



# Compliance Standards of Conduct

## **Our Mission**

*To enable and empower people, primarily those with disabilities, to lead healthy and enriched lives.*

## **Our Vision**

*To be the model for helping people get better at life, through innovation and service excellence for those we serve, in unison with staff and partners who share our passion.*

## **A LETTER FROM THE PRESIDENT & CEO**

Dear Colleague,

As President & CEO, I am pleased to introduce the Compliance Standards of Conduct (the “Standards”) for Center for Disability Services, Prospect Center, St. Margaret’s Center and their respective affiliates (collectively, the “Center”).

The Standards are more than just an integral part of our Corporate Compliance Program. The Center strives to provide the highest quality supports, care and services, and the Standards enhance our mission, values, and vision by promoting conduct that is honest, ethical, and lawful. Equally important, they emphasize the obligations that we have to each other as colleagues to create a workplace that is free from retaliation and intimidation for participating in the Corporate Compliance Program. The Standards reflect these commitments and provide guidance on making decisions consistent with these core principles.

In addition, the Standards establish the foundation needed to maintain the trust of the individuals we support and their families, members of our workforce, communities in which we operate, and those who do business with the Center. The Center values the contributions of everyone affiliated with our organization. Accordingly, the Standards apply to all members of the Center community – including Directors, Officers, employees, medical and clinical staff, fellows, interns, volunteers, trainees, contractors, consultants, and vendors – all of whom are required to be familiar, and expected to conduct themselves in accordance, with them.

As you read through these Standards, you will see that compliance is our collective responsibility. Though comprehensive, the Standards cannot cover every situation you might encounter. It is up to each individual to seek advice when faced with a compliance question or concern, and the Standards contain resources to help you find assistance.

Compliance concerns related to the Center may be reported to a supervisor, to the Corporate Compliance Department at (518) 944-2129, anonymously to the Corporate Compliance Hotline at (518) 437-5871, and/or in accordance with the Center’s Whistleblower, and Corporate Compliance Non-Retaliation and Non-Intimidation, Policies. Under those Policies, retaliation and/or intimidation anyone who, in good faith, participates in the Center’s Corporate Compliance Program is prohibited.

We are stewards of this organization, and must embody the values that define our culture and foster excellence in all aspects of our work. The Standards, and related policies and procedures, can help you when you need guidance on compliance-related issues, as well as inform the manner in which we do our jobs.

Please join me in working to maintain the Center’s reputation as the leader amongst providers of programs and services for individuals with disabilities, and serving as a model of integrity and compliance. I need your help and commitment to achieve these important goals.

## **THE CENTER'S MISSION & VISION**

The mission of the Center is to enable and empower people, primarily those with disabilities, to lead healthy and enriched lives.

We are committed to being a model for helping people get better at life, through innovation and service excellence for those we serve, in unison with staff and partners who share our passion.

In providing the personnel and facilities necessary to carry out these functions in the most professional manner possible, we shall maintain the highest standards and consideration for the dignity of the individuals we support.

## **WHO SHOULD READ THE COMPLIANCE STANDARDS?**

These Standards of Conduct (the “Standards”) applies to Directors, Officers, employees, medical staff, coworkers, volunteers, trainees, contractors, consultants, and vendors of the Center.

## **WHO IS COVERED UNDER THE CENTER?**

The “Center” includes the Center for Disability Services, Prospect Center, St. Margaret’s Center and all entities that are controlled by any of these entities.

## **OUR VALUES**

These are the standards at the core of everything we do. The Center has built a tradition of service that has touched the lives of countless people in the greater Capital Region and North Country.

The Center’s strength is based on the individual acts and dedication of employees, healthcare professionals, coworkers and interns. To ensure that we maintain our reputation as a leader amongst providers of programs and services for individuals with disabilities, we have a recognized set of values designed to reflect not only our history, but also our commitment to the future and to enhance the way we deliver supports, care and services.

### **Values**

- **Person-Centered Experience** – We always put the individuals we support first.
- **Caring** – Be compassionate, supportive and respectful.
- **Integrity** – Foster a culture of trust, honesty, responsibility and accountability.
- **Respect** – Create a community of acceptance and opportunity by embracing a wide breadth of people, resources, skills, ideas, knowledge and diversity.
- **Teamwork** – Work together and communicate openly and professionally, share resources, listen to one another, and recognize one another’s contributions.
- **Excellence** – Promoting quality, creativity, innovation through education and research.

## **Caring Support**

We place the people we support at the center of all efforts. Our wide range of services under a single umbrella allow us to provide a seamless continuum of care as the needs of the people we support change. From essential medical, dental and mental health care, to residential and day services, our number one priority is the delivery of the highest quality care and services with an emphasis on the well-being and dignity of the people we support.

## **Creating Opportunities**

We are committed to the well-being of the people we support, while providing opportunities which lead to more independent lifestyles and productive, happier lives. From our Mail Fulfillment Center, which provides meaningful employment opportunities in a competitive work environment for individuals with disabilities, to the innovative services within our residential, day, supported employment and community habilitation programs, the Center provides opportunities to individuals with disabilities so that they can pursue their goals and become more active and engaged in their community.

## **Education**

The Kevin G. Langan School at the Center works every day to make sure each student is receiving not only an education optimized for their unique needs, but also a full childhood and school experience. We have three ultimate goals for our graduates: independence; community inclusion; and self-determination. In doing so, we also aim to foster an atmosphere of learning for all staff throughout the Center.

## **Research**

Individuals with disabilities, and their families and caregivers, face significant hurdles to quality of life and independence. The Health Innovations Incubator & Technology Center (“HIITech”) focuses on applied research and product development in further pursuit of the Center’s mission. Drawing from our own experiences, and through collaboration with other researches and institutions of higher learning, HIITech is developing solutions that empower individuals with disabilities to live even more healthy, safe and inclusive lives, while promoting a spirit of inquiry throughout the Center.

## **OUR COMMITMENT TO CORPORATE COMPLIANCE**

Our Standards provide guidance on the manner in which we can carry out the mission, vision and values of the Center. They also serve as an aid so that you can respond appropriately when compliance-related issues arise. The Standards are not designed to cover every situation. Instead, they provide direction to help you make the right decisions or ask the right questions.

The Standards and related compliance policies and procedures apply to everyone who has a relationship with the Center, including, but not limited to, Directors, Officers, employees, medical staff, fellows, volunteers, and trainees. We also expect all individuals and organizations – such as contractors, consultants, and vendors – performing services for, or on behalf of, or supplying products to, the Center, to adhere to the Standards.

We are committed to an ethical environment at Center founded on these principles of conduct:

- Treat the individuals we support and their families, staff, and the public with dignity and respect;
- Abide by applicable laws, rules, and regulations;
- Behave honestly and fairly, and be truthful and accurate in all communications;
- Use good judgment and high ethical standards in business dealings;
- Safeguard clinical and education records, and patient and employee health information;
- Protect confidential business and trade information, and intellectual property;
- Maintain accurate and timely records
- Guard against theft and misuse of Center property and assets;
- Avoid conflicts of interest; and
- Ensure a safe and healthy work environment;

We expect everyone affiliated with the Center to perform their job duties and responsibilities in a lawful, honest, and trustworthy manner. This includes being aware of, understanding, and complying with, Center compliance policies and procedures, regardless of whether they are specifically referenced in these Standards. Certain of these policies are specifically referenced, but others that are not can be reviewed on the Center's intranet site (Centernet), on the Corporate Compliance page of the Center's website, and/or obtained from a supervisor.

### **The Corporate Compliance Department**

The Corporate Compliance Program embodies our commitment to the highest standards of ethics and compliance. The Compliance Officer is responsible for its day-to-day operations. The Corporate Compliance Department implements the Compliance Program. Its staff are experienced in the areas of coding, billing, auditing, ethics and policies and procedures, among others things.

The Compliance Officer reports to the Governing Board's Finance, Compliance and Audit Committee on a periodic basis and, when necessary, to the full Governing Board to ensure that

the Directors are fully educated and informed on compliance issues, and that transparency exists in the programs. The Compliance Officer also reports to the President & CEO.

For more information about the Center's Corporate Compliance Program, visit the Corporate Compliance web page on the Center's website.

The Corporate Compliance Department may be contacted should you have questions about any compliance-related issue. The Human Resources Department also can provide guidance on workplace issues arising from these Standards and/or other Center policies and procedures.

### **Responsibilities of Supervisors & Managers**

The Center's supervisors and managers have an equally important role in creating a culture of compliance. They should:

- Make sure that their programs reflect the Center's commitment to compliance and high-quality supports, care, and services;
- Create a work environment in which compliance concerns can be raised and discussed without fear of retaliation and/or intimidation;
- Keep informed of regulatory changes that affect their areas of responsibility;
- Seek out trainings and learning and development opportunities for themselves and their direct reports;
- Demonstrate an understanding of, and commitment to, honesty, integrity and compliance with applicable laws, rules, regulations and applicable Center policies and procedures; and
- Support, participate and cooperate with compliance activities, including, but not limited to, investigations, self-evaluations, audits, and remedial actions.

## **DUTY TO COMPLY, REPORT & PARTICIPATE**

### **Reporting Obligations**

All Directors, Officers, employees, medical staff, fellows, volunteers, trainees, contractors, consultants, and vendors of the Center must comply fully with applicable laws, rules, regulations, Center policies and procedures, and these Standards. Actual or suspected compliance concerns – including, but not limited to, violations of federal and state laws, Center policies and procedures, and/or the Standards, as well as fraud, waste, abuse, conflicts of interest, thefts, bribes, kickbacks, patient privacy or confidentiality, information system security or data breach, or other misconduct of any type relating to the Center's operations – must be reported.

### **To Whom Should Compliance Concerns be Reported?**

Compliance Concerns related to the Center may be reported:

- To a Supervisor;
- To the Corporate Compliance Department at (518) 944-2129;

- Anonymously to the Corporate Compliance Hotline at (518) 437-5871; and/or
- In accordance with the Center's Whistleblower, and Reporting and Investigation of Compliance Concerns, Policies.

### **Non-Retaliation & Non-Intimidation**

Under the Center's Whistleblower, and Corporate Compliance Non-Retaliation and Non-Intimidation, Policies, retaliation and/or intimidation against anyone who reports a concern in good faith is prohibited. Reported concerns and claims of retaliation will be reviewed and, if required, investigated. Any individual who has engaged in acts of retaliation and/or intimidation will be subject to appropriate disciplinary action, which may include termination of employment or other relationship with the Center.

### **Discipline**

The failure to comply with federal and state laws, Center policies and procedures, and/or the Standards, or to report an actual or suspected compliance concern, can have very serious consequences for the Center and/or for any affiliated individual. The discipline imposed will be determined on a case-by-case basis and will depend upon the nature, severity and frequency of the violation. Possible disciplinary actions include: verbal warning; written warning; suspension; and termination of employment or contractual relationship with the Center.

Ensuring compliance with the laws, rules, and regulations that govern the operations of the Center requires teamwork to be successful. We need your help to act with honesty and integrity.

### **Responding to Potential Compliance Issues**

The Center is committed to promptly, thoroughly, and confidentially responding to all reported concerns, to the extent possible. The Compliance Officer will direct any internal investigation in accordance with applicable Center policies and procedures.

If an internal investigation substantiates a reported concern, corrective actions and/or other necessary steps will be taken. These actions may include repaying any government funds to which the Center is not entitled, notifying or referring a matter to an outside law enforcement and/or regulatory agency, instituting disciplinary action, and/or implementing systemic changes to prevent reoccurrence.

All Directors, Officers, employees, medical staff, fellows, volunteers, trainees, contractors, consultants, and vendors are expected to cooperate and participate with compliance-related reviews, audits, and investigations.

### **DEFICIT REDUCTION ACT OF 2005**

Section 6032 of the Deficit Reduction Act of 2005 requires organizations that receive Medicaid payments in excess of \$5 million annually to establish written policies providing detailed information about the federal and state laws that target fraud, waste and abuse in federal health care programs. These policies must be disseminated to members of the organization's

employees, as well as contractors, consultants, and vendors who perform services for, or on behalf of, or supply products to, the organization.

The Center is committed to compliance with the Deficit Reduction Act of 2005, and has adopted policies and procedures that summarize the federal and state laws and administrative remedies for preventing and detecting fraud, waste and abuse, and those that provide whistleblower protections. All contractors, consultants, and vendors are expected to abide by these policies while performing services for, or on behalf of, or supplying products to the Center.

### **ANTI-KICKBACK/BRIBES**

The Center strictly prohibits its Directors, Officers, employees, medical staff, fellows, volunteers, trainees, contractors, consultants, and vendors from offering, paying, requesting, or accepting money or other benefits in exchange for referrals, purchases, leases or orders.

### **COST REPORTS**

The Center receives reimbursement from federal and state health care programs. These programs require the submission of complete and accurate reports of the costs of operation, as well as other requested information. Laws, rules, regulations and guidelines applicable to these programs define allowable costs and outline the appropriate methodologies to claim reimbursement for the cost of providing services in connection with the program.

### **CREDENTIALING**

An important part of the Center's commitment to high quality care is the proper credentialing of its health care providers. Accordingly, credentialing reviews are performed for employees whose work requires licenses, including and temporary, contracted, and volunteer staff.

Credentialing reviews occur before the relationship between the Center and a provider begins. Credentials are recertified at regular intervals in accordance with regulatory requirements. We also conduct any required background checks.

### **SCREENING OF EXCLUDED INDIVIDUALS & ENTITIES**

The Center will not knowingly employ, appoint, elect, contract or bill for any individual or entity that has been listed as debarred, excluded or is otherwise ineligible for participation in federal or state health care programs. We routinely search the lists of excluded and ineligible persons including the U.S. Department of Health and Human Services, Office of Inspector General, the General Services Administration and the New York State Department of Health's exclusion lists.



## **PRIVACY & CONFIDENTIALITY**

### **Safeguarding Clinical and Education Records & Patient and Employee Health Information**

The Center respects the individuals its supports by protecting the confidentiality of protected information created, maintained, received or transmitted by the Center that may identify an individual (including Protected Health Information, or “PHI”) and which is subject to federal, state, or local laws, rules, and regulations. PHI can include, but is not limited to, patients’ names, addresses, phone numbers, Social Security numbers, medical diagnoses, illnesses, and other personal information. Federal and state laws, as well as quality of care standards, require us to keep this information confidential. Center employees also must be afforded the highest level of confidentiality with respect to their medical records. Thus, we must never use, disclose or discuss such information, except as necessary or as required by law.

Subject to emergency exceptions, confidential protected information will be protected and will be released only as authorized by law or written authorization. For example, it is inappropriate to:

- Discuss a patient or individual’s care in a public area where conversation may be overheard by others;
- Permit access to a patient or individual’s record by persons who are not involved in legitimate activities relating to the patient or individual;
- Access employees’ medical records when they are receiving medical care at our facilities, unless it is for treatment, payment or health care operations.

If you: are unsure of the rules governing the access or release of confidential protected information; discover that such information has been accessed, used, or disclosed; or find or receive confidential protected information that you are not authorized to have, immediately reach out to a Supervisor or the HIPAA Privacy Officer.

Anyone affiliated with the Center who engages in unauthorized access, use, or disclosure of confidential protected information will be subject to disciplinary action, up to and including termination of employment. Individuals also may be subject to civil or criminal penalties.

### **Protecting Confidential Business and Trade Information & Intellectual Property**

Every member of the Center community is responsible for safeguarding its confidential business and trade information and intellectual property. Examples include financial information and business performance; contractual arrangements; strategic plans and planned investments; marketing efforts and plans; financial information related to our professional fees, reimbursements, and salary levels; trade secrets; information subject to confidentiality and non-disclosure agreements; and research information, including proposals, unpublished research data and results, and invention disclosures.

## **TAX-EXEMPT STATUS**

The Center is a tax-exempt organization because of its charitable mission. It provides numerous community benefits, including, but not limited to, health care services, education, research, and community outreach activities.

## **POLITICAL CONTRIBUTIONS & PARTICIPATION**

The Center does not take positions in relation to political candidates or campaigns, or directly or indirectly use its revenues and other resources for political activities. Nor does it reimburse personal expenses related to any political activities, including contributions made to any political candidate.

Violation of these principles could jeopardize the Center's tax-exempt status. This can be prevented by complying with the following guidelines:

- Do not solicit political contributions from colleagues on Center-operated properties or at its events;
- Participate in political activity only as a private citizen, not as a representative of the Center. You are entitled to participate in, or contribute to, any political organization or campaign you choose. However, you cannot use your Center title, affiliation, e-mail address, letterhead or otherwise create the impression that any related correspondence is from the Center.
- Use your own funds for any political participation and do not attempt to be reimbursed by the Center.
- Do not provide or offer any benefit in an attempt to influence government officials. Likewise, report inappropriate requests for benefits from a government representative.

## **PROTECTING & USE OF CENTER RESOURCES**

We all are responsible for preserving and protecting Center assets and resources – such as time, material, supplies, equipment and information – from loss, damage, theft, misuse and waste. As such:

- All staff, employed, contracted or otherwise, will work productively and report their time and attendance accurately;
- Supplies and equipment, such as personal protective equipment, vehicles, machinery, tools, computers, pharmaceuticals, medical, cleaning and food supplies and devices, should not be removed from Center-operated locations for personal use;
- The Center's technology infrastructure systems, including, but not limited to, telephones, computers, printers, electronic mail, Intranet, Internet access and voice mail, are the property of the Center and are to be used primarily for business purposes in accordance with applicable policies and procedures; and
- Departmental funds, including cash and cash equivalents (ex. gift cards), purchase cards, and expense accounts will used, maintained and overseen in accordance with Center policies and procedures.

## **OUR COMMITMENT TO OUR COMMUNITY & BUSINESS PARTNERS**

Our community and business partners — suppliers, contractors, consultants, vendors, and others with whom we do business — are vital to our success. We select them based on need, and the quality, price, delivery and supply of their goods and services.

## **EXTERNAL COMMUNICATIONS & SOCIAL MEDIA**

### **Media Relations**

All requests from reporters and members of the media should be referred to the Senior Vice President of Communication and Development. Employees and other members of the Center community are not authorized to speak about the Center's views and positions as an agent of or on behalf of the Center, and should not release information without prior permission.

### **Marketing & Advertising**

The Center uses marketing and advertising to educate the public, report to our community, increase awareness of our services and to recruit staff members. We do so in truthful and ethical manner, consistent with federal and state regulatory standards. Our marketing and advertising features the services currently available at the Center as authorized by applicable licensure, accreditation, and operating authority.

### **Responsible Use of Social Media & External Communications**

The Center recognizes the impact of social media and external communications on public perception and the relationship with our community. While the Center respects the right of the members of its workforce to participate in social media, it also committed to ensuring that the use of such communications is consistent with the Center's policies and values, respecting and protecting the privacy and confidentiality of our staff and the individuals we support. Use the following guidelines in social media and external communications:

- **Exercise Responsibility Online:** You are personally responsible for any of your social media activity. Please use good judgment when posting comments and using social media in order to maintain the reputation of the Center and its programs. Do not make any false or misleading statements about the Center – communications of all matters related to the Center should be factual, current, accurate, and authentic.
- **Follow Existing Policies And Terms Of Use:** Observe and follow (i) existing Center policy and agreements, such as our Employee Handbook, (ii) the policies of the particular online/social networking venue, and (iii) applicable law. Likewise, do not make statements on social media or in other external communications in breach of these Standards. This means that you are prohibited from using social media to post or display comments about coworkers or supervisors or the Center that are obscene, threatening, or a violation of the Center's workplace policies against harassment and discrimination based on any characteristic protected by law.

- **Be Respectful and Mindful of Privacy and Confidentiality:** It is inappropriate to use or disclose protected clinical or education records or patient or employee information, including photos or descriptions of, and statements about, patients and individuals supported by the Center, as well as the Center’s restricted and/or confidential business and trade information and intellectual property.
- **Use Your True Identity:** When participating in any social media, be completely transparent and disclose your true identity for your personal protection. Do not knowingly misrepresent your employment-related information, such as your employer, title, job function, length of employment and education information. Make clear that the information conveyed is in your individual and personal capacity, not for or on behalf of the Center. Additionally, when commenting on or promoting any Center product or service on any form of social media, you must clearly and conspicuously disclose your relationship with the Center to the members and readers of that social media.
- **Use of the Center Logo or Trademarks:** Do not use the Center logo or other associated trademarks without permission.

If you are aware or become aware of non-compliance with these specific Standards, immediately reach out to the Human Resources Department, a Supervisor, and/or the Corporate Compliance Department.

## **CONFLICTS OF INTEREST**

Members of the Center workforce should avoid any activity that may create an actual or apparent conflict of interest with the organization. Conflicts of interest occur when personal interests interfere with an individual’s ability to exercise judgment objectively in the best interests of the organization. Employees are expected to conduct business in the best interest of the organization, regardless of personal preference. Employees must refrain from any activity or having any financial interest that is inconsistent with the Center’s best interest and also must refrain from activities, investments, or associations that compete with the Center, interfere with one’s judgment concerning the Center’s best interests, or exploits one’s position with the Center for personal gains. Employees who freelance or consult for another party may not perform work during working time at the Center or use Center facilities, resources, or supplies for such work.

## **NON-DISCRIMINATION & EQUAL EMPLOYMENT OPPORTUNITY**

At the Center we don’t just accept difference – we celebrate it, support it, and thrive on it for the benefit of our employees and the people we support. We are proud to be an Equal Opportunity Employer and do not discriminate against any protected class of job applicant or employee in our employment practices. We are committed to ensuring Equal Employment Opportunity in all personnel actions including, but not limited to: recruitment, employment and selection, accommodation, training, promotion, transfer, compensation, working conditions, separation, benefits, and all other conditions of employment.

This policy will be administered without regard to an individual’s actual or perceived race, gender, gender identity or expression, transgender status, sexual orientation, religion, creed,

color, national origin, citizenship, alienage, age, marital status, familial status, relationship or association with a member of a protected category, genetic information, predisposing genetic characteristic, ancestry, ethnicity, disability, pregnancy or pregnancy-related condition, veteran status, military status, domestic partnership status, or any other class protected by applicable law, including status as a victim of a crime, domestic violence, stalking, or a sex offense.

## **HARASSMENT**

The Center strives to create and maintain an environment where people are treated with dignity and respect. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits discriminatory practices, including harassment. The Center is committed to building an environment that is free from harassment, including sexual harassment, against any employee, intern, contractor, volunteer, or applicant for employment, since such behavior has a negative impact on both the people we support and the Center. Accordingly, the Center does not tolerate harassment or discrimination based on any characteristic protected by law.

## **HEALTH & SAFETY**

The Center is committed to compliance with all federal, state, and local laws concerning safety and security. While the Center endeavors to keep work areas safe, all members of the Center workforce are expected to observe all safety and security procedures and to immediately report any unsafe conditions and accidents to a supervisor.

## **YOUR PERSONAL COMMITMENT**

All members of the Center community are expected to make decisions that are guided by principles of honesty, integrity, high ethical standards, and a personal commitment to these Standards and the Center's mission, vision and values.