sure nothing got left out of your training. If you have any questions or are unfamiliar with any material on the checklist contact your manager.

☐ All employee documents such as state and federal forms were completed, signed, and handed in
☐ Your social security number is on file
☐ Your manager has insured that you comply with INS (Immigration and Naturalization Services) regulations
☐ All applicable licenses are on file
☐ If your responsibilities include dental radiography procedures, you were given proper training
☐ Employee application and resume are both completed, signed, and are on file
☐ If applicable, all verifications of immunizations, such as hepatitis vaccine, are submitted, on file, and up to date
☐ An emergency contact number was provided and on your employee record
☐ Any necessary offices keys were provided and signed out.
☐ Tour of the office and facilities was given and you are familiar where various rooms and equipment are located to the extent that you are able to provide directions to patients and so you know the location of everything that pertains to your job such as patient records, storage for personal belongings, insurance forms, etc.
☐ Introductions to coworkers was given so you know the appropriate person to contact with various questions or deliverables
☐ Job specific training was provided (i.e. use of office software systems, how to check-in/out patients)
☐ Office security and safety policies were explained such as fire exits and which drawers are to remained locked.
☐ Philosophy and mission statement was discussed as well as performance expectations
☐ HIPPA and confidentiality policies were thoroughly discussed
☐ All applicable benefits were discussed
☐ You have read this manual all the way through and signed a document indicating you had done so
☐ Anti-harassment policies were discussed
☐ All compensation was discussed and agreed upon
☐ Communication policies were discussed
☐ You have a copy of the office organizational chart
☐ You have signed a document outlining the responsibilities and expectation of your position and a copy is on record
☐ Performance evaluation process was discussed
☐ Work schedule, dress and appearance, and attendance policy including who to contact in case of absences of tardiness were all discussed
Employee Policy Manual

Personal Information

This sheet is for company records. Please fill it out, detach it from the manual, and turn it in to your manager. If there is a change in your personal information at any time (i.e., change in address, marital status) please inform the appropriate person to get the records updated.

Name: Last
First
Middle
Phone:
Home: ( )
Bus.: ( )
Address: (Number, City, State and Zip)
Marital Status:
□ Married □ Single □ Divorced □ Widowed
Social Security Number:
Age:
If you are not an American citizen: Work Visa number and exp.
Date
E-mail address:
Company E-mail address:
Employee Status (i.e. full-time, part-time):

Emergency Contact Information

Primary Contact
Name:
Relationship:
Home # ( ) -
Work # ( ) -
Secondary Contact
Name:
Relationship:
Home # ( ) -
Work # ( ) -

MEDICAL HISTORY

Physician’s Name: ________________________________ Date of last visit: ____________________

Have you ever taken any of the group of drugs collectively referred to as “fen-phen”? These include combinations of Ionimin, Adipex, Fastin (brand names of phentermine), Pondimin (fenfluramine) and Redux (dextefluramine). □ Yes □ No

AIDS/HIV □ Yes □ No Glaucoma □ Yes □ No Diabetes □ Yes □ No
Anemia □ Yes □ No Heart murmur □ Yes □ No Chemotherapy □ Yes □ No
Arthritis, Rheumatism □ Yes □ No Hepatitis Type ________ □ Yes □ No Stroke □ Yes □ No
Asym □ Yes □ No Herpes □ Yes □ No Thyroid problems □ Yes □ No
Blood disease □ Yes □ No High blood pressure □ Yes □ No Tonsilitis □ Yes □ No
Chemical dependency □ Yes □ No Jaundice □ Yes □ No Tuberculosis □ Yes □ No
Circulatory problems □ Yes □ No Liver disease □ Yes □ No Ulcer □ Yes □ No
Congenital heart lesions □ Yes □ No Kidney disease □ Yes □ No Venereal disease □ Yes □ No
Cortisone treatments □ Yes □ No Mitral valve prolapse □ Yes □ No Pacemaker □ Yes □ No
Emphysema □ Yes □ No Psychiatric care □ Yes □ No Do you wear contact lenses? □ Yes □ No
Epilepsy □ Yes □ No Radiation treatment □ Yes □ No Take any non-prescribed drugs? □ Yes □ No
Scarlet fever □ Yes □ No Respiratory disease □ Yes □ No If yes, what and how often? ____________________________

FOR WOMEN ONLY:
Pregnant? Due date________ □ Yes □ No Taking birth control pills? □ Yes □ No
Are you nursing? □ Yes □ No

List any medications you are currently taking and the correlating diagnosis:

Med: __________________ Dose: __________ Frequency: __________ For: __________

Indicate any allergies to the following:

□ Aspirin □ Iodine □ Penicillin
□ Barbiturates □ Latex □ Sulfas
□ Codeine □ Local anesthetic □ Other ______

Pharmacy name: ____________________________ Phone (____) ________

I attest that the medical information above is true and accurate. I accept full responsibility for any information not shared with the Company.

Employee Signature: __________________________ Date: ______/____/____

Rev 050719
Pre-Employment Drug Testing Agreement

I hereby consent to submit to a urinalysis and/or other tests as shall be determined by The Company in the selection process of applicants for employment for the purpose of determining substance use.

I agree that The Company may refer me for collection of these specimens for the tests and forward the results to (the designated Medical Review Officer), and from the Medical Review Officer to the employer. Positive results may be reported to the employer by the Medical Review Officer.

I understand that the current use of illegal drugs shall prohibit me from being employed with the Company.

I further agree to hold harmless the laboratory and the Medical Reviewer from any liability arising in whole or in part from the collection of specimens, testing, and the use of the results from said tests in connection with the Company consideration of my application for employment.

I further agree that a reproduced copy of this pre-employment consent and release form shall have the same force and effect as the original.

I have carefully read the foregoing and fully understand its contents. I acknowledge that my signing of this consent and release form is a voluntary act on my part and that I have not been coerced by anyone to sign this document.

Applicant’s printed name:  ____________________________________________________________

Applicant’s social security number: ____________________________

Applicant’s signature:  ____________________________________________________________

Date:  ____________________________________________________________

Witness’ printed name:  ____________________________________________________________

Witness’ signature:  ____________________________________________________________

Date:  ____________________________________________________________
Consent Form: Hepatitis B Vaccine

I have received information from the Company about Hepatitis B and the Hepatitis B vaccine. I understand the benefits, risks and possible side effects of the vaccine. I have been given the opportunity to ask questions. I understand that, although the vaccine probably will grant immunity to Hepatitis B, there is no guarantee of immunity or freedom from adverse side effects.

☐ I have been tested for immunity. I am already immune to Hepatitis B.

☐ I choose to receive the Hepatitis B vaccine. I am not pregnant or nursing a baby.

☐ I choose not to be vaccinated at this time. [If this box is checked, the following declination form must be signed.]

______________________________
Signature

______________________________
date

Declination Form: Hepatitis B Vaccine

I understand that due to my occupational exposure to blood or other potentially infectious materials, I may be at risk of acquiring hepatitis B virus (HBV) infection. I have been given the opportunity to be vaccinated with hepatitis B vaccine, at no charge to myself.

However, I decline hepatitis B vaccination at this time. I understand by declining this vaccine, I continue to be at risk of acquiring hepatitis B, a serious disease. If I am infected by the hepatitis B disease I will not hold the Company liable. If in the future I continue to have occupational exposure to blood or other potentially infectious materials and I want to be vaccinated with hepatitis B vaccine, I can receive the vaccination series at no charge to me.

______________________________
Signature

______________________________
date
Organizational Chart

Dr. Patrick Assioun

Sr. Directors

Directors/Area Managers

Site Managers

AOM

Support Staff
Verification of Completion

I the undersigned have read the employee policies and procedures manual in its entirety. I fully understand all the contents and agree to adhere to everything that is outlaid within this manual while I am an employee of Family Orthodontics/New England Family Dentistry and will continue to abide by the policies as was set forth by this document after termination.

Name (Print): ________________________________

Signature: _________________________________

Date: ____________________