

**Warren Washington and Albany ARC
Corporate Compliance Plan Acknowledgment Form
Independent Contractor and Agents**

Warren Washington and Albany Counties ARC has developed a Corporate Compliance Plan that states that the organization and its employees, contractors and Board of Directors will adhere to applicable federal, state and local laws and regulations and internal policies and procedures.

Our Corporate Compliance Plan is a combination of policy and procedure that assists our organization to monitor, detect and correct actions that are not in compliance with applicable laws or our own policies and procedures.

As our agent, we expect that you will act in compliance with the laws that are applicable to our organization and to your organization and in compliance with our policies and procedures, particularly our Code of Conduct that sets forth the overarching principles for conducting our business with integrity based on sound ethical and legal standards.

As our agent, we also expect you to report any suspected or potential violations of law or our policies and procedures of which you become aware by contacting Daniel Murray, Executive Director at 518-793-4204, Cunene Hooper, Corporate Compliance Officer at 518-793-4204 or our Compliance Hotline 1-866-219-1122.

As our agent, we expect you to understand your role in the Corporate Compliance Plan of Warren Washington and Albany ARC and we expect you to review the policies and procedures that are applicable to you and your organization. You may contact the Executive Director or the Corporate Compliance Officer for any questions or clarifications of your responsibilities.

- I acknowledge that on behalf of myself and my organization that I have read and that I understand the Warren Washington and Albany ARC Code of Conduct and the policies and procedures of the Corporate Compliance Plan that are applicable to the services that are provided to Warren Washington and Albany ARC.
- I understand and agree that I and all those in my organization who provide services to Warren Washington and Albany ARC must comply with the Corporate Compliance Plan and the Code of Conduct and all laws, regulations, policies, procedures and other guidance applicable to the services that are provided to Warren Washington and Albany ARC.

- I agree on behalf of myself & my organization to fully cooperate with the implementation of the Corporate Compliance Plan, to participate in any auditing or monitoring processes & to report any instances of possible violations of law, regulations, or policies that are applicable to WWAARC of which I become aware.
- I acknowledge that Warren Washington and Albany ARC maintain a hotline for the purpose of receiving notifications of possible violations of law, regulation and the Corporate Compliance Plan.
- I understand that my failure to report any concerns regarding possible violations of law, regulations or the Corporate Compliance Plan may result in corrective action, up to and including termination of my agreement with Warren Washington and Albany ARC.

By placing a checkmark in the boxes I acknowledge that I have read and understand each statement.

Signature: _____

Print Name: _____

Title: _____

Organization: _____

Date: _____

Please sign and return pages 1-2 to:

Anne Marie Aussicker
Executive Assistant
WWAARC
334 Krumkill Road
Slingerlands, NY 12159
aaussicker@caparcny.org
518-793-4204 Phone

WWAARC
Warren, Washington & Albany ARC
Code of Conduct

Mission

To provide services, advocate for and offer opportunities to individuals with intellectual and developmental disabilities and their families enabling them to realize their full potential in our communities.

Values

We value the dreams, aspirations and goals of persons with intellectual and developmental disabilities and their rights to a full, productive and responsible role in society.

We value the rights of persons with intellectual and developmental disabilities to make their own choices.

We value diversity in membership and leadership.

We value the dedication and commitment of the staff who serve people with intellectual and developmental disabilities.

We value being family-led and professionally managed.

Commitment to the People We Support

We are committed to providing the highest quality of care, in a professional, caring and compassionate manner. We are committed to fostering an environment whereby the people we support are encouraged to play a decision-making role at Warren, Washington & Albany ARC (WWAARC) and to become a contributor in their home and work environments.

Commitment to Staff

Team work: To work together to do the job right the first time

Integrity: To always be fair, honest and trustworthy.

Excellence: To improve each day, and to strive for the highest level of quality in our performance.

Respect: To treat each person and their family with dignity and respect, and to listen.

Stewardship: To manage our resources responsibly.

Commitment to Communities We Serve

We are committed to being a good corporate citizen and to support our employees and the people we support in the fulfillment of their civic duties and their pursuit of charitable endeavors.

Commitment to our Third-Party Payers

We are committed to working with our payers in a way that demonstrates our commitment to our contractual obligations and reflects our shared concerns for quality services in an efficient and effective manner. We encourage our payers to adopt their own set of ethical principles that recognize their obligations to the individuals we serve, as well as the need for fairness between providers and payers.

Commitment to our Regulators

We are committed to creating an environment in which compliance with applicable rules, laws and regulations is woven into the fabric of WWAARC. We accept responsibility to self-govern and monitor adherence to requirements of law and our Code of Conduct.

Commitment to our Suppliers

We are committed to fair competition among existing and prospective suppliers. We encourage our suppliers to adopt their own set of standards and ethical practices.

Rules of Conduct

We believe that certain rules of conduct must be observed to promote a positive and ethical work environment and pledge to abide by the laws, regulations and policies and procedures, including, but not limited to those related to the Corporate Compliance Plan.

We also understand that, as individuals working for and on behalf of WWAARC, we have the added responsibility of following specific rules of conduct, as described below:

- To work cooperatively and respectfully with all WWAARC employees, board members and agents to provide the highest quality of services;
- To place the interests of the people we serve and their family members first and foremost in all aspects of what we do;
- To represent WWAARC positively in the community-at-large;
- To conduct all activities in a fiscally responsible manner;
- To work in accordance with applicable laws, regulations and WWAARC policies;
- To seek training and assistance in areas that would strengthen the ability to fulfill responsibilities to consumers and WWAARC;
- To avoid conflicts of interest, including the acceptance and giving of other than incidental tokens of appreciation;
- To conserve resources of WWAARC by not engaging in wasteful behavior;
- To treat confidentially information related to WWAARC and its consumers and to respect the privacy of consumers and fellow WWAARC employees;

- To complete tasks in a timely manner and meet expectations for the quality of work that WWAARC strives to achieve;
- To bill individuals and third party payers accurately;
- To report to a supervisor or to the Compliance Hotline any potential violation of applicable laws, regulations and policies, including the Corporate Compliance Plan;
- To respect the role of the board and management and to fully implement their decisions; and
- To consult WWAARC leadership when questions arise as to the conduct permitted under applicable laws, regulations and policies, including the Corporate Compliance Plan.

It is not possible to list all the forms of behavior that are considered unacceptable in the workplace, but the following are examples of infractions of rules of conduct that may result in disciplinary action, including termination of contract:

- Abuse or neglect of the people we support.
- Engaging in criminal conduct whether or not related to job performance.
- Theft or misuse of any funds or property belonging to the agency, staff, or the people we support, including cash, vehicles, or personal possessions.
- Deliberate or careless damage of agency, staff or individual property.
- Use, possession, sale, transfer, or distribution of unauthorized alcohol or illegal drugs on agency property or in agency residential homes.
- Reporting to work while under the influence of alcohol or illegal drugs.
- Falsification of employment records, employment information, or other records
- Possession of firearms, explosives, fireworks or weapons on agency property or on premises owned or occupied by WWAARC.
- Removing or borrowing agency property without prior authorization.
- Recording the work time of another employee, allowing any other employee to record your work time, or allowing falsification of any timesheet, whether your own or another employee's.
- Provoking a fight or fighting during working hours or on premises owned or occupied by WWAARC.
- Not reporting to work as per assigned schedule without an acceptable excuse.
- Insubordination, including but not limited to failure or refusal to obey the orders or instructions of any manager or member of management, or the use of abusive or threatening language toward any manager or member of management.
- Using profane or abusive language at any time during working hours or while on premises owned or occupied by WWAARC.
- Failing to obtain permission to leave work for any reason during normal working hours.

- Poor work performance.
- Sleeping during hours in which the staff person is expected to remain awake.
- Excessive or inappropriate phone usage.
- Abusing paid sick leave.
- Smoking in agency vehicles or buildings.
- Smoking in personal vehicles with any person served or with others who object to smoking.
- Working overtime without authorization or refusing to work assigned overtime.
- Violating any safety, health, or security policy, rule, or procedure of WWAARC.
- Organized gambling, e.g., bookmaking, running numbers.
- Committing a fraudulent act or a breach of trust in any circumstances.

You must immediately report any violation of the rules of conduct as described above to your WWAARC contact person or to WWAARC's Corporate Compliance Officer.

In the case of misconduct or violation of WWAARC's policies, immediate termination may be appropriate depending on the facts. This statement of prohibited conduct does not alter nor limit WWAARC's policy of employment at will.

Section 8: **Corporate Compliance**

Policy Number: **8.5**

Board Approved: **10/23/2006**

Revised Date: **2/1/2013**

Agency Policy: Exclusion Checks

It is the policy of the Warren, Washington & Albany Counties Chapter of NYSARC, Inc. (WWAARC) not to employ, contract with or otherwise do business with any individual or entity excluded from participation in federally sponsored health care programs, such as Medicare and Medicaid. To avoid affiliation with any such person or entity, WWAARC has established the procedures described below.

Definitions:

Exclusion Check – An Exclusion Check is a search of (1) the U.S. Department of Health and Human Services, Office of Inspector General (“OIG”)’s List of Excluded individuals/Entities (available on the OIG website at <http://oig.hhs.gov/fraud/exclusions.html>); (2) the General Service Administration (“GSA”)’s Excluded Parties list System (available on the GSA website at <http://www.epls.gov/>); and (3) the New York State Office of the Medicaid Inspector General list of Restricted, Terminated or Excluded Individuals or Entities (<http://www.omig.ny.gov/data/content/view/72/52/>) to determine if an individual or entity’s name appears on any of the lists. This check is performed by the Corporate Compliance Officer and maintained by the Human Resource Department prior to hire. The Corporate Compliance Officer maintains the databases used for exclusion checks through EPStaffCheck (Yost Engineering, Inc.). Employees, physicians and other medical professionals and vendors doing business with the Chapter are reviewed on a regularly scheduled basis for verification of excluded party status under the OIG, GSA SDN, and state programs, including EPLS, LEIE, OMIG, and others

Ineligible Person – For purposes of this policy, an Ineligible Person is an individual or entity that is listed on the OIG’s List of Excluded Individuals/entities and/or GSA’s Excluded Parties List System.

Procedure:

Employee Exclusion Check Procedures

- An Exclusion Check will be performed for all applicants for employment at WWAARC as part of the employment background check as set forth in WWAARC's Background Checks for Employees and Others.
- If the Exclusion Check indicates that any individual is an Ineligible Person, the individual cannot be employed by WWAARC.
- To protect WWAARC against individuals excluded subsequent to beginning their employment, an Exclusion Check will be performed on all employees at least weekly. If it is determined that a current employee is an Ineligible Person, WWAARC shall immediately terminate employment of the individual.
- Search results for Exclusion Checks must be documented and maintained by the Corporate Compliance Department in a separate, secured file.

Vendor/Contractor Certification Procedures

- Any vendor/contractor wishing to enter into a contract with WWAARC is required to certify in its contract that neither it nor any of its employees is an Ineligible Person. Such vendor/contractor certification shall be made on at least an annual basis.
- In addition, each vendor/contractor contract shall contain a provision requiring the vendor/contractor to maintain supporting documentation for its exclusion checks and to produce copies of such documentation to WWAARC upon request.
- To protect WWAARC against any vendor/contractor excluded subsequent to beginning their relationship with WWAARC, an Exclusion Check will be performed on vendors/contractors at least monthly. If it is determined that a current vendor/contractor is an Ineligible Person, WWAARC will immediately sever its business relationship with that vendor/contractor.

Duty to Report

All WWAARC employees, contractors and vendors have a duty to report any action that would render that individual or entity an Ineligible Person.

Pending Actions

If any WWAARC employee, contractor or vendor is charged with a criminal offense related to healthcare or is proposed to be subject to debarment or exclusion from federal programs the individual or entity must be removed from direct responsibility or involvement in any federally funded health care program while the matter is pending. If resolution of the matter results in conviction debarment or exclusion, WWAARC shall immediately terminate its employment or other contractual arrangement with the individual or entity.