

**MCINTOSH TRAIL COMMUNITY SERVICE BOARD
CORPORATE COMPLIANCE PLAN
FY 2009**

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VISION, MISSION, AND VALUES OF THE ORGANIZATION

The vision of McIntosh Trail CSB is to promote and support community cultures in which those who have or experience disabilities are visible, valued, participating, and supporting members.

The mission of McIntosh Trail Community Service Board is to offer individuals experiencing symptoms associated with mental illness, addictive disease and/or developmental disability the hope for optimal functioning by providing quality behavioral health services and supports.

In pursuit of our vision and mission, we believe that employees and contracted staff of McIntosh Trail CSB must demonstrate the following values and related behaviors:

- *Person-centered:* To respect and respond to the dreams, needs, and values of each individual. We will acknowledge and encourage consumer, family, advocate and staff input to create and customize an individually responsive system.
- *Creativity:* To have the freedom to envision possibilities without boundaries. We will utilize resources with consumers that are innovative, versatile, and flexible.
- *Interdependence:* To cooperate with trust, reliance, and shared respect. We will promote teamwork by recognizing and supporting the strengths and resources of our consumers, families, advocates and staff as we strive to create a seamless service system.
- *Effectiveness:* To improve quality and accomplish desired results. We will support consumers in learning self-management skills to be successful in living, learning, working, and socializing in community environments.
- *Caring:* To respond with compassion. We will be kind, patient, and sincere while listening to and supporting the needs, dreams, and diversity of our consumers.
- *Integrity:* To be true to our vision and values. We will consistently strive to be models of honesty, sincerity, dependability, and loyalty. We remain accountable for our commitments to consumers, the community and each other.
- *Excellence:* To continuously improve through professional and personal growth. We will expand our knowledge and skills to anticipate and meet the needs of our consumers and exceed their expectations.

PURPOSE OF OUR RIGHTS, ETHICS, AND COMPLIANCE PLAN

McIntosh Trail CSB's compliance program provides a structure for staff and board members (as indicated) to carry out daily responsibilities within appropriate ethical, regulatory, and legal standards. The obligations outlined in this plan apply to relationships with consumers and their families, affiliated physicians and other healthcare providers, third party payors, subcontractors, independent contractors, vendors, consultants and one another.

The compliance program is an integral part of how this organization operates. This program has been developed to ensure that we meet consumer rights and ethical standards and comply with all applicable laws and regulations.

Our intent is that this plan and program be easily understood. In the event that the plan and/or program do not deal fully with the subject covered, reference will be made to the location of the complete information needed to function within these parameters.

The policies and practices identified in this plan are mandatory for all employees, contracted staff, students and interns of McIntosh Trail CSB. **Any reference to "staff" in this plan is meant to be inclusive of employees, contracted staff, students, interns, and volunteers unless otherwise specified.**

LEADERSHIP RESPONSIBILITIES

While all staff of McIntosh Trail CSB are obligated to follow this program, we expect our leaders, both senior and mid-manager levels, to set the example in modeling appropriate behaviors. As intrinsic leaders of this organization, they must provide sufficient information and coaching for those they supervise to comply with law, regulations, and policies, as well as the resources to resolve ethical dilemmas. They must assist in creating and supporting a culture within McIntosh Trail CSB which promotes the highest standards of ethical behavior and compliance practices. This culture must encourage and facilitate everyone in the organization to raise concerns when they arise. The foundation of this program is that ethical behavior and compliance practices will never be compromised in the pursuit of business objectives. See Policy 1011, "Leadership Principles, Leadership Team Composition and Functions".

Compliance Guide for the Board

The federal sentencing guidelines require the promotion of an organizational culture that encourages ethical conduct and a commitment to compliance with the law. This document is intended to provide an overview and guidance to the governing authority regarding their responsibilities as defined in the sentencing guidelines.

Board members should be knowledgeable about the content and operation of the compliance and ethics program.

McIntosh Trail policy numbers 1017, 2023, 3252, and 3253 are particularly important and key to the agency's compliance program:

- Code of Ethics
- Ethics and Compliance
- Duty to Report Violations of Law, Regulations and Standards of Conduct
- Criminal Records/Employment Investigation
- Standards of Conduct
- Progressive Discipline and Separations
- Sanction Screening
- Ethics and Compliance Plan (current fiscal year)

The governing authority must exercise reasonable oversight with respect to the implementation and effectiveness of the compliance and ethics program.

The Board receives the agency's annual evaluation of the compliance plan as well as a copy of the coming year's plan.

The governing authority must provide direct access to the governing authority for the high-level individuals responsible for operating the compliance and ethics program.

The Compliance Committee has direct access to the Board.

The governing authority must receive effective training and information relating to compliance, appropriate to each person's roles and responsibilities.

Training on compliance will be provided to the board members periodically. Also, new board members will receive training regarding the agency's compliance program during their orientation.

Compliance Guide for Leaders and Managers

Leaders and managers within the McIntosh Trail Community Service Board (CSB) are responsible for ensuring that their programs and all staff under their supervision function in a manner that is consistent with the agency's ethics and compliance program. The federal sentencing guidelines require the promotion of an organizational culture that encourages ethical conduct and a commitment to compliance with the law. This document is intended to provide an overview and guidance to leaders and managers regarding their responsibilities as defined in the sentencing guidelines.

Leaders and managers should be knowledgeable about the content and operation of the compliance and ethics program.

While leaders and managers must be knowledgeable regarding McIntosh Trail CSB policies numbers 1017, 2023, 3252, and 3253 they are particularly important and key to the agency's compliance program:

- Code of Ethics
- Ethics and Compliance
- Duty to Report Violations of Law, Regulations and Standards of Conduct
- Criminal Records/Employment Investigation
- Standards of Conduct
- Progressive Discipline and Separations
- Sanction Screening
- Ethics and Compliance Plan (current fiscal year)

Leaders and managers must perform their duties in a manner consistent with the exercise of due diligence.

Due diligence can be defined as the process of systematically evaluating information, to identify risks and issues relating to a process/system in an effort to avoid creating harm or risk (i.e. verify that information is what it purports to be).

This requires proactive steps, thus it is a leader's and manager's responsibility to actively and routinely monitor and review the performance of their staff (Saying "I didn't know" is not an acceptable excuse.). This is particularly important when staff perform duties in the high risk areas of coding, documentation and billing.

Below are some examples of how you can operationalize this:

- Review a sample of each supervisee's medical records.
- Review a sample of staff's work. (e.g. data entry, reports created, purchase orders)
- Review internal audit reports and identify trends and weakness.

Leaders and managers should promote an organizational culture that encourages ethical conduct and a commitment to compliance with the law.

- Managers should be a role model for staff and abide by the agency's code of ethics.
- Managers should seek information from staff:
 - Ask questions to ensure that staff are knowledgeable regarding compliance.
 - Foster a sense of openness and encourage staff to ask questions when they know or perceive something not adhering to compliance.
 - Be responsive to questions, provide guidance and assure staff that a satisfactory investigation will be conducted to resolve any outstanding issue(s).
 - Report all errors found and assist in satisfactory resolution. This includes providing paybacks to payers of service in instances where it is appropriate.

Compliance Guide for Employees

Individuals who work within or for the McIntosh Trail Community Service Board (CSB) are responsible for functioning in a manner that is consistent with the agency's ethics and compliance program. The federal sentencing guidelines require the promotion of an organizational culture that encourages ethical conduct and a commitment to compliance with the law. This document is intended to provide an overview and guidance to staff regarding their responsibilities.

You should be knowledgeable about the content and operation of the compliance and ethics program.

The following McIntosh Trail CSB policy numbers 1017, 2023, 3252, and 3253 are particularly important and key to the agency's compliance program:

- Code of Ethics
- Ethics and Compliance
- Duty to Report Violations of Law, Regulations and Standards of Conduct
- Standards of Conduct
- Terms and Conditions of Employment
- Ethics and Compliance Plan (current fiscal year)

You must perform your duties in an ethical and legal manner consistent with all policies, rules and regulations governing the McIntosh Trail CSB.

Some key points to practice:

- Treat all consumers, families, visitors, employees, vendors and the public in general with dignity and respect.
- Uphold the spirit and letter of all federal, state and local laws, rules and regulations.
- Perform all of your duties openly (within privacy/confidentiality rules) and honestly.
- Don't abuse or misuse agency property.

You must report behaviors and/or actions which you believe are not compliant with the laws and regulations that govern your work or the work of others.

You are encouraged to ask questions and/or make reports by:

- Speaking with your immediate supervisor
- Speak with the Compliance Officer (CO)
- Asking the Compliance Investigator
- Calling the Hotline at (770) 358-8466 to make a report*
- Sending an email to the CO or compliance investigator to make a report*
- Sending an anonymous report to the CO or compliance investigator*

*All reports must have sufficient detail to allow for investigation so please report as much of the following as possible: date(s), description of incident/action/behavior, staff and consumers involved, location, any previous reporting, what law, rule, regulation, policy is/has been violated.

Whenever a report is submitted, orally or written to a supervisor, the CO, the CC Committee, or program manager the submitter should expect that the responsible person will follow through with deliberate steps to review the report provided and ascertain a proper course of action.

COMMITMENT TO STAKEHOLDERS

We affirm the following commitments to McIntosh Trail CSB stakeholders:

To our consumers: We are committed to providing quality care that is sensitive, compassionate, delivered when needed, in a safe environment, and is cost-effective.

To our employees, contracted staff, interns, students, and volunteers: We are committed to a work environment of fairness, dignity, and respect, which considers all ideas as valuable and which provide opportunities for professional growth.

To our regulators: We are committed to maintaining an environment in which compliance with rules, regulations, and sound business practices are an integral part of our culture. We embrace the responsibility to aggressively govern ourselves and to monitor adherence to laws, regulations, and standards governing our behavior.

To the communities we serve: We are committed to providing quality and cost-effective “community care for individual needs.” We understand that each of our communities has particular needs, and we are committed to meeting those needs to the extent that our funding allows. As a public organization, we recognize our responsibility to serve those who are “most in need,” who have no other behavioral healthcare source.

To our suppliers: We are committed to fair competition among prospective suppliers and the sense of responsibility required to be a good customer.

To our volunteers: The gift of voluntary assistance to the needs of consumers and their families is a valued activity. We are committed to providing an environment in which our volunteers experience their contributions as meaningful, valued, and recognized.

RELATIONSHIPS WITH OUR PARTNERS

Consumers and Their Families:

Our mission is to provide quality behavioral health services and successful community integration for people who experience behavioral health disabilities. We provide care that is needed and appropriate. We make no distinction in the admission, transfer, or discharge of consumers or in the type care we provide based on race, color, religion, or national origin. Care is not based on consumer or organizational economics.

- **Admission:** At admission consumers are informed of their rights and are given a summary of those rights. They are also given a consumer handbook. Consumers have the right to make decisions regarding their behavioral healthcare. McIntosh Trail CSB consumer rights statement conforms to all applicable state and federal laws and regulations. We assure consumer involvement in all aspects of care and obtain informed consent for services provided to them. As applicable, each consumer or their representative is given a clear explanation of care including, but not limited to, diagnosis, treatment plan, right to refuse or accept care, estimates of treatment costs, and an explanation of risks and benefits associated with treatment options. Consumers have the right to request transfers to other providers. See policies 2001 and 2003.

We do not admit or discharge consumers on their ability to pay for services received.

Consumers and their families/representatives are accorded appropriate confidentiality, privacy, security, and protective services and the opportunity to resolve their complaints. Any restrictions on a consumer's visitors, mail, telephone, or other communications will be evaluated for therapeutic effectiveness and fully explained to and agreed upon by the consumer or their representative.

Consumers are treated in a manner that preserves their dignity, autonomy, self-esteem, civil rights, and involvement in their own care. All McIntosh Trail CSB staff receives training about consumer rights in order to clearly understand their role in supporting consumers and their families.

- **Referrals:** We adhere strictly to two rules: We do not pay for referrals nor do we accept payments for referrals we make to other providers. Our Code of Ethics, Policy 2023 addresses these rules.
- **Transfers:** Consumers will be transferred to another provider if their needs cannot be met by McIntosh Trail CSB, or if they request a transfer. See policies 2002 and 2112.
- **Consumer Information:** We collect information about consumers' medical and mental conditions, history, medications, and family illnesses to provide the best possible care. Realizing the sensitive nature of this information, we are committed to maintaining confidentiality of all information. Consumer-specific information is released only with the written approval of the consumer or their representative, or under conditions allowed by state or federal law. Staff will have access to information concerning a consumer and/or their family on a "need to know" basis. Policy 2013 identifies the conditions which must exist for information to be released without the consumer or representative's consent.

- Health Insurance Portability and Accountability Act of 1996 (HIPAA): We have developed our “Information Technology Modernization Plan” which will enable us to comply with all privacy and security mandates contained in this legislation. Supporting policies, procedures, and processes have been developed and implemented by the established deadline dates.

Licensed Independent Practitioners (LIPs) and Other Subcontracted Providers:

Business arrangements with subcontracted LIPs are structured to ensure compliance with legal requirements. These subcontracts are approved by the Executive Director. Subcontracts with other providers/agencies comply with legal and regulatory requirements.

Third Party Payors:

- Coding and billing for services: We take great care to assure that all billings to government programs, to private insurance payors, and to consumers reflect truth and accuracy and that services are billed as provided. We emphasize the critical nature of complete and accurate documentation for services provided. We strive to maintain current and accurate medical records, per the agency policy manual section 1100 of Volume I.
- Cost Reports: Our business involves reimbursement under government programs which require submission of certain reports of our costs of operation. We comply with federal and state laws relating to all cost reports. These laws and regulations define what costs are allowable and outline the appropriate methodologies to claim reimbursement for the cost of services provided to program beneficiaries. All issues related to the completion and settlement of cost reports are communicated through our Business Office.

REGULATORY COMPLIANCE

Services provided in our seven counties (Spalding, Henry, Fayette, Butts, Lamar, Upson, and Pike) are compliant with federal, state, and local laws and regulations. All staff must be knowledgeable about these laws and regulations and ensure their compliance. **Violations - both known and suspected - are to be reported immediately to a supervisor or one of the staff named in the section “Program Structure”.**

McIntosh Trail CSB is forthright in dealing with billing inquiries. Requests for information are answered with complete, factual, and accurate information. Staff will be courteous and professional with government inspectors, and will cooperate with any requests to provide information to which the inspector is entitled.

Documents are not concealed, destroyed, or altered, at any time, unless being thinned per Policy 1119.

In order to ensure that we meet all regulatory obligations, McIntosh Trail CSB’s personnel are informed about stated areas of potential compliance concerns. The Department of Human

Resources (DHR) Office of Regulatory Services (ORS) routinely audits our licensed service sites, notifies us of areas of non-compliance, and requires submission of corrective action plans.

APS Healthcare, the External Review Organization for the Division of Mental Health, Developmental Diseases, and Addictive Diseases, performs periodic audits of Medicaid and non-Medicaid records for compliance with state standards; a corrective action plan is required for those areas found to be non-compliant with standards. The Utilization Management Department Manager develops the corrective action plans in conjunction with other personnel as needed. Audit results, along with applicable corrective action plans, are presented to the Leadership Team.

Our Utilization Management Department staff performs periodic audits of randomly selected medical charts. Results of audit and suggested recommendations for corrections are presented to the Site Director and the Executive Director.

RELATIONSHIP WITH ACCREDITING ENTITIES

McIntosh Trail CSB will interact with Joint Commission Organization (JCO) in a direct, open, and honest manner. No action will be taken in relationship to JCO and/or their surveyors that would mislead the entity or a surveyor, directly or indirectly.

BUSINESS INFORMATION AND INFORMATION SYSTEMS

Accuracy, Retention, and Disposal of Documents and Records:

Everyone identified per this policy as staff are responsible for the integrity and accuracy of our organization's documents and records, not only to comply with regulatory and legal requirements, but also to ensure that records are sufficient to defend our business practices and actions. **No one may alter or falsify information in any record or document.**

Clinical records and business documents are retained in accordance with the law and per the record retention Policy 1119. Business documents include paper documents, computer-based information, and any other medium that contains information about the agency and our business activities. **It is important that staff retain and destroy records according to our policies.**

Confidential Information:

Confidential information about our agency's strategies and operations is a valuable asset. It is to be shared with individuals outside of the organization only if they have a legitimate need to know and have agreed to maintain the confidentiality of the information. McIntosh Trail CSB is subject to Georgia's Open Records Act, Policy 1010.

Electronic Media:

All communications systems, electronic mail, Internet access, and voice mail are the property of the agency and are to be primarily used for business purposes. Limited, reasonable personal use of McIntosh Trail's communication systems is permitted; however, it should be clearly understood that the utilization of McIntosh Trail CSB's communication systems will not be considered private and therefore subject to review if such a need arise.

Consumer information can be sent through the Internet only with the approval of the Information Technology Director. This information must be sufficiently encrypted to assure confidentiality.

McIntosh Trail CSB reserves the right to periodically access, monitor, and disclose the contents of e-mail and voice mail messages. Access to and disclosure of individual employee messages may only be done with the approval of the Information Technology Department.

Staff may not use internal communication systems or the Internet to post, store, transmit, download, or distribute any threatening information, maliciously false or obscene materials, anything constituting or encouraging a criminal offense, anything subjecting us to civil liability, or otherwise anything violating state or federal laws. Additionally, these communication systems may not be used to send chain letters, personal broadcast messages, or copyrighted documents that are not authorized for reproduction. They are not to be used to conduct a job search or open misaddressed mail.

Staff who abuse our communication systems or use them excessively for non-business purposes may lose these privileges and be subject to disciplinary action.

Financial Reporting and Records:

We have established and maintain a high standard of accuracy and completeness in the documentation and reporting of all financial records. These records serve as a basis for managing our business and are important in maintaining public accountability and meeting our obligations to consumers and their families, our partners, and our board. They are also necessary for compliance with governmental financial reporting requirements.

All financial information reflects actual transactions and conforms to generally accepted accounting principles. No undisclosed or unrecorded funds or assets may be established. McIntosh Trail CSB maintains a system of internal controls to provide reasonable assurances that all transactions are executed in accordance with authorized practices and are recorded in a proper manner so as to maintain accountability for the organization's assets.

WORKPLACE CONDUCT AND EMPLOYMENT PRACTICES

Criminal Record History Investigations:

Criminal record investigations, including actions taken pursuant to receipt of derogatory information are conducted per Policy 3065.

Conflict of Interest:

A conflict of interest may occur if outside activities or personal interests influence or appear to influence the staff's ability to make objective decisions in the course of carrying out their job responsibilities. A conflict of interest may also exist if the demands of any outside activities hinder or distract them from the performance of their jobs or cause them to use McIntosh Trail CSB resources for other than business purposes. It is their obligation to ensure they remain free of conflicts of interest in the performance of job responsibilities. Staff with questions about whether or not an outside activity might constitute a conflict of interest must obtain the approval of their supervisor before pursuing the activity. Staff may also seek an opinion from the Rights and Ethics Committee.

Staff involvement in employment outside the organization, in addition to their employment with the agency is governed per Policy 3301.

Controlled Substances:

Some staff routinely have access to prescription drugs, controlled substances, and other medical supplies. Many of these substances are governed and monitored by specific regulatory organizations and must be ordered by physician staff only. It is extremely important that these items be handled properly and only by authorized individuals to minimize risk to staff and to consumers. **Any staff who becomes aware of the diversion of drugs from the organization should report the incident immediately to their supervisor, or other appropriate individuals per policies 3251 and 3252.**

Copyrights:

Copyrighted materials will be copied only with the written permission of the author or publisher.

Diversity and Equal Employment Opportunities:

Our staff provides us with a wide complement of talents which contribute greatly to our success. We are committed to providing an equal opportunity work environment where everyone is treated with fairness, dignity, and respect. We will comply with all laws, regulations, and policies related to non-discrimination in all of our personnel actions. Such actions include recruiting, hiring, compensation, transfers, terminations, staff reductions, performance evaluations, corrective actions, disciplinary actions, and promotions.

No one may discriminate against an individual with a disability with respect to any offer, term, or condition of employment. We will make reasonable accommodations to the **known** physical and mental limitations of qualified individuals with disabilities per Policy 3001.

Harassment and Workplace Violence:

All staff has the right to work in an environment free of harassment. Harassment will not be tolerated. Degrading or humiliating jokes, slurs, intimidations, or other harassing conduct is not acceptable in the workplace.

Any form of sexual harassment is **strictly** prohibited. This prohibition includes unwelcome sexual advances or requests for sexual favors associated with employment decisions. Verbal or physical conduct of a sexual nature that interferes with work performance or creates an intimidating, hostile, or offensive work environment is not allowed per Policy 3003.

Harassment also includes incidents of workplace violence. Workplace violence includes robbery and other commercial crimes, stalking, violence directed at any staff, terrorism, and hate crimes committed by current or former staff. As part of our commitment to a safe working environment, staff are prohibited from possessing firearms, weapons, explosive devices, Mace spray or other dangerous materials on work premises per Policy 1228.

Staff who experience or observe any form of harassment or violence are to report the incident to their supervisor, the Employee Relations Department, Rights and Ethics Committee member, or a member of senior management.

Health and Safety:

All McIntosh Trail CSB sites and contracted sites will comply with all government regulations and rules and with McIntosh Trail CSB policies and practices that promote the protection of workplace health and safety. Policies have been developed to protect staff from potential workplace hazards. Staff are to seek advice from their supervisor whenever they have a question or concern. **Staff are to inform their supervisor and the Employee Relations Department of any serious workplace injury per Policy 3007. Staff are to notify the Health and Safety Committee of any situation presenting a danger of injury, so that timely corrective action may be taken to resolve the issue per Policy 1201.**

License and Certification Renewals:

Staff in positions which require professional licenses, certifications, or other credentials, are responsible for maintaining current credentials and will comply at all times with federal and state requirements applicable to their respective disciplines. Copies of all current licenses and credentials will be maintained in personnel files in the Employee Relations Department. McIntosh Trail CSB will not allow staff to work without a valid, current license or certification if required by their position per Policy 3069.

Personal Use of McIntosh Trail CSB Resources:

It is the responsibility of each staff to preserve our organization's assets including time, materials, supplies, equipment, and information. Organizational assets are maintained for business-related purposes. **As a general rule, the personal use of any organization asset without prior approval of the staff's supervisor is prohibited. The occasional use of items such as copiers or telephones, where the cost to the organization is insignificant, is permissible. Use of organizational resources for personal gain is prohibited per policies 1126, 1218, 1219, 1413, and 1414.**

Relationships among Staff:

No staff is to feel compelled to give a gift to anyone, and gifts offered or received are to be appropriate to the circumstances. A lavish gift to anyone in a supervisory role would violate this plan. No staff will be made to feel compelled to participate in fund-raising activities.

Relationships with Subcontractors and Suppliers:

We will manage our subcontractor and supplier relationships in a fair and reasonable manner, consistent with all applicable laws and good business practices. We promote competitive procurement to the maximum extent practicable. Selection of subcontractors, suppliers, and vendors will be made on the basis of objective criteria including quality, technical excellence, price, delivery, and adherence to schedules, service, and maintenance of adequate sources of supplies.

Purchasing decisions will be made on the supplier's ability to meet our needs, and not on personal relationships and friendships per Policy 1409. We will always employ the highest ethical standards in business practices in source selection, negotiation, determination of contract awards, and the administration of all purchasing activities. We will not conduct business with relatives of employees per Policy 1421. We will not communicate to a third-party confidential information given to us by our suppliers unless directed in writing to do so by the supplier. We will not disclose contract pricing and information to any outside parties.

Substance Abuse and Mental Acuity:

We are committed to an alcohol and drug free work environment per Policy 3251. All staff will report to work free of the influence of alcohol and illegal drugs. **Reporting to work under the influence of any illegal drug or alcohol, having an illegal drug in one's system, or using, possessing, or selling illegal drugs while on the organization's work time or premises may result in immediate termination.** Drug testing may be used as a means of enforcing this policy per Policy 3252.

It is recognized that staff may take prescription drugs which could impair judgment or other skills required for job performance. Staff are to consult with their supervisor if they have a question or concern about the effect of such medication per Policy 3252.

MARKETING PRACTICES

Antitrust:

Antitrust laws are designed to create a level playing field in the marketplace and to promote fair competition. Violations of these laws could occur by discussing McIntosh Trail CSB business with a competitor, in regard to how our rates are set, disclosing terms of supplier relationships, allocating markets among competitors, or agreeing with a competitor to refuse to do business with a supplier. Our competitors are other systems of mental health, mental retardation, and substance abuse services in markets where we operate.

It is important that we avoid discussing sensitive topics with competitors and suppliers, unless proceeding with the agreement of the Business Office or our attorney, if indicated. Responses to oral or written inquiries concerning antitrust-related matters will not be provided without first consulting with the Business Office or our attorney, if indicated.

Gathering Information about Competitors:

It is not unusual to obtain information about other organizations, including our competitors, through legal and ethical means such as public documents and presentations, journal and magazine articles, and other published and spoken information. However, it is not acceptable to obtain proprietary or confidential information through illegal means. It is also not acceptable to seek proprietary or confidential information when doing so would require anyone to violate a contractual agreement, such as a confidentiality agreement with a prior employee.

Advertising:

Advertising activities may be used to educate the public, provide information to the community, increase awareness of our services, and to recruit staff. We will present only truthful, fully informative, and non-deceptive information in these materials and announcements. Marketing materials will reflect services available and related licensure and certification. The inclusion of consumers and their families in marketing and advertising activities will be only with their written permission, and in a manner that respects their rights per Policy 2014.

ENVIRONMENTAL COMPLIANCE

It is our policy to comply with all environmental laws and regulations as they relate to our agency operations. We will act to preserve our natural resources to the extent reasonably possible. We will operate our service sites with the necessary permits, approvals, and controls. We will employ the proper procedures with respect to handling and disposal of hazardous and biohazardous waste, including, but not limited to, medical waste per Policy 1216. **Staff will alert supervisors to any situation relating to the discharge of a hazardous substance, improper disposal of medical waste, or any situation which may be potentially damaging to the environment.**

BUSINESS RELATIONSHIPS

There is nothing in this Corporate Compliance Plan to be considered in any way as an encouragement to make, solicit, or receive any type of entertainment or gift. The limitations addressed below govern activities with those outside of this organization. This section does not pertain to actions between the organization and our staff or actions among staff.

Receiving Business Courtesies:

There may be times when it is appropriate to accept from a current or potential business associate an invitation to attend a social event in order to further develop a business relationship or to receive information about new products or services. These events may not include expenses paid for any travel costs (other than in a vehicle owned privately or by the host company) or overnight lodging. The cost associated with such an event must be reasonable and appropriate. As a general rule, this means that the cost will not exceed \$100.00 per person. Prior to accepting any such invitation, approval must be obtained from a member of Leadership Team.

McIntosh Trail CSB staff may accept a gift from an individual or entity that has a business relationship with the organization, only if the gift will be given to and used by a department or site or the whole organization and the value of the gift does not exceed \$100. Materials used by

other entities for advertising or marketing purposes (i.e., pens, note pads, coffee cups) may be accepted for general use by staff, and must not exceed a value of \$25.00 for any individual item.

Extending Business Courtesies to Non-Referral Sources:

No portion of this section applies to any individual who makes, or is in a position to make, referrals to this organization.

There may be times when it is appropriate to extend to a current or potential business associate (other than someone who may be in a position to make a consumer referral) an invitation to attend a social event in order to further develop a business relationship. The purpose of the entertainment must never be to induce a favorable business action. During these events, topics of a business nature must be discussed and the host must be present. These events may not include expenses paid for any travel costs (other than a vehicle owned privately or by the host entity) or overnight lodging.

POLITICAL ACTIVITIES AND CONTRIBUTIONS

The agency's participation in political activities is prohibited by state law. McIntosh Trail CSB funds and or resources are not to be used to contribute to political campaigns or for gifts or payments to any political party or any of their affiliated organizations. Agency resources include financial and non-financial donations such as using work time and telephones to solicit for a political cause or candidate or the loaning of McIntosh Trail CSB property for use in a political campaign. Promotions, distributions, or displays of any political material is prohibited from all McIntosh Trail CSB operated or subcontracted sites. Staff may not participate in lobbying activities related to state or federal issues during work time per Provider Manual, IV-F.

It is important to separate personal and corporate political activities in order to comply with the appropriate rules and regulations relating to lobbying or attempting to influence government officials. Staff may participate in the political process in their own time and at their own expense. While doing so, it is important not to give the impression of speaking on behalf of or representing the agency. No reimbursement will be given to staff by the agency for any such activities.

RIGHTS, ETHICS AND CORPORATE COMPLIANCE PROGRAM STRUCTURE

The McIntosh Trail Community Service Board Rights, Ethics, and Compliance Plan is intended to demonstrate the absolute commitment of the agency to the highest standards of ethics and corporate compliance. This commitment permeates all levels of the organization. In doing so, several entities bear a responsibility for monitoring compliance, investigating reports of potential violations, and making recommendations for consequences for confirmed violations:

- *Rights and Ethics Committee;*
- *Utilization Management Department*
- *Risk Management Committee (Peer Review)*
- *Employee Relations Department;*
- *Leadership Team*

The Director of the Rights, Ethics, and Corporate Compliance Program (Compliance Officer) is the Director of the Utilization Management Department.

Resources for Consultation and Reporting Violations:

Staff may consult with or report a potential violation to any staff listed in Attachment III. However, it is recommended that staff raise the concern first with the applicable supervisor. Resolution at the local level is encouraged. If this is uncomfortable or inappropriate, the other entities may be contacted.

McIntosh Trail CSB will make every effort possible to maintain, within the limits of the law, the confidentiality of the individual seeking consultation or reporting a potential violation. **There will be no retribution or discipline for anyone who reports a possible violation in good faith.** Staff who deliberately make a false accusation with the intent to harm or retaliate against another staff will be subject to disciplinary action.

Personal Obligation to Report:

Every staff member has an individual responsibility to report any activity by any staff or vendor that appears to violate applicable laws, rules, regulations, or this plan. In a situation involving suspected child abuse or neglect, staff are mandated to report to the local Department of Family and Children Services. In a situation involving adult abuse or neglect, staff are mandated to report to the local Department of Aging.

Internal Investigations of Reports:

All reports will be investigated as promptly and confidentially as possible. The determination of which entity is to handle the investigation will be made by the Executive Director and the Compliance Officer. All staff are expected to cooperate with investigation efforts. Findings and recommendations for corrective action/performance improvement will be made to Executive Director and Compliance Officer by the investigating entity.

Corrective Action/Performance Improvement:

In the event that an internal investigation substantiates a reported violation, it is the agency's policy to initiate corrective actions, including, as indicated, making prompt restitution to funding entities of overpayments, notifying applicable governmental entities, applying appropriate

disciplinary actions, and implementing systemic changes to prevent a similar violation from recurring in the future.

Disciplinary Actions:

All violators of this plan will be subject to disciplinary action per agency's policies 3351 and 3352. Appropriate disciplinary actions will be determined by the Executive Director and the Employee Relations Manager.

Recordkeeping:

The Compliance Officer is responsible for maintaining a log of all reported potential violations, to include the date and type of violation, the entity charged to investigate, the date of completion of the investigation, and the related findings and action taken.

Staff Acknowledgement Process:

McIntosh Trail Community Service Board requires all staff to sign an acknowledgement form confirming receipt of the plan and their understanding of the plan's mandate for compliance with all applicable rules, regulations, and laws and the reporting of potential violations.

FRAUD MANAGEMENT PLAN

Ethics is that branch of philosophy which deals with systemic approaches to moral issues, expectations of behavior or standards of conduct. McIntosh Trail CSB adheres to and promotes the following code of ethical behavior and integrity.

1. Bill only for services which have been provided to the consumer and/or recipient.
2. Explain to all consumers and/or other recipients the expected fees and their responsibility in securing appropriate payment for necessary services rendered.
3. To assist with consumer and/or other recipient in every way possible to receive needed services within the available resources, including any limitations placed on duration of services.
4. All persons providing services and support, acting as an agent of the Organization, shall in no way benefit financially or in any other manner from the admission or treatment of consumers to the Organization.
5. The staff shall work to maintain name recognition of the Organization in the business and professional community with marketing materials that reflect services available, the licensure and/or accreditation. The staff shall conduct themselves at all times in a manner that is congruent with the community, professional and business standards of integrity.
6. The staff will make no offers or promises of material or other gain to any referral source (e.g. other health care providers, medical/mental health professionals, educational institutions and payers) other than regard to the quality of care/rehabilitation/treatment and communication with the referring professional/organizational agencies in accordance with the confidential and privileged information regulations as found in 42 CFR Part 2.

These codes are found in Policy 2023 as Attachments II and IV.

CODE OF ETHICAL BEHAVIORAL AND INTEGRITY (Attachment I)

Ethics is the branch of philosophy which deals with moral issues, expectations of behavior and standards of conduct.

1. Place the welfare and safety of the consumers and their families above all other concerns.
2. Comply with the policy on consumer rights.
3. Do no harm to a consumer, either physically or psychologically. Will not verbally assault, ridicule, treat as inferior or endanger a consumer. Will not allow other consumers or staff to do so.
4. Refrain from any activity that could be perceived as a potential conflict of interest or as exploitation of consumers for personal, sexual, financial, or social gain.
5. Recognize and respect the rights of consumers and co-workers to their values and beliefs, as well as cultural, religious, sexual-orientation, gender and ethnic differences.
6. Remain aware of personal skills and limitations. Accept responsibility for continuing education and training in your disability field(s). Be willing to recognize when it is in the best interest of consumers to be released or refer them to another program or professional.
7. Treat any and all consumer data and information as confidential per State and Federal Laws.
8. Base treatment planning, outcomes and service provision on the assessment(s) of consumer needs and not on consumer/family ability to pay or their community status/influence.
9. Exhibit responsible concern for unethical conduct by co-workers by addressing it or reporting to supervisor or Rights & Ethics Committee.

CONSUMER RIGHTS STATEMENT (Attachment II)

Any consumer receiving treatment/services has the right to:

Reasonable access to care, regardless of race, religion, sex, sexual orientation, ethnicity, age, or disability.

Personal dignity throughout the provision of care.

Considerate care that respects personal values and belief systems.

Screening for appropriate referral for the assessment and management of pain.

Be informed of the organization's rules and regulations applicable to the consumer's conduct.

Informed participation in decisions regarding your care.

Participate in the treatment planning if you are more than 12 years of age along with the participation of parents, relatives, or guardians.

Individualized treatment, including the provision of adequate and humane services regardless of the source(s) of financial support, provision of services within the least restrictive environment possible, provision of an individualized treatment plan, periodic review of treatment plan, and provision of an adequate number of competent, qualified and experienced professional clinical staff to supervise and implement the treatment plan.

Participate in the consideration of ethical issues that arise in the provision of care, including resolution of conflict, withholding of resuscitative services, foregoing or withdrawal of life sustaining treatment and participation in investigational studies or clinical trials.

Personal privacy and confidentiality of information.

Choose a representative to make the decisions if you are incapable of understanding a proposed treatment or procedure or you are unable to communicate your wishes regarding care.

Receive information and, when appropriate, your family or legal guardian, in a language that you understand.

Receive services that protect your health and safety.

Receive education/information on your illness/condition.

Refuse medication or treatment/service to the extent permitted by law.

Review/obtain copies of your records, unless the physician or other authorized staff feel it is not in your best interest.

Exercise all civil, political, personal, and property rights to which you are entitled as a citizen.

Remain free of physical therapeutic holds or time-out procedures, unless such measures are required for providing effective treatment or protecting your safety or the safety of others.

Be free of neglect, physical or verbal abuse, humiliation, and exploitation.

Freedom from retaliation that would interfere with the provision of services.

Be free from any type of fear-eliciting procedures or threats (overt or implied).

Referral to legal entities for representation, when requested.

Converse privately, reasonable access to a telephone, receive and send uncensored mail, have visitors, and retain personal effects and money.

Be free from having any basic necessity such as nutrition, clothing, shelter, rest or sleep withheld.

File a complaint if you think any of these rights have been restricted or denied. Filing a complaint will not result in retaliation or barriers to service.

(08-10)

This statement is found in Policy 2023 as Attachment III.

STAFF CONSULTATION AND REPORTING PROCESS (Attachment III)

It is recommended that you contact your supervisor first. If that is not appropriate to the situation, or if your supervisor did not answer the question or address the situation to your satisfaction, you may call any of the staff listed below.

Compliance Committee.....	Wendell Jordan.....	770-358-8284
	William Preston.....	770-358-8331
	Shari Thomas.....	770-358-8254
Rights & Ethics Committee.....	William Preston.....	770-358-8331
	Kathy Selph.....	770-358-8248
	Nancy Schulz.....	770-358-8267
	Billie Pippin-Ingram.....	770-358-8519
	Janet Robinson.....	770-358-8266
Employee Relations Department.....	Shanda Wheeler.....	770-358-8264
	Janet Robinson.....	770-358-8266
Utilization Management Department.....	Wendy Yawn.....	770-358-8584
Risk Management Committee.....	Pam McCollum.....	770-358-8251
	Mike Hubbard.....	770-358-8242
	William Preston.....	770-358-8331
	Lenora Allen, MD.....	770-358-8250
	(Contact person is Sandra Manley)	
	Kathy Key Calderon.....	770-358-8509
	Wendell Jordan.....	770-358-8284
	Shirley Davison.....	770-358-8371
Leadership Team.....	Pam McCollum.....	770-358-8251
	Lenora Allen, MD.....	770-358-8250
	(Contact person is Sandra Manley)	
	Linda McCall.....	770-358-8257
	William Preston.....	770-358-8331
	Shari Thomas.....	770-358-8254
	Wendell Jordan.....	770-358-8284
	Shanda Wheeler.....	770-358-8264

The Corporate Compliance Officer for the agency is Wendell Jordan.

List Effective November 2009

FREQUENTLY ASKED QUESTIONS (Attachment IV)

The following questions and answers are intended to increase staffs' knowledge of this plan and how the guidelines are to be applied.

If I have a question about workplace conduct or saw something that I thought was wrong, whom should I contact?

We encourage you to talk with your supervisor first. However, if you do not feel comfortable talking with your supervisor or if your supervisor did not answer the question or address the problem to your satisfaction, there are other options. You may speak with any of the staff listed on Attachment III.

If I report something suspicious, will I get in trouble if my suspicion turns out to be wrong?

As long as your concern is an honest one, our policy prohibits anyone being reprimanded or disciplined. You have a responsibility to report suspected problems. In fact, you may be disciplined if you witness something you do not report to the agency. The only time someone will be disciplined for reporting suspected misconduct is if he or she knowingly and intentionally reports something that he or she knows to be false or misleading in order to harm someone else.

What should I do if my supervisor asks me to do something that I think violates this Compliance Plan?

Don't do it! No matter who asks you to do something, if you know or suspect it's wrong, you must refuse to do it. You must also immediately report the request to someone listed on Attachment III.

How do I report a real or perceived violation of compliance?

Your first option should always be to report it to your supervisor. However, you may also report a real or perceived violation in the following ways:

- Speak via a phone call or in person with a representative of the Compliance Committee.
- Call the Corporate Compliance Hotline at (770) 358-8466 and leave a voicemail.
- Submit in writing an account of the events and address it to one of the Corporate Compliance members.

Note. Aside from meeting with your supervisor or a Compliance Committee member face-to-face you can make your report anonymously via the hotline or in writing. (Refer to page 7).

How do I know if I am on "ethical thin ice"?

If you are worried your actions will be discovered, if you feel an uneasiness about what you are doing, or if you are rationalizing your activities on any basis, you are probably on thin ice. Review this plan or talk with someone listed on Attachment III and decide what to do.

In preparation for a JCAHO survey, my supervisor has asked me to review my site's clinical records and fill in missing signatures. May I do this?

No! It is absolutely wrong to sign another person's name in the clinical record. You also have an obligation to inform someone listed on Attachment III of your supervisor's request to you.

A consumer wants to give a gift to an employee. May the employee accept it?

No. Gifts must not be accepted or exchanged between consumers and staff.

When reporting a violation what type of information is required?

At a minimum, the names of the individuals involved, dates and times in which the event occurred and a detailed description of the event.

Can I type my spouse's resume on my computer?

Possibly. If you use the computer during non-work hours, you may be permitted to type personal documents. Check with your supervisor first.

I volunteer for Big Brothers. May I copy a fundraising leaflet?

Organization equipment must not be used for charitable or other non-business purposes without prior approval from your supervisor.

I do volunteer work for a local candidate running for office. May I use the copy machine to make flyers?

No. You may not use the agency's time or resources to support political activities that are conducted on a personal basis.

For what things will the agency enforce?

The agency will contact the proper authorities in cases where a criminal or unethical act is evident or suspected and violations of agency policies will be handled as deemed appropriate based upon the investigation.

Should I be afraid to make a report when I suspect or believe a violation was committed?

No. You should feel assured that no retaliation will result from any such report being made. If you are the recipient of retaliation then it too should be reported.

What measures are in place to ensure people are truthful with their suspicions or beliefs when reports are made?

When making a report anonymously or not, all staff are required to speak (write) honestly to the best of their knowledge because the information will be received in good faith. Those found to have violated this trust (intentionally or willfully) may also be subject to disciplinary action if the information is determined to have been submitted with the intent to mislead or to harm.

We need to have some repair work done to our office. My brother is a contractor. May I select his bid if his price is competitive with the others?

No. We do not do business with relatives of staff.

**MCINTOSH TRAIL COMMUNITY SERVICE BOARD
CORPORATE COMPLIANCE PLAN**

**RIGHTS, ETHICS, AND COMPLIANCE PLAN
POLICY 1017**

Staff Acknowledgment Form

I hereby acknowledge that I have received and understand McIntosh Trail Community Service Board's Compliance Policy & Plan, and I agree to participate fully in the Compliance Program. In accordance with the procedures described in the policy and elaborated within the plan, I will report any wrongdoing and potential compliance problems of which I am aware.

Employee's Signature: _____

Employee's Printed Name: _____

Employee's Position: _____

Date Signed: _____

File in Personnel folder.