

THE CENTER FOR DISCOVERY

SUBJECT: Investigation of Compliance Issues	MANUAL: Corporate Compliance
	SECTION: Section 4

Purpose:

The Center for Discovery implemented a Corporate Compliance Program in an effort to establish a culture within the organization that promotes prevention, detection and resolution of misconduct. This is accomplished, in part, by establishing communication channels for employees to report problems and concerns. Employees are encouraged to report issues via the traditional chain of command, People Operations, Compliance Hotline, or directly to the Corporate Compliance Officer (CCO). Compliance related issues reported to an immediate supervisor or program administrator, will in turn, will in turn be reported to the Corporate Compliance Officer. Therefore, the CCO is responsible for responding to compliance issues that are raised through the various communication channels. This policy is designed to establish a framework for managing and responding to compliance issues that are raised to the CCO.

Policy:

The Center for Discovery will respond to reports or reasonable indications of suspected non-compliance by commencing a prompt and thorough investigation of the allegations to determine whether a violation has occurred. This includes reports of possible violations of the Code of Conduct, policies, procedures, regulations, and laws. In the case where the allegation is a criminal violation of law, referral will be made to legal counsel for determination as to whether there is sufficient evidence to support a referral to a law enforcement agency.

The Corporate Compliance Officer (CCO) is only responsible for resolving compliance-related issues; however, employees should not be discouraged from using any specific communication channel. Employees who report non-compliance related issues or concerns to the Compliance Officer or the Compliance Hotline will be redirected to the appropriate department or individual. In instances where the employee seeks confidentiality or reports anonymously, the CCO shall redirect the report to the appropriate department or individual.

Procedures:

1. The CCO will conduct or oversee the conduction of all internal investigations involving compliance-related issues and shall have the authority to engage internal legal counsel or other consultants, as needed. The CCO will consider whether the investigation should be conducted under attorney/client privilege.
2. Before conducting an investigation of any compliance-related issue, the CCO shall have a full understanding of the relevant laws, regulations, and government issuances.
3. Upon report or notice of alleged non-compliance, the Corporate Compliance Officer will conduct an initial inquiry into the alleged situation. The purpose of the initial inquiry is to determine whether there is sufficient evidence of possible non-compliance to warrant further investigation. The initial inquiry may include documentation review, interviews, audit, or other

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investigative techniques. The Compliance Officer should: (a) conduct a fair impartial review of all relevant facts; (b) restrict the inquiry to those necessary to resolve the issues; and (c) conduct the inquiry with as little visibility as possible while gathering pertinent facts relating to the issue.

4. If, during the initial inquiry, the Corporate Compliance Officer determines that there is sufficient evidence of possible noncompliance of any criminal, civil, or administrative law to warrant further investigation, the issue should be turned over to legal counsel. A memorandum to this effect will be directed to legal counsel with a copy to the Chief Executive Officer. The memorandum should state whether legal counsel or the Compliance Officer will be leading the investigation. All documents produced during the investigation by legal counsel to be possibly protected from disclosure should include the notation: **“Privileged and Confidential Document; Subject to Attorney-Client Privileges; Attorney Directed Work Product.”**
5. For investigations that do not involve legal counsel, the Corporate Compliance Officer will determine what personnel possess the requisite skills to examine the particular issue(s) and will assemble a team of investigators, as needed. The Compliance Officer will also decide whether the Center has sufficient internal resources to conduct the investigation or whether external resources are necessary.
6. Should disclosure be required and the report is turned over to law enforcement, confidentiality of the complainant will be protected to the extent allowed by law..
7. The Corporate Compliance Officer will work with the investigation team to develop a strategy for reviewing and examining the facts surrounding the possible violation. The CCO will consider the need for an audit of billing practices and determine the scope of interviews.
8. The scope of an investigation depends on several factors including:
 - a. The availability of individuals who may have been involved
 - b. The time frame of the possible irregularity
 - c. Whether the irregularity appears to be an isolated incident or a pattern of improper conduct
 - d. Whether the irregularity indicates a systemic or procedural deficiency in a department’s operation
9. The CCO will maintain all notes of the interviews and review of documents as part of the investigation file.
10. The Corporate Compliance Officer will ensure that the following objectives are accomplished:

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- a. Fully debrief complainant;
 - b. Notify appropriate internal parties;
 - c. Identify cause of problem, desired outcome, affected parties, applicable guidelines, possible regulatory or financial impact;
 - d. Provide a complete list of findings and;
 - e. Determine the necessary corrective action measures, (e.g., policy changes, operational changes, system changes, personnel changes, training/education, payback of monies);
 - f. Document the investigation.
11. Upon receipt of the results of the investigation recommendations, depending upon the scope and severity of the identified violations, the Corporate Compliance Officer may consult with internal legal counsel, the Chief Executive Officer, and/or the Governance and Corporate Compliance Committee of the Board to determine: (a) the results of the investigation and the adequacy of recommendations for corrective actions, (b) the completeness, objectivity and adequacy of recommendations for corrective actions; and/or (c) further actions to be taken as necessary and appropriate.
12. Upon conclusion of the investigation, the Corporate Compliance Officer will organize the information in a manner that enables the Center for Discovery to determine if an infraction did, in fact, occur. The Corporate Compliance Officer will track the investigation, responsible parties and due dates in a compliance log. The log will include the resolution of the investigation as closed or fully resolved. The Corporate Compliance Officer will be responsible for reporting the results of all investigations to the Chief Executive Officer, the Governance and Corporate Compliance Committee of the Board of Directors.

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