

The Arc, Oneida-Lewis Chapter, NYSARC Corporate Compliance Program

The Arc, Oneida-Lewis Chapter has provided quality services to persons with intellectual and developmental disabilities and their families for more than half a century. We pride ourselves on our reputation of honesty and integrity – and – we pride ourselves on the dedication and commitment of our personnel.

The funding for the services we provide comes mainly from government sources, primarily Medicaid and Medicare. In 2001, as part of our ongoing commitment to embody and promote the highest ethical standards, the Agency developed its Corporate Compliance Program. In 2002 the Board of Directors gave resolution to adopt this Compliance program and Compliance is now an integral part of the Agency infrastructure.

The Agency's Compliance program furthers our mission of excellence in service provision and identifies our adherence to the Agency Code of Conduct, applicable laws, regulations, internal policies/procedures and to the detection and prevention of fraud, waste and abuse in all Agency business.

As an Associate of the Arc, Oneida-Lewis you need to be aware of the nature of the Agency's Compliance program. To that end we are providing you with this outline which provides you with the essential components of the Agency's Compliance Program and identifies your responsibilities to those components as an Associate of this Agency.

- For the purposes of this document, the term "Associates" refers to all Arc, Oneida-Lewis employees, directors, executive management, volunteers, contract staff and affiliates.
- For the purpose of this document the term "Agency" refers to The Arc, Oneida-Lewis Chapter, NYSARC

Should you have any questions regarding this information, please seek guidance from your immediate supervisor, management staff or the Corporate Compliance Officer.

1. Standards of Conduct: written policies and procedures

Our policies and procedures are based on applicable laws and regulations and are written to provide guidance and direction to all Agency Associates. The Arc, Oneida-Lewis has a Code of Conduct which has been approved by Management and the Board of Directors. This Code identifies the standards that all employees, officers, directors and volunteers are required to follow.

All Agency Associates have the following responsibilities:

- To abide by the Agency Code of Conduct
- To abide by applicable laws and regulations
- To support The Arc, Oneida-Lewis compliance efforts
- To immediately report any known or suspected violations of the Agency's Code of Conduct, Agency policies/procedures or laws and regulations to a supervisor, management staff or the Compliance Officer

Our guiding principles

- We shall always demonstrate behavior that is professional, ethical and trustworthy
- We shall provide the highest quality care and services
- We shall comply with all rules and regulations
- We shall only bill for services that are necessary
- All billing and program records shall be accurate and truthful
- We shall not alter, destroy, or change any Agency records
- Our business transactions will always be proper and legal
- All information about persons we serve and their families shall be maintained as confidential and secure
- All Agency business information shall be used only for the purpose of fulfilling our job responsibilities and never for personal gain
- The Agency shall maintain an open door policy. If we have concerns we shall report them to our immediate supervisor, management staff, the Director of Human Resources or the Corporate Compliance Officer without fear of retaliation or retribution
- We shall support and promote an overall Agency environment where all Associates can raise ethical concerns.
- Any Associate who in good faith raises a concern about a suspected or known wrongdoing shall be supported
- Any concerns regarding known or suspected violations of the Agency's Code of Conduct shall be brought to the attention of the Compliance Officer and shall be thoroughly investigated.

2. Designation of a Compliance Officer

The Board of Directors has appointed a Compliance Officer to oversee all aspects of the Arc, Oneida-Lewis Corporate Compliance program. The Compliance Officer maintains the compliance program and provides guidance on compliance issues.

The Compliance Officer has a direct reporting responsibility to the Chief Executive Officer and the Board of Directors.

The Compliance Officer for our Agency is Jennifer Hatch and her office is located at 245 Genesee St, Utica. Her email is Jennifer.Hatch@thearcolc.org and her telephone number is (315) 272-1545.

3. Education and Training

Federal, state and local governments provide the majority of funding for Agency programs and therefore the Agency is subject to all federal and state laws regarding fraud, waste and abuse. If the Agency violates any of these laws the government can impose significant fines and penalties and can even refuse to fund Agency programs in the future.

The Arc, Oneida-Lewis is committed to complying with all applicable laws and regulations and to the prevention and detection of fraud, waste and abuse. Therefore, all Associates, newly affiliated to the Agency are mandated to receive training on the Agency's Corporate Compliance Program within 30 days of hire or commencement of their relationship with the Agency. All current Associates are mandated to participate in annual, ongoing training concerning federal, state and local laws and requirements as they relate to Agency operations. This training explains what our responsibilities are to ensure compliance with laws and regulations. This training also identifies that each of us has a responsibility to report, in good faith, any known or suspected instances of non-compliance with the Code of Conduct, Agency policies /procedures and/or laws and regulations.

4. Reporting concerns

The Arc, Oneida-Lewis Chapter maintains an "Open Door Policy". The purpose of this Open Door policy is to create and maintain an organizational climate where Associates are encouraged and empowered to discuss and report issues. This open door policy mandates that all Associates have the right to bring any concern to the attention of a supervisor or any manager with whom s/he feels comfortable reporting to and without fear of reprisal. If a person wishes to remain anonymous in their reporting or if they are uncomfortable reporting to a supervisor, for whatever reason, s/he can bring their concern directly and confidentially to the Compliance Officer through the Compliance Hotline.

All Agency Associates are mandated to report any situations that they suspect or know are in violation of the Agency Code of Conduct, Agency policy/procedure or applicable laws and regulations.

All matters brought to the Hotline are investigated promptly. The Compliance Hotline number is: **(315) 272-1545**.

Associates are encouraged to report concerns internally so that corrective actions can be taken and systems put in place to ensure the concerns, whatever they are, will not continue. Associates also have the right to report their concerns to an outside authority such as OPWDD or the OMIG if s/he believes the situation has not been addressed.

5. Evaluation techniques to monitor compliance

The Agency has internal systems to monitor for compliance with billing and payment standards. These systems include reviews both within the departments and by the Compliance/QA office. Any concerns identified during these review processes are immediately addressed and corrective actions taken as appropriate.

Any Associate who suspects or knows of a systems error or violation with any billing and payment standard must report that information immediately to the Corporate Compliance Officer. This includes the billing for services that were not provided and/or billing for services where there is no documentation or faulty documentation to support that service provision

6. Agency Policies

The Agency has implemented policies/procedures that are designed to detect and respond to any violation of the Code of Conduct, Agency policy/procedure and/or laws and regulations. These policies have all been approved by Executive management and the Board of Directors and are available for all Associates by either accessing the Agency AIM directory or requesting a copy from a supervisor.

It is the responsibility of managerial staff to maintain staff's awareness of the content of these policies/procedures within their departments.

If you have questions regarding Agency policy/procedure you have a responsibility to bring that question back to your supervisor.

7. Disciplinary responses

All Agency Associates are mandated to comply with the Agency Code of Conduct, Agency policies/procedures and all applicable laws and regulations as part of their employment and/or retention with the Agency. Any Associate who violates or directs another to violate, or knowingly fails to report a violation of the Code of Conduct, Agency policy/procedure or applicable law or regulation will be subject to disciplinary actions up to and including termination of employment, termination of contractual relationship and possible referral for civil and/or criminal prosecution.

8. Commitment to an atmosphere of non-retaliation, non-intimidation

The Arc, Oneida-Lewis is committed to an atmosphere of non-retaliation and/or non-intimidation. This means that you cannot be retaliated against, harassed or intimidated, in any way, if you report a concern of a suspected or known violation in good faith. If at any time you believe that you have been or are being retaliated against or harassed you must immediately report this concern to the Compliance Officer and/or Director of Human Resources.

This policy of non-retaliation, non-intimidation does not preclude the Agency from taking appropriate disciplinary action against anyone who behaves inappropriately, improperly or in violation of Agency standards.