



## **CORPORATE COMPLIANCE PLAN**

Cantalian Center ascribes to a tradition of excellence in the delivery of instruction and services to the people we serve. Cantalian Center is committed to excellence in providing quality, compassionate, personalized educational and adult services. Cantalian Center strives to develop and maintain best practices in all areas of service. Consistent with this commitment to quality, Cantalian Center establishes this Corporate Compliance Program to demonstrate and document our commitment to the highest level of professional integrity and ethics in the agency's business dealings with consumers, contractors, vendors, employees, funding agencies and the general public.

This Corporate Compliance Program is established for the entire Cantalian Center community, including its employees, contractors, agents, vendors, members and officers of the Board of Directors, volunteers, and employees and others working on behalf of other agencies and businesses doing business with Cantalian Center and its related corporations. It is expected that all personnel will be familiar with and carry out responsibilities as set forth in this plan. Each program Director and Manager is responsible to ensure that staff understand and follow the CC Plan. Employees who engage in fraud waste and abuse will be subject to disciplinary action up to and including termination, as outlined in Cantalian Center's Rules and Regulations. Volunteers, contractors, and members of the Board of Directors will also face actions for violations and improper conduct.

**Our Mission** - Rooted in the Catholic principle of Human Dignity, we provide person-centered compassionate services that promote independence and offer meaningful opportunities to individuals with disabilities.

**Our Vision** - The Cantalian Center for Learning will be the agency-of-choice as indicated by:

- Satisfied and empowered individuals served
- Achievement of external recognition for quality and excellence
- Collaboration with community partners
- Growth of mission-driven services

**Our Values** -

**Integrity** -We embrace principles of honesty, trust and accountability to the individuals we serve, their families, and the community at large.

**Human Dignity-** We treat each person with compassion, respecting their rights as individuals, and encouraging their individually and capacity to grow.

**Excellence** - We are committed to best practice, innovation and quality in the service we provide.

**Teamwork** - We foster collaborative relationships, both within our agency and with our community partners, to enhance opportunities for all persons with disabilities.

**Adaptability** - We are flexible in responding to opportunities and diverse needs in an ever-changing environment.

#### **COMPLIANCE PROGRAM ELEMENTS:**

1. Written policies and procedures
2. An employee vested with responsibility for day-to-day compliance program operation
3. Training of employees & others
4. Communication lines
5. Enforcement of standards
6. System to identify compliance risk areas
7. System to respond to compliance issues
8. Policy of non-intimidation and non-retaliation (“whistleblower”)

#### **1. POLICIES AND PROCEDURES: Policies, procedures and standards that are reasonably capable of reducing the prospect of illegal or unethical conduct**

The following standards of conduct and Policies and Procedures are available in the Cantalician Center’s Employee Handbook and in Cantalician Center’s intranet X drive “Policy and Procedures”. Cantalician Center subscribe to principles of ethics and conduct for its directors, administration, board of directors, employees and volunteers that require them to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. As employees and/or representatives of Cantalician Center, we must practice honesty and integrity in fulfilling our responsibilities and comply with all applicable laws and regulations.

#### **Business Relations Code of Conduct**

Cantalician Center shall respect truth in all of its communications with its parents, caregivers, vendors, school districts, government entities and third parties. Every effort must be made to furnish clear, accurate and honest information. Cantalician Center staff will ensure the confidentiality of its students and individuals receiving services in their communications. All dealings will be fair and above board. Employees will not be involved in the payment or acceptance of payment or benefit to secure any concession, contract or other favorable treatment. In selecting suppliers, Cantalician Center will deal with all facts fairly and impartially and will not enter into discussions or arrangements with suppliers contrary to the laws and regulations on competition. Fair but vigorous competition will be the prevailing practice.

**Compliance with Laws:** Cantalician Center will comply with all legislation which governs Cantalician Center's business. All records and books of Cantalician Center will reflect accurately the transactions of Cantalician Center. Cantalician Center prohibits, without exception, the entry of information known to be false or materially misleading on any documentation. All employees must follow Agency policy regarding the disposal or destruction of Agency records or files.

Cantalician Center has established Policies, procedures and standards that are reasonably capable of reducing the prospect of illegal or unethical conduct. It is the purpose of such policies and procedures to resolve payment discrepancies and detect inaccurate billings, among other things, as quickly and efficiently as possible, and to impose systemic checks and balances to prevent future recurrences.

**Code of Ethics** - Cantalician Center has adopted a Code of Ethics to guide employees, Board of Directors, volunteers, and consultants in their conduct when acting on behalf of Cantalician Center. All employees, volunteers, consultants, and Board of Directors are required to sign and abide by this Code.

**Conflict of Interest policy/disclosure** - All Board of Directors, officers, employees, interns, volunteers of Cantalician Center have an obligation to conduct business within guidelines that prohibit actual, potential or the appearance of a conflict of interest. This policy is established to ensure that services and business activities are conducted in an objective manner and are not motivated by desire for personal or financial gain. This procedure provides disclosure regarding actual or potential conflicts of interest annually and at any time such a conflict may arise. All Board of Directors, officers, employees, interns, volunteers of Cantalician Center are required to disclose any personal or professional relationships which may represent a potential or actual conflict of interest with Agency activities, as well as circumstances which may give the appearance of such. Furthermore, it is expected that all Board of Directors, officers, employees, interns, volunteers of the Cantalician Center will not be involved in any decision making activities wherein such a conflict exists. All Board of Directors, officers, employees, interns, volunteers of the Cantalician Center are required to disclose any actual or potential conflict of interest or the appearance of a conflict of interest at the time of appointment, hire or assignment. All Board of Director candidates must disclose complete a Conflict of Interest Disclosure Statement prior to their election/appointment, which must be reviewed by the Audit Committee of the Board.

**Conflict of Interest:** Any situation in which financial or other personal considerations may compromise or appear to compromise (1) an employee's business judgment; (2) delivery of services; or (3) ability for an employee to do his or her job. An actual or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee or for a relative as a result of business dealings. For the purpose of this policy, a relative is any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage. Business dealings with outside entities should not result in *unusual gain* for those entities, the agency, or an employee. Unusual gain refers to bribes, product bonuses, special fringe benefits, unusual

price breaks, and other windfalls designed to ultimately benefit the employer, the employee, or both.

**Billing and payment standards** – Cantalician will only employ or contract with individuals or entities with proper credentials, experience and expertise. All business communications on behalf of Cantalician with outside individuals or entities, including claims for payment or reimbursement of any kind, will be truthful and, where appropriate, substantiated by accurate and complete records. Employees or agents who perform billing and/or coding of claims must take every reasonable precaution to ensure that their work is accurate, timely, and in compliance with federal and state laws and regulations and Cantalician Center's policies. No claims for payment or reimbursement of any kind that are false, fraudulent, inaccurate or fictitious may be submitted. No falsification of medical, time or other records that are used for the basis of submitting claims will be tolerated. Cantalician Center shall act promptly to investigate and correct the problem if errors in claims that have been submitted are discovered.

Employees shall refrain from the following practices and will report to the Compliance Officer any employee who is suspected or known to have acted in an inappropriate or unethical manner to include:

- Knowingly seeking payment for services not rendered
- Billing for services not performed
- Backdating records
- Falsifying documentation; falsifying dates on a claim
- Billing for higher payment than entitled

Business will be conducted ethically, in a manner above reproach and, except as authorized by statute or regulation, with total impartiality and preferential treatment for none. Maintaining the integrity of the procurement process is of paramount importance. Contact with Vendors and Contractors and the dissemination of procurement information to persons who do not have a bona fide need to know, within or outside of Cantalician Center, by unauthorized personnel of Cantalician Center is prohibited. This unauthorized contact involves obtaining price quotes, disclosing estimates or competitor's bids, giving direction to contractors to proceed with work, making statements which may be construed as a commitment by Cantalician Center, etc. Such activity compromises established contracting procedures and seriously jeopardize fair and impartial buying practices. Unauthorized individuals engaging in these types of contacts are subject to disciplinary actions which may include termination.

- **Kickbacks** - The Federal Anti-Kickback states that anyone who knowingly and willfully accepts or offers remuneration of any sort and in any manner intended to influence the referral of Medicare and Medicaid services can be held accountable for a felony. A "kickback" is defined as the giving of remuneration of any kind which is interpreted as "anything of value" or a payment made to someone who has facilitated a transaction or appointment. Cantalician Center employees and Board of Directors are prohibited from such action and shall not receive, willfully solicit, offer to pay or receive remuneration of any kind for the provision of services.

- **Gift giving** - Gifts are defined as a tangible or intangible item of any value received from external resources/vendors, directly or indirectly by the employee as a means of obtaining preferential treatment. Employees may not accept personal gifts or entertainment from any vendor by any means, directly or indirectly, at any time of the year if the gift exceeds \$25.00 in value. This includes, but is not limited to items of value, quasi-social invitations, credits for vendor promotions, money, performing service, loan, travel, entertainment, hospitality, things of promise or in any other form, under any circumstances, in which it could be reasonably inferred that the gift was intended to either influence the recipient into giving special consideration in the performance of official duties. Any individual or organization that wants to make a gift that is cash or cash-like should be referred to the **Cantalician Center Foundation**.
- **Agency resources** - are to be used for job related purposes and not for personal gain.
- **Tax exempt** –The Agency is a tax-exempt entity under the rules and laws of New York State and the Federal Internal Revenue Service. The agency sales tax exemption is used only for legitimate agency business and service transactions. In order for it to maintain its tax exempt status, the agency’s Personnel must not, in the name of or on behalf of the Agency, carry on propaganda or otherwise attempt to influence legislation (except as permitted by the Internal revenue Code) or participate in any political campaign of or in opposition to any candidate for public office. Personnel must not entertain government personnel in conjunction with Agency business. This does not prevent Personnel acting in their individual capacity from engaging in political activity.
- **Unfair trade practices and antitrust** - The purpose of the antitrust and trade regulation laws is to protect Cantalician Center and individuals from unfair trade practices and to promote competition. All agency representatives are expected to comply with all laws pertaining to the restraint of trade and fair competition.
- **Medical necessity and quality of care and services** - The primary duty of all employees, interns, volunteers, and Board of Directors is to the individuals and students who receive services from Cantalician Center. All employees are responsible for ensuring that all individuals and students receive quality services. All individuals serviced by the agency shall be given the respect and dignity extended to others regardless of race, creed, ethnic background, religion , sexual orientation, age, developmental disability or other handicap, health condition or HIV/AIDS diagnosis or related illness.

**Service Documentation** – Cantalician Center programs will complete all required documentation of services as outlined in policies and procedures to comply with regulators and funding sources. All billing and claims generated must accurately reflect that services rendered are supported by relevant documentation. Cantalician Center will seek payment only for services rendered/performed and will accurately document in all records.

**Abuse/Neglect/Incident Reporting** – Cantalician Center requires all staff to report any suspected abuse, neglect, mistreatment or incidents involving children, students and individuals we serve. We are all mandated reporters. Cantalician Center shall provide for the timely and appropriate reporting and recording of all Reportable Incidents of Abuse and Neglect, Reportable Significant Incidents, Serious Notable Occurrences, Minor Notable Occurrences, and Events/Situations in order to enhance the quality of care provided to persons with developmental disabilities, to protect them (to the extent possible) from harm, and to ensure that such persons are free from abuse and neglect. Cantalician Center shall not take any retaliatory action against an employee or agent who cooperates with the investigation of any report as well as those made to the NYS Justice Center Vulnerable Persons Central Registry (VPCR) or OPWDD.

**Confidentiality** - Confidential data is information protected by statutes, regulations, Cantalician Center policies or contractual language. Department Heads may also designate data as confidential. Confidential data may be disclosed to individuals on a need-to-know basis only. Disclosure to parties outside the Cantalician Center must be authorized by the Executive Director, Director of Human Resources and/or Quality Assurance/Corporate Compliance Director. By way of illustration only, some examples of confidential data include: medical records, Social Security numbers, any data identified by government regulation to be treated as confidential, or sealed by order of a court of competent jurisdiction. Confidential data must not be disclosed to parties without explicit prior authorization. The children and adults we serve must not be discussed anywhere, except with the members of the staff and then only in a professional manner to the extent necessary for proper analysis, care, service and therapy.

**Mandated Reporters and Internal Investigations** - All Cantalician Center employees are mandated reporters. It is expected that all employees, volunteers, interns or independent contractors assist in the investigation process. Any employee, volunteer, intern or independent contractor may be contacted at any time to participate in an investigation by the Director of Human Resources or Director of Quality Assurance/Corporate Compliance and remain available for interviews, providing accurate, timely and complete information, and by maintaining confidentiality of all related information. Employees who are involved in an investigation may be reassigned, closely monitored or placed on unpaid leave suspension while an investigation is being conducted. Employees must follow the instructions given to them by their supervisor, Human Resources, or by Corporate Compliance. Employees are encouraged to discuss any concerns they have with their supervisor or with Human Resources. Upon completion of an investigation, a determination of the allegation will be made with corresponding follow up and preventative/corrective measures. Employees must be prepared to return to work immediately. Anyone refusing to participate or cooperate in any investigation may be terminated, as participation is a condition of employment.

**Credentialing and screening** - Professional staff must meet and maintain proper New York State license and certification requirements for their position. A copy of employee's current license, certificate, registration, diploma and transcript must be provided post-offer on or before the

first day of employment and will be included in the personnel file. An employee, whose position requires a professional license or certification, must maintain such in good standing, including satisfying all continuing education requirements. An employee whose license has expired, has been suspended or has been revoked will be immediately terminated. Screening will be completed by Human resources at time of hire and routinely thereafter.

**Criminal Background Checks** - All volunteers, interns, employees, and consultants must complete a Criminal Background Check to verify whether there is a history of criminal convictions. Depending on the position, the criminal background check may require fingerprinting. Criminal convictions do not necessarily prohibit employment or a relationship with Cantalician Center. Any indicated conviction will be reviewed and considered in light of the nature and scope of the position in question. Criminal background checks are conducted at the onset of employment and may be completed for cause or randomly throughout an individual's employment. Cantalician Center reserves the right to deny employment or terminate employment if it is determined that the conviction may have a negative impact on the Agency, disqualifies the applicant/employee, or is inconsistent with information previously provided to the Agency. The criminal background check will include fingerprinting for opportunities/positions in the day care, evaluation program, aftercare program and our Community Services site in conjunction with the Justice Center.

**Child Abuse Background Checks:** New York State Law requires that a Child Abuse Background Check be completed by the Statewide Central Register Database for any employee, intern, volunteer, and/or consultant who has potential for regular and substantial contact with children or adults in the course of their work. All indicated findings will be reviewed and considered in light of the type and scope of the position in question. Child abuse background checks are conducted at the onset of employment and may be completed for cause, annually or randomly, without cause throughout an individual's employment.

**State Exclusion List ("SEL") Check:** Effective June 30, 2013, applicants for daycare, preschool and Office of Persons with Developmental Disabilities ("OPWDD") programs who would have the potential for regular and substantial contact with a child or adult serviced in these programs will be required to submit to a check of the SEL before hire. The SEL contains the names of individuals (e.g., employee, volunteer, intern, consultant, contractor) found responsible for serious or repeated acts of abuse and neglect. Individuals on the Staff Exclusion List (SEL) will be prohibited from being hired. Applicants who are not found on the SEL are subject to a criminal background check and New State Central Register for Child Abuse and Neglect ("SCR") check.

**MHL 16.34 Check:** All prospective employees and volunteers in the OPWDD system must submit to a MHL 16.34 background check requiring a background check providing information about substantiated reports of physical abuse, sexual abuse, psychological abuse or serious neglect constituting intentional acts or omissions that endanger the life or health of a person receiving services that occurred prior to June 30, 2013 that involve the applicant/volunteer as a target.

## **2. DAY TO DAY COMPLIANCE PROGRAM OPERATION -**

**Corporate Compliance Officer** – The corporate compliance officer will work closely with Program and Department Supervisors to foster and enhance compliance with all applicable program service regulations, operational policies and procedures, and billing requirements. The Director of Quality Assurance/Corporate Compliance is responsible for day-to-day operation of Compliance Program and member of senior management. Ensures compliance with all governmental and contractual rules and regulations. Serves as Corporate Compliance Officer and, as such, is responsible for the overall coordination, planning, and implementation of the Agency's general compliance activities. Coordinates compliance surveys and activities to ensure that the Agency is adhering to rules, regulations, and Agency policies. Also serves as the HIPAA and FERPA Privacy Officer. Participates in program certification activities and reviews.

Responsibilities include:

- Oversees the planning and implementation of the Agency's general quality assurance and quality improvement program.
- Develops quality assurance and corporate compliance policies and procedures and reviews all other program policies to insure that they are in compliance with regulations and certification standards.
- Coordinates the Incident Review Committee and completes all related annual or special reviews, investigations and reports. Enters all incidents into OPWDD IRMA and Justice Center, manages every incident, investigation, report, correspondence/notifications associated with every report, fields all questions from staff to determine if situation qualifies an incident, provides guidance to staff in regard to incident management and resolution.
- Implements program audits per Audit schedule for all agency programs, providing reports to program staff and monitors corrective action plans.
- Attends and participates in Program Surveys and Certification Reviews. Monitors implementation of Corrective Action plans. Maintains records of all surveys and reviews.
- Oversees coordination of general quality improvement activities such as "Best Practices" groups, quality improvement groups, and agency quality assurance reviews according to the agency QI Plan.
- Oversees confidential maintenance of all compliance and QA records and documents
- Oversees implementation and activities of Agency corporate compliance plan and serves as Corporate Compliance Officer to receive any report of individual or agency fraud, misrepresentation or falsification. Conducts corporate compliance investigations, completes investigative report, makes recommendations and ensures follow-up by program staff. Chairs the Corporate Compliance Committee. Develops and monitors Corporate Compliance Work Plan and entire Corporate Compliance Program.
- Serves as the agency privacy officer overseeing all ongoing activities related to the development, implementation, maintenance of, and adherence to the organization's policies and procedures covering the privacy of, and access to, records of individuals and students served in compliance with federal and state laws and the Agency's information privacy practices.

- Develops and coordinates a comprehensive staff development program as related to Corporate Compliance, quality assurance and related issues in conjunction with the Director of Human Resources and Program Directors.
- Plans, facilitates, arranges and/or conducts training for Board Members to enhance the Boards' knowledge, oversight duties and governing abilities.
- With the Board of Directors, develops comprehensive Board Policies to guide the Board in its governance role, and presents Policies to the Board for their final review and approval.
- Assists in implementation of plans, strategies and goals as is appropriate to the duties and role of this position.
- Member of the Senior Leadership Team.
- Attends and participates in Administrative Staff Meetings, Management Staff Meetings, Staff Meetings and other agency or inter-agency committee meetings appropriate to duties and responsibilities.
- Participates in DDAWNY Corporate Compliance and QA/QI Committee Activities.
- Completes other duties as assigned by the Executive Director
- Reports to the Executive Director and makes regular reports to the Board of Directors and the Corporate Compliance Committee.

**Corporate Compliance Committee** - The role of the Corporate Compliance Committee is to ensure compliance by providing oversight for regulatory and legal compliance issues to ensure that Cantalician Center promotes an organizational culture that encourages ethical conduct and commitment to compliance with the law. In addition, the Corporate Compliance Committee's role is to advise the Corporate Compliance Officer and assist in the implementation of the Corporate Compliance Plan. The Compliance Committee membership includes the Executive Director/CEO, Director of Quality Assurance/Corporate Compliance, Chief Financial Officer, Director of Human Resources, Director of Community Services, Director of Education, Member of Board of Directors.

The committee's role and responsibilities include

- Analyzing Cantalician Center's regulatory environment, the legal requirements with which it must comply, and specific risk areas;
- Reviewing and assessing existing policies and procedures, as well as any new laws, issues, or guidelines that address risk areas and to encourage compliance according to legal and ethical requirements;
- Recommending, monitoring, and evaluating the development of internal systems and controls to carry out Cantalician Center's standards, policies and procedures;
- Reviewing Written Summary Reports regarding allegation, investigation, conclusion and corrective actions of Corporate Compliance investigations generated via Hotline and/or other sources for the purpose of identifying trends and ensuring compliance;
- Preventing, detecting and correcting known or suspicious fraud or other forms of misconduct that would expose Cantalician Center to significant criminal liability;

- Monitoring internal and external audits and investigations for the purpose of identifying potential compliance issues and deficient areas;
- Reviewing and ensuring the Implementation of corrective and preventive action;
- Reviewing the Corporate Compliance Plan to determine overall effectiveness, gaps between requirements and programs, and to reduce risk;
- Reviewing of any current Compliance issues.

**3. EDUCATION AND TRAINING** – The Director of Quality Assurance/Corporate Compliance, in conjunction with the Director of Human Resources and Program Directors and Supervisors, will ensure participation in all required training. All new hires participate in an orientation program designed to familiarize new employees with Cantalician Center, its policies and procedures, programs, compliance program, and expectations. Attendance is mandatory and successful completion of the orientation program and ongoing training throughout employment is a condition of employment. Annual Corporate Compliance Training is mandatory for all staff. Ongoing training is provided as needed e.g. regulations or policy changes, and identification of trends via internal and/or external audits. All interns, volunteers and Board of Directors are to participate in required compliance training.

#### **4. OPEN LINES OF COMMUNICATION**

It is the responsibility of all directors, officers, administration, employees, and volunteers to comply with these principles and to report violations or suspected violations in accordance with the False Claims and Whistleblower Policy. This policy establishes an open door mode of communication and suggests that employees and/or representatives of the Cantalician Center share their questions, concerns, suggestions, or complaints with an appropriate supervisor or the Cantalician Center Director of Quality Assurance/Corporate Compliance, who can address them properly. If an employee is not comfortable speaking with his/her supervisor, or is not satisfied with the supervisor's response, he/she is encouraged to speak with the Director of Quality Assurance/Corporate Compliance. Reports can be made to the Director of Quality Assurance/Corporate Compliance in person, via email or by phone. Supervisors are required to report suspected violations to the Director of Quality Assurance/Corporate Compliance, who shall take action to investigate reported violations. For suspected fraud, or when the employee is not satisfied or is uncomfortable with following the Cantalician Center open door policy, that individual should contact the Director of Quality Assurance/Corporate Compliance, and can also do so via the **Corporate Compliance Hotline 901-8899**. It is a violation of the Plan for employees to not report such conduct to the agency. Failure to report can result in disciplinary action up to and including termination. If you are not sure if conduct is illegal or fraudulent, you can contact your supervisor, Program Director or Director of Quality Assurance/Corporate Compliance.

## **5. DISCIPLINARY POLICIES TO ENCOURAGE GOOD FAITH PARTICIPATION**

Cantalician Center is committed to providing the best possible climate to foster quality instruction and service for our students and individuals with disabilities. We strive to treat each employee as an individual; while developing a spirit of teamwork working together to attain a common goal. In order to maintain an atmosphere where these goals can be accomplished, we seek to maintain a work environment which is welcoming and progressive. Most importantly, we have a workplace where communications are open and problems can be discussed and resolved in a mutually respectful atmosphere, taking into account individual circumstances and the individual employee. We firmly believe that by communicating with each other directly, we can continue to resolve any difficulty that may arise and develop a mutually beneficial relationship. It is in the best interest of all parties that Cantalician Center formulates a code of conduct to ensure a harmonious employee-Agency working relationship. The principal objective of any disciplinary action shall be to improve performance and efficiency of the employee. An employee who fails to abide by the established rules of conduct set forth in administrative notices, the Employee Manual, or verbally by a supervisor will be subject to disciplinary action up to and including dismissal. These rules of conduct include sanctions for failing to report suspected compliance issues and for participating in non-compliant behavior. Cantalician Center may begin discipline at any level of the progressive disciplinary system, depending on the circumstances involving the misconduct. Cantalician Center upholds and maintains a progressive disciplinary system, the sequence of which may include all or part of the steps at the discretion of administration, unless otherwise covered by law. Both exempt and non-exempt employees may be subject to suspension without pay, demotion, or termination at any stage of the process depending on the severity of the misconduct.

## **6. SYSTEM TO IDENTIFY COMPLIANCE RISK AREAS**

Through various policies and procedures, Cantalician Center has established a system for routine identification of and evaluation of compliance issues and risk areas. This system includes self-evaluations for such risks, internal and external program and billing audits, evaluation of potential or actual non-compliance as a result of such audits and evaluations, and credentialing of providers and staff. The Director of Quality Assurance/Corporate Compliance shall conduct, review and track all internal audits and shall report the finding to program Directors, Department Supervisors, Corporate Compliance Committee and Board of Directors. Program Directors, in conjunction with the Director of QA/CC, will review and track external audits as well as develop corrective plans for all internal and external audits

Audit policy - Cantalician Center is committed to ensure compliance with all applicable laws, rules and regulations as well as agency policies in the delivery of services. Cantalician Center will conduct self-assessments to identify compliance risk areas. The Director of Quality Assurance/Corporate Compliance, in conjunction with Program Directors, will address any identified risks and develop corrective actions accordingly. Routine internal record reviews are conducted and/or overseen by the Cantalician Director of Quality Assurance/Corporate Compliance to ensure compliance and to identify and share best practices. The reviews are also

intended to identify possible instances of error, fraud, abuse, waste and to implement necessary corrective action. Record reviews will be conducted in all agency programs and services. The size and frequency of the review sample will be based on program enrollment and scope and approved by Corporate Compliance Committee on an annual basis. The Site and Program Directors will address any findings and document corrective actions within thirty (30) days of receipt of the record review findings. Corrective actions must be submitted to the Quality Assurance/Corporate Compliance Director who is responsible for maintaining documentation and ensuring that all corrective action has been implemented. Audit reports and self-assessments are provided to the Corporate Compliance Committee and Board of Directors. Corrective Action Plans can address corrective billing actions, possible disciplinary action as outlined in the Employee Handbook, additional staff training, development/revision of policies and procedures, and/or reporting to governmental agencies.

Due to changes in Medicaid Regulations, rate changes and operational changes within the agency, it is important for the agency to periodically review its billing practices to ensure that it remains compliant. At least once a year, the CFO will review written billing policies via Corporate Compliance Work Plan and/or meet with billing staff on how billing occurs and what process is being used to ensure compliance. As part of the Corporate Compliance Work Plan, Program Directors will periodically review their policies and procedures to ensure compliance. Policy revisions/changes will be approved by Senior Leadership, Corporate Compliance Committee and Board of Directors as needed.

Employee and contractor screenings – Cantalician Center is committed to maintaining high quality care and services as well as integrity in its financial and business operations. To that end, the HR Department conducts routine screenings of employees, contractors and vendors to ensure that they have not been sanctioned by a federal or state law enforcement, regulatory or licensing agent, since their previous screening.

## **7. SYSTEM FOR RESPONDING TO COMPLIANCE ISSUES**

There are established guidelines for conducting compliance investigations. The policy establishes procedures for the receipt, documentation and processing of Corporate Compliance concerns received by the Director of Quality Assurance/Corporate Compliance (Director of QA/CC). All reports will be promptly and thoroughly investigated, and corrective action will be taken if warranted by the investigation. Cantalician Center shall keep complaints confidential to the degree possible as is consistent with a thorough investigation and applicable laws. If employee misconduct is determined, corrective action will be taken in accordance with Cantalician Center's Standards of Conduct. Corrective action may include internal remediation or referring the matter to appropriate civil or criminal authorities. No harassment or retribution will be tolerated or made against any employee who, under good faith, makes a report of concern. The investigator will complete a written report on the "Cantalician Center Corporate Compliance Investigation Report". The Director of QA/CC will make a recommendation as to whether or not the case is substantiated or unsubstantiated. Cases which are candidates for self-reporting to the New York State Office of Medicaid Inspector General will be discussed

further with the Executive Director and Legal Counsel. Program Directors are responsible for development of corrective action to be taken in response to a substantiated case. Corrective actions may include the implementation of policies and systems to reduce the potential for reoccurrence. The Director of Quality Assurance/Corporate Compliance will report to the Corporate Compliance Committee and Board of Directors.

#### **8. POLICY OF NON-INTIMIDATION AND NON-RETALIATION**

The Cantalician Center takes fraud and abuse very seriously. It is our policy to provide information to all Board of Directors, officers, employees, and volunteers about the federal and state false claims acts; remedies available under these acts; and the whistleblower protections available to anyone who claims a violation of the federal or state false claims acts. We will advise our Board of Directors, officers, employees, volunteers, employees, contractors and agents of the steps the agency has in place to detect health care fraud and abuse.

Retaliation is strictly prohibited against anyone, who in good faith, reports a suspected violation of this Policy, or who assists in making such a complaint. Retaliation means taking any adverse action in response to a complaint being made. Complaints of retaliation should be reported by utilizing the complaint procedure set forth above (OPEN LINES OF COMMUNICATION). If retaliation is found, the person retaliating will be subject to corrective action up to and including termination from employment, or in the case of a non-employee, an appropriate remedy up to and including termination of the business relationship. Anyone filing a complaint concerning a violation, or suspected violation, must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a violation. Any allegations that prove not to be substantiated and which prove to have been made maliciously or knowingly to be false will be viewed as a serious offense. A malicious or knowingly false accuser cannot utilize this policy as a shield against other actions and remedies under law.

No director, administrator, employee, or volunteer, who in good faith, reports a violation shall suffer harassment, retaliation, or adverse employment consequence. An employee who retaliates against someone who has reported a violation in good faith is subject to discipline up to and including termination of employment. This Whistleblower Policy is intended to encourage and enable employees and others to raise serious concerns within the Cantalician Center prior to seeking resolution outside the agency.

