

Corporate Compliance Plan

JANUARY 2011

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I. INTRODUCTION

Hamaspik has developed this Compliance Plan to establish a culture of ethical and legal standards of behavior. This compliance plan shall promote the prevention, detection and resolution of actions that do not conform to federal and state law, as well as the agency's ethical and business practices.

In addition to articulating the agency's commitment to high standards of conduct, this Compliance Plan will also set out specific and practical steps to achieve and maintain those standards.

The Board of Directors has directed the preparation of this comprehensive written compliance plan. The BOD will receive quarterly compliance reports from the Corporate Compliance Officer.

The Plan, in its entirety is published on the agency's website and every Hamaspik employee, independent contractor and vendor is required to review it.

II. WRITTEN COMPLIANCE STANDARDS

A. Codes of Ethical Conduct:

Hamaspik's Code of Ethical Conduct reflects our tradition of caring and provides guidance to ensure our work is done in an ethical and legal manner. These Codes establish the shared common values and culture we seek to cultivate that guides our day to day actions. Hamaspik shall review the Codes of Ethical Conduct with each new employee and independent contractor. All employees are required to sign the Hamaspik Acceptance Agreement that he/she understands and will adhere to these guidelines, along with other Hamaspik policies and procedures.

The Codes of Ethical Conduct are written in the Personnel Policy and Procedures:

Hamaspik is committed to conducting its business affairs honestly and with integrity. This commitment applies to our relationships with competitors, consumers, families, vendors and employees. Each employee must maintain the highest standards of personal and professional ethics. These rules, practices and policies concerning conduct and behavior ("Standards") are instrumental to the continued success of Hamaspik.

Employees should not conduct business that is not in the full spirit of honest and ethical behavior, nor should employees cause other employees, or non-employees, to act or behave in such a manner, either through inducement, suggestion, or coercion. Furthermore, employees should not furnish any information to any individual, business or entity without first consulting with and acquiring the approval of their superior.

Employees are expected to report dishonest activities by other employees to their superior. Failure to report such activities is considered a violation of the Standards. Knowingly submitting false information is also considered a violation of the Standards.

Initiating or encouraging reprisal action against an employee or other person who, in good faith,

reports known or suspected Standards violations are prohibited.

It is the responsibility of all employees to refrain from and report; improper or fraudulent billing for health care services, submitting false paperwork and any type of fraud and abuse as outlined in the Corporate Compliance section of this Manual.

B. Policies and Procedures

Hamaspik has established policies and procedures to address a variety of potential risk areas, including the risk of liability under several fraud and abuse regulations. These policies and procedures are part of a comprehensive framework of compliance controls that exist throughout Hamaspik.

Hamaspik will review, revise and develop new policies and procedures, as necessary, to ensure that Hamaspik operations are conducted with best practices. These policies and procedures cover billings and payments, medical necessity and quality of care, governance, mandatory reporting, criminal background, credential and other background screening of employees, and other risk areas associated with personnel practices, and business and fiscal operations. Below are key policies and procedures that together with this document comprise Hamaspik's Corporate Compliance Plan.

- Accounting Policies and Procedures
- Personnel Policies and Procedures
- Internal Control Policy and Procedures
- Conflict of Interest Policy
- Criminal Background Check Policy
- Disciplinary Policy
- Corporate Compliance Policy
- Incident Reporting Policy
- Whistle Blower Protection Policy

III. CORPORATE COMPLIANCE PROGRAM

A. The Role of the Corporate Compliance Officer

Hamaspik is committed to the operation of an effective compliance program and has assigned compliance oversight responsibilities to the Corporate Compliance Officer (CCO). The CCO is charged with the responsibility for developing, operating and monitoring the compliance program. The CCO investigates compliance concerns and reports compliance concerns directly to the Board of Directors.

1. Effective Communication to the CCO

The effectiveness of our Corporate Compliance plan depends on the willingness and commitment of employees, contractors and board members in all parts and all levels of the agency to step forward, in good faith, with questions, and concerns. Our goal is that all employees, whether seeking answers to questions or reporting instances

of fraud and abuse, will know who to turn to without fear of retribution.

Each employee, contractor and board member has a responsibility to report through our compliance processes any activity by any Hamaspik employee, contractor, or board member that appears to violate applicable laws, rules, regulations, standards of ethical practice or the corporate compliance plan.

Report observed or suspected fraud **anonymously** via **email** (Anonymous e-mails can be sent from the storage room computer). The email address is corporatecompliance@hamaspikrockland.org, **suggestion box** (located at the reception area) or by calling the **hotline** at (845)503-0202.

Reporting enables Hamaspik to investigate potential problems quickly and to take prompt action to deal with them.

2. Response to Compliance Issues

Upon a complaint the CCO shall immediately contact the Executive Director and thereafter conduct a thorough investigation. Records of such investigation will contain documentation of the alleged violation, a description of the investigative process, copies of interview notes and key documents, and the results of the investigation. The results of the investigation shall be shared with the supervisor of that department who will ensure that the problem is corrected promptly and thoroughly and reduce the risk of recurrence. If the CCO determines that disciplinary action is necessary, it will be prompt and imposed in accordance with agency policies. Once the issue is resolved, the supervisor shall notify the CCO. If the issue requires refunding of an overpayment or fraudulent billing, the CCO shall contact Hamaspik's fiscal office to ensure repayment.

3. Enforcement of Standards

If, through investigation, monitoring and/or auditing, it is determined that fraud or abuse has occurred, or that a staff person or program is violating policies and procedures set forth in the Compliance Plan, there may be a need for disciplinary action. Hamaspik's disciplinary guidelines are outlined in the Personnel Policy and Procedures.

4. Non-Retaliation and Whistleblower Protection

A whistle blower who files a report to the CCO, in good faith, may not be subject to retaliation or intimidation in any form. Retaliation or intimidation is also prohibited against an employee for refusing to carry out any activity that is the subject of a report made under this policy in good faith. No employee may threaten to retaliate against another employee for filing a report.

Prohibited retaliation includes, but is not limited to, terminating, suspending, demoting, failing to consider for promotion, harassing or reducing the compensation of an employee due to the employee's intended or actual filing of a report under this policy. Retaliation is

prohibited even if it is determined that the allegedly improper conduct was proper or did not occur, provided that the report was made in good faith. Hamaspik reserves the right to take disciplinary action against any employee who maliciously files a report he or she knows to be untrue.

Allegations of intimidation or retaliation against individuals who raise compliance issues should be reported directly to the CCO as soon as possible. Any such allegation will be promptly investigated impartially and objectively by the Corporate Compliance Officer. Remedial action will be taken to rectify unlawful retaliation, based upon the results of the investigation.

B. The Role of the Quality Assurance Director

The Director of Quality Assurance will assist the Compliance Officer in carrying out his/her roles and responsibilities. These responsibilities will include providing assistance with developing and reviewing policies, staying informed of changes in state and federal regulations and developing and implementing internal auditing processes.

1. Auditing and Monitoring

The QA Director shall conduct audits in all departments and programs as a means of ensuring compliance with requirements and to identify potential and emerging risk areas. These agency reviews shall be conducted twice annually for every program and department. The QA Director shall select and audit ten percent of programs billing/transactions. All findings shall be shared with the Executive Director and the supervisors of programs involved. The entire audit process is detailed in the Internal Control Policy and Procedures.

IV. Education and Training

Hamaspik will provide training to all employees, contracted employees, family care providers and sitters, and board members on corporate compliance. The training is regarding the prevention, detection and reporting of fraud and abuse. The curriculum will be designed to provide employees with an overview of the code of ethics/conduct and key compliance issues faced by Hamaspik of Rockland County. The Human Resource Director or the Coordinator of Training shall schedule training for the employees.

The Hamaspik Codes of Ethics and Corporate Compliance policy & procedures training will be given to employees initially upon hire and annually thereafter. The annual refresher training shall summarize any changes in Hamaspik of Rockland County's Code of Ethics Corporate Compliance program during the prior year. In addition to this training, the Training Coordinator will talk about Corporate Compliance to employees attending orientation training.

The topics covered by basic and advanced corporate compliance training will include, but not be limited to, improper or fraudulent billing for health care services, the preparation of inaccurate or incomplete cost reports, and the misuse of Hamaspik of Rockland County's funds. It will also consist of in-depth guidance on the fraud prevention and other compliance issues arising in connection with the operation of a department. Program Directors shall assist the CCO in

identifying areas that require specific training.

Immediately after the training, the HR coordinator will give a post-training quiz to employees to assess their knowledge of the corporate compliance policies and procedures. When necessary, the HR coordinator will retrain employees to ensure that the policies are properly understood.

Hamaspik of Rockland County may reprimand, suspend or dismiss any employee who fails to comply with this policy.