The Arc of Madison Cortland
Corporate Compliance Plan
Employee Acknowledgement
(to be completed at initial compliance training and placed in personnel file)

I acknowledge that I have received a copy of the Summary Plan and Compliance Code of Conduct of The Arc of Madison Cortland Corporate Compliance Plan.

I acknowledge that the full Plan is available to me at any time, a copy being located at The Arc of Madison Cortland Administrative Offices, 701 Lenox Ave., Oneida, NY and at all site locations operated by the Chapter.

I acknowledge that I have received training on The Arc of Madison Cortland’s Compliance Plan and Compliance Code of Conduct.

I understand that I must comply with The Arc of Madison Cortland’s Corporate Compliance Plan and Compliance Code of Conduct and all laws, regulations, policies, procedures and other guidance applicable to the responsibilities of my position.

I agree to fully cooperate with the implementation of The Arc of Madison Cortland’s Corporate Compliance Plan, to participate in any auditing or monitoring processes and to report any instances of possible violations of law, regulations, or policies that are applicable to the Chapter of which I become aware.

I acknowledge that in addition to my ability to communicate directly with The Arc of Madison Cortland’s Compliance Officer, the Chapter maintains a hotline (1-800-401-8004) for the purpose of receiving confidential notification of possible violations of law, regulation, and the Compliance Plan.

I understand that my failure to report any concerns regarding possible violations of law, regulation or the Corporate Compliance Plan may result in disciplinary action, up to and including termination.

Signature: _______________________________________________________

Print Name: __________________________________________________________________

Title: ____________________________________________________________________

Date: ____________________________________________________________________
The Arc of Madison Cortland
Corporate Compliance Plan
Code of Conduct

Purpose

The Code of Conduct of The Arc of Madison Cortland (hereafter referred to as ‘the Chapter’), is an integral component of our Corporate Compliance Program and provides guidance to all employees and assists us in carrying out our daily activities within appropriate ethical and legal standards. These obligations apply to our relationships with our individuals, affiliate corporations, third-party payers, independent contractors, vendors, consultants, and one another.

This code is a critical component of our overall Corporate Compliance Program and is developed to ensure we meet our ethical standards and comply with applicable laws and regulations. Every employee will commit to an environment in which compliance with rules, regulations, and sound business practices are woven into our culture. We accept the responsibility to abide by our Code of Conduct and adhere to our Corporate Compliance Plan.

We expect all Chapter employees with supervisory responsibility to:

1. Create an environment where all employees feel free to raise concerns and propose ideas.

2. Ensure their employees have information to comply with laws, regulations, and policies, as well as the resources to resolve ethical dilemmas. They must help create a culture within the Chapter that promotes the agency’s standards of ethics, quality, and compliance.

Our Code of Conduct

The Arc of Madison Cortland is dedicated to working with people with disabilities, and assisting them to improve their life’s situation. We believe in maintaining an atmosphere of mutual respect for each other and are committed to each employee. We understand their value in accomplishing our mission. It is the policy of the Chapter to conduct all business in accordance with uncompromising ethical standards. We are committed to complying with all applicable laws and regulations. We believe integrity and trust are essential to the mission of service to individuals with disabilities. Adherence to such standards will not be traded or compromised for financial, professional or other business objectives.

We ensure that all aspects of individual care and business conduct are performed in compliance with our mission/vision statement, policies and procedures, professional standards and applicable governmental laws, rules and regulations. The Chapter expects every person who provides services to adhere to the highest ethical standard and to promote ethical behavior. Any whose behavior is found to violate ethical standards will be disciplined appropriately.

To The Individuals We Serve

Our individuals are treated in a manner that preserves their dignity, autonomy, self-esteem, rights and involvement in their own plan of care. We treat all individuals with warmth and respect and
provide care that is both necessary and appropriate. We make no distinction in our services based on age, gender, disabilities, race, color, religion, sexual orientation, or national origin. We realize the importance of maintaining confidentiality in regards to personal health information.

To Our Colleagues
We are committed to a work environment in which we treat all colleagues with fairness, dignity and respect. We support each other in our opportunities to grow, develop professionally, and work in a team environment in which all ideas are considered.

To Our Regulators
We are committed to an environment in which compliance with rules, regulations, and sound business practices is woven into the Chapter’s culture. We accept the responsibility to aggressively self-govern and monitor adherence to the requirements of law and to our Code of Conduct.

To Our Volunteers
We are committed to ensuring that our volunteers feel a sense of meaningfulness from their volunteer work and receive recognition for their volunteer efforts.

To The Community
We are committed to understanding the particular needs of the communities we serve and providing these communities with quality and cost-effective services. We believe as an organization that we have a responsibility to help those in need.

To Our Subcontractors and Suppliers
We commit to managing our subcontractor and supplier relationships in a fair and reasonable manner, free from conflicts of interest and consistent with all applicable laws and good business practices.

Prohibited Practices
It is expected that all employees behave in an orderly and congenial manner in dealing with other staff and the individuals we serve. We believe that rules of conduct (See Prohibited Practices as listed within The Arc of Madison Cortland’s Employee Handbook) must be observed in order to promote a positive and ethical work environment.
Element 1  Compliance Standards and Procedures

"The organization must have established compliance standards and procedures to be followed by its employees and other agents that are reasonably capable of reducing the prospect of criminal conduct."

The Arc of Madison Cortland will develop and review, at least annually, a Compliance Code of Conduct, which will provide employees with guidance on requirements for employment conduct as established by The Arc of Madison Cortland and the regulations, laws and standards that are applicable to our work.

All employees will be trained and provided with a copy of the Compliance Code of Conduct and Plan Summary, at initial compliance training. Employees will be asked to sign a statement acknowledging their receipt and understanding of the Compliance Code of Conduct and Compliance Plan. Employees will be trained on the Compliance Code of Conduct and Compliance Plan, and its applicability to their day-to-day work as employees and representatives of the organization, which will serve to reduce the prospect of criminal conduct.

Element 2  Program Structure and Oversight Responsibilities

"Specific individual(s) within high level personnel in the organization must have been assigned overall responsibility to oversee compliance with such standards and resources."

The Arc of Madison Cortland is committed to the operation of an efficient and effective compliance program. The organization has therefore formalized an organizational structure including a Compliance Officer who will build the infrastructure for compliance, will assist management in monitoring, and will provide an objective point of view. The organizational structure will also include a Compliance Oversight Committee, and a Corporate Compliance Committee. These committees will assist the Compliance Officer in the development, implementation, oversight, and evaluation of the ethics and compliance program.

Confidentiality

Staff assigned to compliance issues has access to confidential information. This includes clientele, employee, and business information that is sensitive and not available or known to the general public or other employees of the agency. This sensitive and confidential information must not be disclosed to unauthorized individuals. In addition, compliance program employees and committee members have a duty to take appropriate steps to secure and protect such information and to prevent any accidental disclosures.

1 Italicized statements are the Federal Sentencing guidelines.
Element 3  Due Cares in Assignment of Responsibilities

"The organization must have used due care to delegate substantial discretionary authority to individuals whom the organization knew, or should have known through the exercise of the due diligence, had a propensity to engage in illegal activities."

The Arc of Madison Cortland is committed to maintaining the integrity of our service, financial, and business operations. In order to do this it is important that we hire or contract with those individuals and organizations that have the same respect for law, regulation and standards that we do. Therefore, before hiring a new employee or independent contractor, the agency will conduct appropriate screening activities to make sure the individuals and organizations have not been sanctioned or excluded by a federal or state law enforcement agency, regulator, or licensing agency.

Due care will be used in protecting the agency against any potential conflicts of interest. All members of the Board of Directors, Executive and Management staff will sign a statement disclosing any conflicts or potential conflicts. This will be done on an annual basis.

Element 4  Education and Training

"The organization must have taken steps to communicate effectively its standards and procedures to all employees and other agents, e.g., by requiring participation in training programs or by disseminating publications that explain in a practical manner what is required."

The Arc of Madison Cortland is committed to implementing an effective compliance program that will help to ensure that we deliver high quality services that are compliant with the regulations and laws that are applicable to our work. One of the key components of a compliance program is training. Employees will receive mandatory training on The Arc of Madison Cortland compliance program, including the Code of Conduct, within 90 days of their hire date and at least annually thereafter.

Element 5  Monitoring and Auditing Systems

"The organization must have taken reasonable steps to achieve compliance with its standards, e.g., by utilizing monitoring and auditing systems reasonably designed to detect criminal conduct by its employees and other agents and by having in place and publicizing a reporting system whereby employees and other agents, could report criminal conduct by others within the organization without fear of retribution."

It is the policy of The Arc of Madison Cortland to encourage an organizational culture in which all employees feel a duty to report behaviors or actions that they believe are not compliant with the laws and regulations that govern our work. Therefore, the effectiveness of our compliance program depends on the willingness of employees in all parts and at all levels of the agency to step forward, in good faith, with questions and concerns. We believe strongly that in all of these cases, resolution of the problem, behaviors or actions will result in better care for those people who receive our services. Therefore, each person reporting problems or concerns will be contributing positively to the overall quality of the services at The Arc of Madison Cortland.
Ongoing monitoring and auditing of programs and services will be done on a regular and scheduled basis by both the programs and by Quality Management.

Element 6 Disciplinary Action

"The standards must have been consistently enforced through appropriate disciplinary mechanisms, including, as appropriate, discipline of individuals responsible for the failure to detect an offense. Adequate discipline of individuals responsible for an offense is a necessary component of enforcement; however, the form of discipline that will be appropriate will be case specific."

Employees who fail to comply with the policies and standards or who engage in conduct that has the potential of impairing The Arc of Madison Cortland status as a reliable, honest and trustworthy healthcare provider will be subject to disciplinary action up to and including termination.

Element 7 Detection and Response, and Prevention

"After an offense has been detected, the organization must have taken all reasonable steps to respond appropriately to the offense and to prevent further similar offenses—including any necessary modifications to its program to prevent and detect violations of law."

It is important for The Arc of Madison Cortland compliance program to detect and report instances of non-compliance on a timely basis. If a compliance problem is reported or detected internally, the agency, through its compliance program staff, will investigate to determine if credible evidence exists that a violation of law or regulation has occurred. If, after investigation or inquiry, the agency determines that credible evidence exists of violation of law or regulation, it will immediately implement a corrective action plan to correct the problem and to prevent its reoccurrence. It may also consult with legal counsel to determine if it is necessary to report the violation to law enforcement or to a regulatory agency, and will do so in a timely fashion, once a voluntary report is determined to be necessary.

Element 8 Non-Retaliation Policy

"Agencies must have a policy of non-intimidation and non-retaliation for good faith participation in the compliance program."

Our Code of Conduct states that we have our responsibility to maintain an environment where we can feel free to address concerns and report suspected noncompliance. Managers have a responsibility to promote this environment and educate our workforce, letting them know that we do not tolerate retaliation or retribution against anyone who in good faith reports illegal, unethical, or inappropriate activity that they are aware of at The Arc of Madison Cortland. Such retaliation will be subject to disciplinary action, up to and including dismissal.
Madison Cortland ARC provides a reporting hotline and website operated by Lighthouse Services for employees to anonymously report any of the following incidents:

Accounting, Auditing, & Internal Financial Controls
Code of Ethics Violation
Compliance and Regulation Violations
Conflict of Interest
Embezzlement
Falsification of Records
Fraud

HIPAA Compliance
Improper Giving or Receiving of Gifts
IT Security
Theft of Agency Property
Unusual or Suspicious Activities
Other

Compliance issues not requiring anonymity should be directed to Barbara McDermott, Compliance Officer by phone 315-363-3389 x1003 or email barb.mcdermott@madisoncortlandarc.org.

ANONYMOUS REPORTING HOTLINE

All calls are confidential and the identity of the caller will remain anonymous.

CALL 1-800-401-8004

or go to:

www.lighthouse-services.com/madisoncortlandarc

Lighthouse Services toll free number is available 24 hours a day, 7 days a week for use by Madison Cortland ARC staff.
The Arc of Madison Cortland
Compliance Hotline

1-800-401-8004

Do you know of a situation that is wrong, illegal, unethical or unsafe?

Have you spoken to your supervisor or director and nothing has changed?

Do you have a question about regulations?

Be part of the solution by doing the right thing!

Call The Arc of Madison Cortland Compliance Hotline number today.

Messages can be left 24 hours a day, 365 days a year.

Your call will be confidential.

Don't want to use the phone?

Use the notification form at www.lighthouse-services.com/madisoncortlandarc

Or mail your concern to the Compliance Officer, 701 Lenox Avenue, Oneida, NY 13421

If it concerns you, it concerns us!

Retaliation is against agency policy when issues are reported in good faith.

Sept. 2017
Initial Corporate Compliance Training Post-Test

Name: ________________________________ Dept. __________ Date: __________

1. The Corporate Compliance Program was established to ensure organizational compliance with all federal, state, and local laws and regulations.
   a) True  b) False

2. What is the agency Compliance Officer's Name?

3. All staff are required to attend Corporate Compliance training:
   a) Once a year only
   b) Every 6 months
   c) This initial training only
   d) Annually and as often as necessary to meet the needs of the program

4. If an employee is aware of any proposed conduct or behavior that will result in non-compliance with laws or regulations, he/she should report this matter to his/her supervisor, or the Corporate Compliance Officer.
   a) True  b) False

5. Employees can use the following methods to report known or suspected Compliance issues:
   a) Verbal or written explanation to his/her supervisor
   b) Calling the Compliance Hotline-1-800-401-8004
   c) Verbal or written explanation to the Corporate Compliance Officer
   d) All of the above

6. The Arc of Madison Cortland's Code of Ethics and Philosophy is:
   a) Taught and explained by the Human Resource Dept
   b) A document that spells out the expectations for staff, volunteers, and board members at The Arc of Madison Cortland
   c) Easy to follow if I can behave at work
   d) A document that incorporates our Mission Statement
   e) Both b & d

7. Employees are afforded protection under the False Claims Act for reporting any activities that he/she feels may violate the law.
   a) True  b) False

8. Retaliation against employees that report compliance concerns at The Arc of Madison Cortland is an acceptable practice.
   a) True  b) False
9. Your responsibility here at The Arc of Madison Cortland is to:
   a) Call the compliance hotline for every possible issue you have with your supervisor
   b) Report any suspicious billing or possible fraud
   c) Help your co-worker cover up issues if they make mistakes
   d) Call or text my co-workers if I am under investigation

10. Which of the following Waiver Service documentation examples is a definition of waste and abuse in the healthcare system:
    a) Documenting a service that was never provided
    b) Forgetting to put the date on a Waiver Service
    c) Documenting a Waiver Service a day late because you forgot yesterday
    d) The agency billing IRA Residential Habilitation on "auto-pilot"
    e) Both a, c, d
    f) Both a, d

11. It is acceptable to document a service in THERAP that I witnessed a co-worker provide to the individual:
    a) True
    b) False

12. I must protect my THERAP password and make sure that I always log out of THERAP if I will be away from my computer for any period of time because:
    a) I don't want my co-worker to mistakenly work under my account
    b) It is my due-diligence to ensure that I protect my THERAP account
    c) My work on THERAP will always be time and date stamped with my electronic signature
    d) All of the above

13. Calls to the Corporate Compliance Hotline must be made in good faith and not be used to retaliate against another employee.
    a) True
    b) False

14. If I am the subject of a compliance investigation I should:
    a) Immediately text message all of my friends that work at The Arc of Madison Cortland to see what is going on
    b) Wait to be contacted by the investigator
    c) Try to figure out who may have got me in trouble
    d) Try to fix any past billing errors I may have made

15. An example of The Arc of Madison Cortland's reaction to a compliance investigation might be:
    a) Disciplinary action up to and including termination
    b) Additional training
    c) A new procedure
    d) Employee recognition
    e) All of the above

**BONUS QUESTION**

What is the number one reason employees don't report their compliance concerns?

I acknowledge that I have received the Initial Corporate Compliance Training and that I understand the content presented to me today. I also understand it is my duty to report any non-compliant, unethical behavior I may suspect or witness.

Signature ___________________________ Date ___________________
The Arc
Madison Cortland
NYSARC, Inc.

Initial Corporate Compliance Training Pre-Test

Name: ___________________________ Dept. ___________ Date: ___________

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