

THE CENTER FOR DISCOVERY

SUBJECT: Corporate Compliance Program Overview

MANUAL: Corporate Compliance

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Policy:

The Center for Discovery (“The Center”) prides itself on over 65 years of upholding the highest standards of quality in its programs and services to children, adults, and their families. The Center for Discovery strives to develop and maintain best practices in all areas of service. Consistent with this commitment to quality, the Center for Discovery 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 the people served, contractors, vendors, employees, funding agencies and the general public.

This Corporate Compliance Program is established for the entire Center for Discovery 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 the Center for Discovery and its related corporations. This Corporate Compliance Program is intended to benefit not only the members of the Center for Discovery community, but those governmental and private agencies doing business with the agency, as well as the general public.

This Corporate Compliance Program demonstrates the Center for Discovery’s commitment to Integrity in all business dealings by the following eight elements:

I. Statement of the Center for Discovery’s Commitment:

The Center for Discovery’s Board of Directors will establish and maintain a Corporate Compliance Program to reinforce their commitment to ethics and integrity in all of the agency’s business dealings.

This will be accomplished by:

1. Adoption of a Board Resolution establishing this Corporate Compliance Program and reinforcing the corporation’s commitment to the principles of corporate compliance.
2. A Code of Conduct for the Center for Discovery community, upholding the agency’s commitment to ethics and integrity in all of its business dealings, to ensure that all aspects of individual care and business conduct are performed in compliance with our mission/vision statement, policies, and procedures, professional standards and applicable governmental laws, rules and regulations and other payer standards. The Center for Discovery expects every person who provides services adhere to the highest ethical standards and to promote ethical behavior. Any person whose behavior is found to violate ethical standards will be disciplined appropriately.
3. The Compilation and Dissemination of Policies and Procedures addressing

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principles of business integrity and addressing compliance with applicable laws, regulations, and standards. Education and training are critical elements of the Corporate Compliance Program. The Center for Discovery community is expected to be familiar and knowledgeable about the Compliance Program and have a solid working knowledge of his or her responsibilities under the plan. Therefore, TCFD will ensure that our Corporate Compliance program is readily accessible to all affected individuals. Compliance policies and standards will be communicated to all employees, interns volunteers and board members through required participation in training programs. Additionally, the Corporate Compliance Handbook , which outlines the Corporate Compliance plan to include all policies and procedures, will be available on the Center for Discovery's website <https://thecenterfordiscovery.org/quality-improvement-and-compliance/> and all employees, affected appointees and persons associated TCFD*, all executives, and all board members will be directed to this site. It is a requirement of all contractors and vendors to access these policies and indicate that they have an understanding of our compliance plan prior to contract signing and or renewal.

- “affected appointees and persons associated with the TCFD” : applies to any person or affiliate who is involved in any way with TCFD such that the person or affiliate contributes to TCFD’s entitlement to payment under the Medical Assistance Program and who is not an employee, executive , or governing body member (e.g. independent contractors, interns, students, volunteers, and vendors)

II. Program Structure and Oversight Responsibility:

The Center for Discovery is committed to an effective compliance program and has assigned oversight responsibility to the Corporate Compliance Officer (CCO). This CCO maintains supervision of the staff within the Center for Discovery’s Corporate Compliance and Quality Improvement Departments. The Center for Discovery has also established a Governance and Corporate Compliance Committee of the Board of Directors to advise and assist the Corporate Compliance Officer with implementation of the compliance plan. The Corporate Compliance Officer shall investigate compliance concerns, and report compliance concerns to the Committee, the Chief Executive Officer and ultimately to the entire Board of Directors. The Corporate Compliance Officer reports directly to the Chief Executive Officer and to the Center for Discovery’s Board of Directors on the activities of the Corporate Compliance Program.

III. Education and Training:

All employees and persons associated with the Center for Discovery, including governing

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body members, will be trained on compliance issues, expectations, and the compliance program operation. Such training initially occurs during the Center for Discovery's orientation process, and annually thereafter. All employees, interns and volunteers will be informed about regulatory requirements and Agency policies and procedures relevant to their job duties. Specialized training in Corporate Compliance topics such as service documentation requirements, and personal allowance management requirements shall be conducted as part of the routine staff training programs. Any additional training topics that may be identified as a result of Quality Improvement/Corporate Compliance Department internal audits, billing documentation reviews, or other reviews conducted by regulatory staff will also be incorporated into trainings as needed. Potential and current vendors and contractors will be informed of the Corporate Compliance Program and will be directed to the information available on the website prior to signing or renewing a contract.. Vendors and contractors must acknowledge they are aware and understand Center for Discovery policies The Corporate Compliance officer will make himself available should they have any questions regarding the program.

This will be accomplished by:

1. Initial and ongoing training on the Code of Conduct and Compliance Guidelines, the False Claims Acts (FCA), as well as other aspects of the Corporate Compliance Program and policies, procedures, and standards for business integrity.
2. Communication and publication of the Corporate Compliance Plan to include policies, procedures and standards, to all affected individuals of the Center for Discovery community.

Additionally, all members of The Center community are instructed to contact the Corporate Compliance Office if they have any questions.

IV. Ongoing Monitoring and Detection:

Each employee has an individual responsibility for reporting any activity by any colleague, clinician, contractor, or vendor that appears to violate applicable laws, rules, regulations, standards of professional practice, accreditation standards, or the Center for Discovery's Compliance Program. In addition, The Center for Discovery expects employees, contractors, family members, and any other affected individuals to report behaviors or actions they believe to be contrary to the intent and provisions of the Corporate Compliance Program. The effectiveness of the Corporate Compliance Program depends on the willingness of all employees and other agents of The Center at all levels and departments to bring forth in good faith, any questions and concerns. The reporting of violations of standards, policies, and procedures for business operations can

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be made to an immediate supervisor or program administrator in person, via telephone, e-mail or letter who, in turn, is instructed to bring it to the attention of the Corporate Compliance Officer, who will conduct or oversee an investigation and make required notifications to appropriate authorities as needed.. If an individual prefers not to report a potential violation to an administrator or a manager, the information can be reported directly to the Center for Discovery’s Corporate Compliance Officer by calling the Corporate Compliance “HOTLINE” at (845) 707-8811. The “hotline” is established for the purpose of reporting potential compliance issues as they are identified. This hotline number shall be accessible to all employees, persons associated with the Center for Discovery, executives and members of the Board of Directors. Reports of potential violations and all information reported to the hotline can be made anonymously and will be treated confidentially. Should disclosure be required and the report is turned over to law enforcement, confidentiality will be protected to the extent allowed by law. The “hotline” shall be monitored by the Corporate Compliance Office.

V. Enforcement:

Failure to comply with the Center for Discovery’s Corporate Compliance Plan, Code of Conduct, Center for Discovery policies and procedures, and/or other applicable laws and regulations will result in disciplinary action. Disciplinary action will occur as a result of failing to report suspected problems; participating in non-compliant behavior; or, encouraging, directing, facilitating, or permitting non-compliant behavior. The degree of discipline may vary from counseling, verbal warnings, written warnings up to and including termination from a position at the Center for Discovery or termination of a contract. Disciplinary action will be fair, and firmly enforced. If misconduct occurs, and it is determined to be based upon a lack of awareness or understanding of a regulatory requirement or policy by that affected individual, retraining of that individual will occur if that staff member continues employment or association with the Center for Discovery. Any form of retaliation against any affected individual who questions or reports a perceived problem or concern in good faith is strictly prohibited. Enforcement and disciplinary action shall not be determined unilaterally, but will be determined by the program administrator in direct consultation with the Corporate Compliance Office and with appropriate department supervisors. Any individual who deliberately makes a false accusation with the purpose of retaliating against or harming another individual is subject to disciplinary action or, if vendor or contractor, severing of business association with the Center.

VI. Risk Assessment:

As a result of Corporate Compliance Department internal audits, Quality Improvement Department internal audits, billing documentation reviews, or other reviews conducted internally or externally, any identified areas of compliance risk shall be evaluated for the risk of potential or actual non-compliance. The Center for Discovery will assess the

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effectiveness of the compliance program to identify potential risk areas by routinely conducting internal audits of concerns which have regulatory or compliance implications. The compliance program itself will be evaluated on an ongoing basis to determine the effectiveness of the required components of the Plan through self-auditing, Corporate Compliance Office reviews and reports to the Board of Directors. When an audit reveals areas needing additional information or education of employees and/or providers, the Center for Discovery will analyze whether these areas should be incorporated into the training and education program.

VII. Prompt and Appropriate Response to Identified Violations:

The Center For Discovery is committed to the prevention, prompt detection and correction of non-compliant behaviors. Disciplinary action will be fair, and firmly enforced. If an internal investigation substantiates a reported violation, the Center will initiate corrective action, including, as appropriate, making prompt restitution of any overpayment amounts, notifying the appropriate governmental agency, instituting whatever disciplinary action is necessary, and implementing systemic changes to prevent a similar violation from recurring in the future.

This will be accomplished by:

1. Internal investigation procedures in response to compliance issues as they are raised.
2. Prompt and appropriate responses to identified violations as a result of self-evaluations and audits.
3. Prompt and thorough correction of identified violations.
4. Implementing policies, procedures, and systems as needed to reduce the potential for reoccurrence.
5. Identifying and reporting identified compliance issues to the appropriate governmental authorities.
6. Refunding overpayments.

VIII. Non-intimidation and Non-retaliation Policy for Good Faith Participation in the Compliance Program:

The Center for Discovery recognizes that a critical aspect of the compliance program is the establishment of a culture that promotes prevention, detection, and resolution of instances of conduct that do not conform to applicable laws and regulations, professional standards and federal, state, and private payer healthcare program requirements, as well as the Center's ethical and business policies. To promote this culture, The Center for Discovery established a strict non intimidation and non-retaliation policy. No intimidation or retaliation will be tolerated against an individual who in good faith

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participates in the compliance plans and practices, including but not limited to:

Reporting potential issues

Investigating issues

Self-evaluations.

Audits

Remedial actions, and

Reporting to appropriate officials as provided in Sections 740, and 741 of the NYS Labor Law

An Employee or agent may also report his/her concerns about perceived violations of federal and state laws and regulations and/or financial irregularities to appropriate governmental agencies without fear of reprisal or retaliation.

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