



Health. Wellness. And Wonders.

The Center for Discovery CODE OF BUSINESS CONDUCT

Note: this document is available online at <http://www.thecenterfordiscovery.org/quality-improvement-and-compliance/#CompliancePolicy>

Introduction

The Center for Discovery (CFD) requires all affected individuals, consisting of members of the CFD community, including its employees, contractors, agents, vendors, members of the Board of Directors and employees and others working on behalf of other governmental and private agencies and businesses doing business with CFD and its affiliates, to conform to the highest ethical standards and to meet or exceed legal obligations and professional standards in the performance of their efforts on behalf of CFD. To this end, we have developed a Code of Business Conduct for the entire CFD community. The appointment and retention of all members of the CFD community is contingent upon acceptance and compliance with this Code of Business Conduct.

The Center for Discovery enjoys a reputation of integrity and excellence in its programs and services. This reputation is one of our strongest assets. It is expected that all members of the CFD community whose actions could be attributed to the work of CFD will adhere to the code of Business Conduct and to the policies, standards and procedures outlined in this program. The Center for Discovery Code of Business Conduct encompasses commitments by CFD, coupled with related commitments by each member of the CFD community to uphold the highest standards of ethical behavior and practices on behalf of CFD.

Our Compliance with the law

The Center for Discovery is committed to conducting its programs and services in a lawful and ethical manner, in full compliance with federal, state and local laws and regulations. All members of the CFD community will adhere to the highest standards of conduct through strict observation of all applicable legal and regulatory requirements.

The Center for Discovery will only employ or contract with individuals or entities with proper credentials, experience and expertise. All business communications on behalf of CFD 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.

Neither The Center for Discovery, its employees nor agents shall pay employees, physicians, or other health care professionals, directly or indirectly, in cash or by any other means, for referrals of patients. Every payment to a referral source must also be supported by proper documentation that the services contracted for were in fact provided.

CODE OF BUSINESS CONDUCT

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 CFD 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.

The Center for Discovery will bill only for services actually rendered and which are fully documented in patients' medical records/resident / student charts. If the services must be coded, then only billing codes that accurately describe the services provided will be used.

The Center for Discovery shall act promptly to investigate and correct the problem if errors in claims that have been submitted are discovered.

Our commitment to ethical behavior.

The Center for Discovery is committed to ethical business dealings. All members of the CFD community will adhere to the highest ethical standards of behavior while performing CFD business, including preparing and maintaining accurate and complete records, and truthful communications with other members of the CFD community, and with government and private agencies and individuals doing business with CFD.

The Center for Discovery seeks positive relationships with government programs and third-party payers. Positive relationships require ongoing communication about patient progress and billing. Employees or agents shall not use or reveal any confidential information concerning CFD or use, for personal gain, confidential information obtained as an employee or agent of CFD.

No employee or agent should subordinate his or her professional standards, judgment or objectivity to any individual. If significant differences of opinion in professional judgment occur, then they should be referred to management for resolution.

Employees and agents should be honest and forthright in any representations made to patients, vendors, payors, other employees or agents, and the community.

All reports or other information required to be provided to any federal, state or local government agency shall be accurate, legible, complete and filed on time.

Employees and agents must perform their duties in a way that promotes the public's trust in CFD.

Employees and agents shall be honest in doing their jobs.

Our commitment to continuous training and improvement.

The Center for Discovery is committed to the professional development of the entire CFD community. All members of the CFD Community will have access to all applicable laws, rules, regulations, policies and procedures necessary for them to perform on behalf of CFD, and will be

CODE OF BUSINESS CONDUCT

regularly trained on those laws, rules, regulations, policies and procedures, as well as this corporate compliance program.

Our commitment to continuous monitoring and enforcement.

The Center for Discovery is committed to full and ongoing enforcement of this Code of Business Conduct and of the standards contained in the Corporate Compliance program. As a condition of employment or appointment, all members of the CFD community are expected to rigorously comply with all applicable laws, rules, regulations, policies and procedures.

All members of the CFD community are provided with a means of reporting suspected violations of these standards of conduct either through reporting violations via the hotline which can be done anonymously if desired, to their supervisor if an employee or intern, to an appropriate departmental head, an appropriate staff member of the Office of People Operations or to the Corporate Compliance Office. All reports are brought to the attention of the CCO with investigation immediately initiated and violations reported to appropriate authorities. CFD assures the entire CFD community that reports of suspected violations may be made without fear of reprisal, intimidation, or retaliation, and that confidentiality will be protected within the limits of the law.

All reports of suspected violations will be fairly, thoroughly and promptly investigated by appropriate individuals, and will be promptly resolved.

Any Center for Discovery employee who violates or knowingly fails to report any violation of these standards of conduct, any applicable law or regulation, Center policy, procedure or practice is subject to appropriate disciplinary action. Disciplinary action may range from a warning and retraining to suspension or termination, depending upon the nature of the incident and the relevant surrounding circumstances. Contractors found to have violated the Code of Business Conduct may have their contracts revoked. Additionally, the Center may opt to no longer purchase any goods or services from vendors found in violation of the Code of Business Conduct or any applicable laws and regulations. All violators are dealt with fairly regardless of violator's position related to the CFD community

Our commitment to our ethical obligations, mission and purposes free of conflicts of interest.

The Center for Discovery is committed to clarity of our mission and purposes, free of any appearance of conflict or impropriety. CFD itself will not pursue any business opportunity or take any other action that will require it to engage in illegal or unethical behavior, or is reasonably likely to fall outside of the CFD mission, purposes or powers.

In all of their activities on behalf of CFD, all members of the CFD community will act in a manner consistent with the agency's mission, purposes, powers, and consistent with the agency's reputation for integrity and excellence. Each member of the CFD community will ensure that no activity takes place that in any way jeopardizes the tax exemption, licenses, or governmental authorizations of CFD.

CODE OF BUSINESS CONDUCT

All members of the CFD community will accomplish their business on behalf of CFD without engaging in any business, professional or personal activity that would create a conflict of interest, or an appearance of a conflict of interest, without appropriate disclosure and advance approval by the Board of Directors or the President & CEO or their designee.

Placing business with any firm in which there is a family relationship may constitute a conflict of interest. Advance disclosure and approval are required in such a situation.

Employees and agents should not become involved, directly or indirectly, in outside commercial activities that could improperly influence their actions. For example, an employee or agent should not be an officer, director, manager or consultant of a potential competitor, customer, or supplier of CFD without first disclosing that relationship to management. Employees and agents should not accept or provide benefits that could be seen as creating conflict between their personal interest and CFD's legitimate business interests.

Employees and agents should report any potential conflicts of interest concerning themselves, co-workers or family members to management. Program and other staff should not have direct contact with vendors unless their input is required in the process of determining choice of vendors. CFD will notify vendors and employees of this policy.

Please refer to the Rules Relating to Gifts, and Conflict of Interest Policy, which appear on the following pages.

Our commitment to respecting property rights.

The Center for Discovery is committed to respecting the property rights of all those with which we do business, including resident / students and outside businesses. In their actions on behalf of CFD, all members of the CFD community will act in a manner consistent with this respect of the property of others.

Each member of the CFD community will ensure that all applicable laws, standards and policies regarding the confidentiality of agency records are upheld.

Each member of the CFD community will ensure that all private information owned by others, but in the custody and possession of CFD, be held in confidence and not utilized outside of the use contemplated by the owner of the information without the express permission of the owner. This includes prohibition against unauthorized use and/or copying of computer software not contained in the license granted to CFD, and installation of unauthorized software on agency computers. Employees shall take all reasonable steps to protect computer systems and software from unauthorized access or intrusion.

All employees and agents are personally responsible and accountable for the proper expenditure of CFD funds and for the proper use of company property.

All employees and agents must obtain authorization prior to committing or spending CFD funds.

CODE OF BUSINESS CONDUCT

Employees and agents may not use CFD or a resident / student's resources for personal or improper purposes, or permit others to do so.

Surplus, obsolete or junked property shall be disposed of in accordance with CFD's procedures. Unauthorized disposal of property is a misuse of assets.

Any improper financial gain to the employee, or agent, through misconduct involving misuse of CFD's or a resident / student's property is prohibited, including the outright theft of property or embezzlement of money.

CFD's confidential and proprietary information is valuable, and should be protected from unauthorized use or exploitation. Employees and agents are expected to respect the intellectual property rights of others with whom we do business.

Employees and agents are expected to report any observed misuse of CFD's property to management.

RULES RELATING TO GIFTS:

The following rules apply to all employees and agents of The Center for Discovery; Employees and agents may never accept gifts in the form of cash or cash equivalents from any individual or business entity that does business with CFD.

Employees and agents may never accept gifts of any kind from individuals or business entities who are in the process of competitive bidding for a contract with CFD, or whose contracts are under review as to whether the contract should be continued.

Outside vendors will be notified on an annual basis, in advance of the winter holiday season, of CFD's policies with regard to gifts. In that notice, outside vendors will be requested to refrain from giving gifts to individual CFD employees or agents. The notice will also suggest that if the vendor wishes to make a gift, it be done to the agency or house fund. Families are not to distribute gifts individually to staff members and should work with the management team to give appropriate gifts.

All CFD staff will be notified on an annual basis, in advance of the winter holiday season, of CFD's policies with regard to gifts.

CONFLICT OF INTEREST POLICY

No person who is an employee of CFD shall serve as a Director or Officer of another agency that primarily provides services to individuals with disabilities in programs or services under license issued by New York Office for Persons with Developmental Disabilities or Office of Mental Health, or their successors, without first obtaining approval of the President/Chief Executive Officer.

No person who is an employee of CFD shall also be a paid employee or consultant to an agency that primarily provides services to individuals with disabilities in programs or services or under

CODE OF BUSINESS CONDUCT

license issued by New York Office for Persons with Developmental Disabilities or Office of Mental Health, or their successors, where the individual's work on behalf of the other agency involves formation or communication on issues of public policy, without first obtaining approval of the President/Chief Executive Officer.

Note that compliance with this Code of Business Conduct, as well as other codes of conduct established by CFD, is mandatory for all employees and consultants of CFD. However, these codes of conduct are not, and shall not be construed as, a contract of employment or any other type of contract. Employment with CFD is at all times strictly "at will", as defined by New York law, and either the employee or CFD has the right to terminate the employment relationship at any time for any reason or for no reason.

THE FALSE CLAIMS ACTS

Under the United States and New York False Claims Acts (the "FCA"), the government and private citizens are entitled to bring lawsuits against organizations or other individuals who defraud the government.

Persons or agencies found to have violated the FCA may be required to pay triple damages done to the government and a fine between \$5,000 and \$11,000 for every false claim. In addition, there can be criminal penalties of up to five years in prison and/or up to a \$10,000 fine. Private citizens who institute an FCA claim must provide to the government all of the information he or she has about the claim. If the government intervenes in the case, the relator may be entitled to a share in the eventual recovery.

The FCA provides protection to shield private citizens from retaliation for starting a qui tam case in good faith.

If you suspect any activity that may be considered a violation of the federal or New York State law, you should report it immediately to your supervisor or another appropriate Center for Discovery director, or the Corporate Integrity Hotline at (845) 707-8811.

NON-INTIMIDATION/ NON-RETALIATION POLICY STATEMENT

The Center for Discovery (CFD) encourages its employees and independent contractors to disclose and report concerns regarding perceived violations of federal and state laws and regulations and/or financial irregularities. Reports may be made by any affected individual openly, confidentially or anonymously, and may be made in writing, by telephone (to an individual or to the Corporate Integrity Hotline), or in person without fear of reprisal to any CFD Administrator. Employees who wish to remain confidential or anonymous may do so in writing by sending their concerns by US Mail or by interoffice mail to the In House Counsel marked "personal and confidential", or by leaving a message on the Corporate Integrity Hotline at (845) 707-8811.

No intimidation or retaliation will be tolerated against an individual who in good faith participates in the compliance plans and practices, including but not limited to:

Reporting potential issues
Investigating issues

CODE OF BUSINESS CONDUCT

Self-evaluations.

Audits

Remedial actions, and

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

Employees and independent contractors may also report their concerns about perceived violations of federal and state laws and regulations and/or financial irregularities of federal and state laws and regulations to appropriate governmental agencies without fear of intimidation, reprisal or retaliation.

CFD may take appropriate action in the event that, after investigation, it is determined that a complaint was false and malicious. CFD complies with all of the requirements of federal and state statutes and regulations concerning employee disclosure.

This Code of Business Conduct is made available as part of the Corporate Compliance plan, policies and procedures which make up the Corporate Compliance Handbook via website (<http://www.thecenterfordiscovery.org/quality-improvement-and-compliance/#CompliancePolicy>) to the public, including all Board members, administration, employees, and those with whom business is conducted. It is also available to employees via a link from the Discovernet Home page

Updated 2/10/12, 6/1/18, 7/23/19