



29 British American Boulevard, 2nd Floor
Latham, NY 12110
518-439-8311
thearcny.org

[Policy Number]: Internal Investigation

Category: Corporate Compliance Effective Date: XXXXXXXX
Department: XXXXXXXXXXXXXXXXXXXXXXXX Last Revision Date(s): 5/22/2020

POLICY STATEMENT

The [Chapter] will respond to reports or reasonable indications of suspected noncompliance by commencing a prompt investigation of the allegations to determine whether a violation has, in fact, occurred.

PROCEDURE

Scope

This policy applies to all investigations conducted to evaluate possible violations of laws or regulations or of the Compliance Plan.

Procedure

A. The Investigation

The Compliance Officer shall oversee the conduct of internal investigations of compliance issues and shall have the authority to engage [Inside Counsel / Outside Counsel] or other consultants, as needed. The Compliance Officer will consider whether the investigation should be conducted under privilege.

Depending upon the type of possible infraction, the Compliance Officer will determine what personnel possess the requisite skill sets to examine the particular issue(s) and will assemble a team of investigators, as needed. The Compliance Officer will decide whether the [Chapter] has sufficient internal resources to conduct the investigation or whether external resources are also needed.

If appropriate, the Compliance Officer will recommend the cessation of internal activities that may be the cause of the possible non-compliance.



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Before conducting an investigation of the particular facts surrounding the issue, the Compliance Officer shall full understanding of the relevant laws, regulations and government issuances.

The Compliance Officer shall work with the investigation team to develop a strategy for reviewing and examining the facts surrounding the possible violation, which may include, but not be limited to an audit of billing practices and interviews. Interviews should include the “Who, What, When, Where, and Why” of the circumstances. All interview notes and notes from the documents reviewed shall be kept as part of the investigation file.

B. Post-Investigation

Upon receipt of the results from the investigation, depending on the scope and severity of any identified violations, the Compliance Officer may consult with [Inside Counsel/Outside Counsel], the [Executive Director] and/or the [Corporate Compliance Committee] in order to determine: (a) the results of the investigation and the adequacy of recommendations for corrective actions; (b) the completeness, objectivity and adequacy of the results and findings; and/or (c) further actions to be taken as necessary and appropriate.

C. Documentation

At the conclusion of the investigation, the Compliance Officer will organize the information in a manner that enables the [Chapter] to determine whether an infraction did, in fact, occur. The Compliance Officer will track the investigation, including responsible parties and due dates in the central log book. The log book



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will include a notion of “closed” (or other similar notation) when the matter has been investigated and/or fully resolved.

D. Reporting

The Compliance Officer will be responsible for reporting all investigations to the [Executive Director], [Corporate Compliance Committee] and Board.