



POLICY & PROCEDURE ON CORPORATE COMPLIANCE

Effective date: 9/11/09
Amended: 8/12/15 Policy # Rcal-20
By: Susan J. Hoger
Revised January 21, 2016

APPLICABILITY: All Resource Center for Accessible Living, Inc. (RCAL) employees, board members and volunteers.

SUMMARY: This corporate compliance policy covers all program areas including but not limited to Medicaid billable programs. RCAL expects all employees, board members and volunteers to report any suspected fraudulent or unethical actions or policies. This includes but is not limited to billing for services not provided, falsifying documentation or providing services to individuals who do not need/qualify for them. Persons who report suspected abuse will not experience any retaliation.

1) POLICY

- a. It has been and continues to be the policy of RCAL to comply with all applicable federal, state and local laws and regulations, and payer requirements.

2) COMMITMENT

- a. RCAL is committed to conducting our business affairs with integrity based on sound ethical and moral standards. We will hold our employees, board members and volunteers to these standards.

3) CODE OF CONDUCT/CODE OF ETHICS

- a. RCAL prides itself on highly ethical behavior as an organization. RCAL expects the same high standards of its employees. RCAL expects all employees, board members and volunteers to report any suspected fraudulent or unethical behavior or policies. This includes but is not limited to billing for services not provided, falsifying documentation or providing services to individuals who do not need/qualify for them. Any action/policy that results or is likely to result in negative effects for the consumers RCAL serves should also be reported.
- b. RCAL values the input of all employees and volunteers. Any employee who is concerned or has a question about an RCAL policy should feel free to ask their supervisor, the Chief Operating Officer or Chief Executive Officer about the rationale for the policy. RCAL policies are designed to be transparent and non-intimidating. No retaliation against questioning employees will be taken. If an employee feels retaliation has occurred he/she should report this to the Chief Operating Officer, if the Chief Operating Officer is considered the individual who has retaliated he/she should report this information to the Chief Executive Officer.

4) CHIEF OPERATING OFFICER

- a. The Chief Operating Officer is the first “point of contact” for corporate compliance issues. The Corporate Compliance Officer is responsible for overseeing the Corporate Compliance Policy; reviewing agency policies and procedures, recommending changes

or new policies and procedures to ensure agency wide compliance with all applicable federal, state and local laws and regulations, and payer requirements; overseeing the implementation of Corporate Compliance training program, including conducting of training sessions for newly hired and continuing staff; investigating matters related to Corporate Compliance issues, including employee, consumer, and/or payor complaints; developing and implementing employee feedback loop which encourages employees to report potential problems without fear of retaliation or intimidation.

5) CONFIDENTIAL COMMUNICATION

- a. RCAL will maintain an “open door” policy towards employees, board members and volunteers, especially in areas concerning Corporate Compliance, and questions pertaining to the agency’s stance relative to the policy. Any communication brought to the attention of the Corporate Compliance Officer, especially relative to possible violations of the policy will be kept in strictest confidence. All communications of this nature will be investigated thoroughly and fairly. Employees may communicate with the Chief Operating Officer in any fashion they are comfortable with, including telephone, written communications and e-mail. Face to face communications are also welcome. Anonymous concerns will also be thoroughly investigated. If the concerns involve the Chief Operating Officer or the employee feels the Chief Operating Officer has not investigated a concern, the employee should communicate this information directly to the Chief Executive Officer.

6) RESPONDING TO OFFENSES AND CORRECTIVE ACTION

- a. As mentioned in the previous section, all communications involving allegations of employee misconduct relative to the Corporate Compliance Policy will be investigated by the Corporate Compliance Officer swiftly, thoroughly and fairly. All communications will be kept confidential to the degree possible while conducting the investigation. If employee misconduct is detected, corrective action will be taken. Violators of the Agency’s Corporate Compliance Policy will be subject to disciplinary action. The precise discipline utilized will depend on the nature, frequency and severity of the violation and may result in any of the following disciplinary actions:
 - Verbal warning
 - Written warning
 - Suspension
 - Termination
 - Restitution
- b. If the investigation reveals incorrect billing occurred, the Chief Executive Officer will ensure that rebilling including returning funds if necessary occurs in a timely manner.
- c. If the allegation/investigation involves misconduct on the part of the Chief Executive Officer, the Chief Operating Officer will report the findings of the investigation to the Board of Directors. If the allegation/investigation involves misconduct of the part of the Chief Operating Officer, the Chief Executive Officer will conduct the investigation.

7) AUDITING AND MONITORING

- a. Audit procedures have been developed to ensure that billing of third party payors will not occur until specific expectations have been met. An independent audit of financial records is conducted every year and is available to all payor sources.
- b. Procedures are in place that ensure no Medicaid or other payor billing occurs without proper written documentation of the service provided. If errors in billing are discovered,

rebilling will be done to correct these errors including the return of any funds paid in error.

- i. For Medicaid billing the supervisor will collect and maintain documentation of the “billable moment” (e.g. the face to face contact sheet for MSC) and report to the Fiscal Administrator those services for which billing should occur. If incorrect information is given, the supervisor will inform the Fiscal Administrator at the earliest possible time for corrective billing.
- c. All bills are reviewed and approved by the Chief Executive Officer or his/her designee prior to payment. Use of RCAL credit cards for purchases is on a prior approval basis only and requires the signature of the Chief Executive Officer or his/her designee on the “Credit Card Orders” form. No RCAL credit cards will be used to pay for any personal expenses. The Chief Financial Officer acts as a double check on the legitimacy of any expenses. He/she will report any irregularities or concerns to the Chief Executive Officer. A separate financial policy and procedure outlining accounting and accountability, receipt of money, disbursement of cash, purchasing, internal fiscal controls, petty cash, income tax, FICA and other tax payments is available.

8) TRAINING AND EDUCATION

- a. In addition to RCAL new employee orientation program, training and education on the agency’s Corporate Compliance Policy is conducted on an annual basis. The Corporate Compliance Officer is responsible for conducting and documenting this training.

9) REGULATORY ACCESS

- a. RCAL allows regulatory and payor agencies and their designated employees access to records to conduct audits to ensure compliance with all applicable laws and regulations.

10) CONFLICTS OF INTEREST

- a. **Employment** - RCAL permits the employment of qualified relatives of employees or individuals with who RCAL has a fiduciary relationship as long as such employment does not in the opinion of RCAL create actual or perceived conflicts of interest. If relatives or individuals with a fiduciary relationship are employed, they must meet the same qualification standards as other applicants. In addition, there are some restrictions on job placement for relatives.

At RCAL, relatives are restricted from working in the same department. A relative may not supervise another relative. Our policies with respect to relatives are intended to treat people fairly, while avoiding the appearance or reality of favoritism. For purposes of this policy, a relative is defined as an employee’s spouse, child, parent, or sibling.

- b. **Services** – RCAL permits the provision of services to RCAL employees, board members, volunteers and their relatives and individuals with whom RCAL has a fiduciary relationship as long as such service provision does not in the opinion of RCAL create actual or perceived conflicts of interest. This provision of services must be “transparent” in that the staff providing the service as well as the supervisor should be aware of the potential conflict of interest. The supervisor may choose to refer the individual to another service provider (e.g. another ILC) if the conflict of interest will affect the provision of service.



First & Last Name _____

Date _____

CORPORATE COMPLIANCE ACKNOWLEDGEMENT

I have reviewed and understand the RCAL Corporate Compliance Policy.

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