

CORPORATE COMPLIANCE PLAN

(Subsection – Policies & Procedures)

I. Policies & Procedures

A. Compliance Standards of Conduct. The following Compliance Standards of Conduct are reproduced in similar form in the Employee Handbook, in all Department policy manuals, on the Agency Loop, and made readily available to all Personnel. Failure to comply with the following may result in compliance related corrective action, including but not limited to termination of employment.

1. All Personnel must adhere to all applicable laws, Agency policies and the ethical and legal standards outlined in this Compliance Standards of Conduct.
2. **Billing and Documentation.** All Personnel involved in documenting and billing the government for health care or other services must ensure that they follow all applicable laws, rules, conditions of participation and interpretive guidance relating to billing. Among other things, Personnel must ensure that the Agency does not:
 - a) Bill for services not provided by the Agency;
 - b) Bill for services for which the Agency lacks supporting documentation;
 - c) Bill for the same services twice (i.e. double billing)
 - d) Bill at a rate in excess of the rate permitted under the relevant regulation;
 - e) Bill for services if the supporting documentation was not prepared contemporaneously;
 - f) Bill Medicaid as the primary payor when the client has other public or private health insurance coverage;
 - g) Bill for services provided by an employee or contractor who is not qualified to provide the service;
 - h) Bill for services provided by a provider who is listed on any Medicaid/Medicare exclusion list;

- i) Submit a false bill or request payment that is a misrepresentation of the actual service provided.

3. Conflicts of Interest

- a) **"Gifts" Receipt.** Personnel must be free from any undue influence that conflicts with or appears to conflict with their legal duties and responsibilities to the individuals receiving services and the Agency. With the exception noted below, Personnel may not receive or accept any payment, gift, or other personal economic benefit of value from any person or entity that has or seeks to have a business relationship with the Agency. However, it is permissible to accept gifts of nominal value, meals, and social invitations that are consistent with good business ethics and practices and do not obligate the recipient to take or refrain from taking any action or decision on behalf of the Agency. If possible, Personnel are encouraged to make gifts available to the Agency, Agency clients, and/or specific Agency departments. If Personnel have a question about whether they can accept a gift, payment, or other personal economic benefit, they are instructed to contact the Corporate Compliance Officer before accepting it.
- b) **Conducting Business and/or Competing with the Agency.** Personnel and their "immediate family members" must not have or appear to have any personal financial or other interest in a transaction between the Agency and a vendor, contractor, supplier, provider, or customer of the Agency. Additionally, Personnel and their "immediate family members" must not engage in financial, business, or other activity which competes with the Agency's business or which, actually or in appearances, interferes with the performance of the Personnel's duty to the Agency. "Immediate family member" means a spouse, domestic partner, parent, child (regardless of age), sibling, in-law, and/or person living in the same household (even if not related). "Immediate family member" also includes anyone in a "step" relationship with the Personnel.
- c) **Disclosure Forms.** Board members, officers, directors, and other Personnel as determined by the Corporate Compliance Officer must submit an annual conflict of interest statement disclosure form. If someone discloses a conflict and/or potential conflict of interest, the Audit and Corporate Integrity Committee, at its sole discretion, shall determine the appropriate measure(s) to take to protect the Agency's best interests, which may include precluding the person from participating in, reviewing, discussing, and/or voting on the matter in which the conflict or appearance of conflict exists.

- d) **Anti-Kickback and Referral Fees.** Under the federal and state Anti-Kickback statutes, it is illegal for Personnel to knowingly and willfully solicit, receive, offer or pay anything of value to another person in return for the referral of a client, or in return for purchasing, leasing, ordering or arranging for any item or service reimbursed by a federal or state health care program such as Medicaid or Medicare.
- e) **Use of Agency Resources.** Personnel may use Agency resources and/or property solely for the purpose of carrying out Agency business. The use of any Agency resource or property for personal benefit or to engage in outside business or volunteer activity without the prior approval of the Agency is strictly prohibited. Personnel may not use their affiliation with the Agency to promote any outside business, charity, or political cause.
- f) **Using Agency Resources Only for Charitable Purposes.** The Agency is a tax-exempt organization under Section 501(c)(3) of the Internal Revenue Code. Therefore, the Agency may engage only in those activities that are within its approved charitable purpose, which is to “strengthen families and promote the well-being of children through prevention, intervention, education, and advocacy.” Personnel may not use the Agency’s resources to engage in any business activity that is inconsistent with and/or outside of the Agency’s charitable purpose.
- g) **Maintaining Client Confidentiality.** The protected health information (“PHI”) of all clients must be kept confidential in accordance with federal and state privacy laws and regulations.
- h) **Disclosures to the Government.** Personnel must be completely honest in all dealings with government agencies and representatives. Misrepresentations, false bills and false requests for payment are strictly prohibited regardless of the monetary value. Personnel may not alter, destroy, mutilate, conceal, cover-up, falsify or make false entries in any record with the intent to impede, obstruct or influence the investigation of any governmental department or agency. Personnel certifying to the correctness of records submitted to government agencies must have knowledge that the information is accurate and complete. Personnel shall cooperate fully with government investigations by directing all governmental inquiries or requests for information, documents, or interviews to the Compliance Officer. Personnel who participate in government interviews shall give answers that are truthful, complete, and unambiguous.

- i) **Political Activity.** Personnel must not, in the name of or on behalf of the Agency, carry on propaganda or otherwise attempt to influence legislation (except as permitted by the Internal Revenue Code) or participate or intervene in any political campaign on behalf or in opposition of any candidate for public office. Personnel must not entertain government personnel in connection with Agency business. This does not prevent personnel acting in their individual capacity from engaging in political activity.
- j) **Agency Contracts.** Personnel must notify the Compliance Officer of any contracts or agreements with physicians, health care businesses, patients, providers, third party payors, vendors, or suppliers to the Agency.
- k) **Confidentiality of Business Information and Trade Secrets.** Personnel must maintain the confidentiality of the Agency's business information and trade secrets, as well as the business information relating to the Agency's vendors, suppliers, providers, customers, and persons receiving services from the Agency.
- l) **Unfair Competition & Deceptive Trade Practices.** Personnel must not engage in unfair competition or deceptive trade practices that misrepresent the Agency's services or operations.

The Compliance Officer and Compliance Committee shall annually review the Plan and Compliance Standards of Conduct and recommend changes thereto, if any. All changes to the Plan shall be submitted to the Board for approval.

B. Other Compliance Related Policies and Procedures. Departments and programs within the Agency may adopt and implement compliance policies and procedures that are specific to those departments and programs. The Compliance Officer shall ensure that all such policies and procedures are reviewed annually by the appropriate department or program and shall monitor any amendments thereto to ensure compliance with applicable federal and state statutes and regulations.