

# THE CENTER FOR DISCOVERY

SUBJECT: Responding to Government Inquiries and Visits	MANUAL: Corporate Compliance
	SECTION: Section 7

## Purpose:

It is important that the Center for Discovery respond to any official requests for information consistently and appropriately. Therefore, this policy is established to provide guidance on how to handle any inquiries or visits by government representatives. It is the intent of the Center for Discovery to comply with applicable laws and regulations. In the event of a government investigation, each employee is expected to act in accordance with applicable laws and regulations, as well as his or her responsibility to protect the assets of the agency. This policy does not apply to routine quality assurance audits by governing state agencies (OPWDD, DOH, SED).

## Policy:

1. It is the Center for Discovery's policy to appropriately respond and not interfere with any lawful audit, inquiry, or investigation.
2. It is the Center for Discovery's policy that all employees will remain courteous and professional when dealing with investigators or agents.

## Procedures:

1. Any contact or request for information, records, and or employee interviews whether by phone, fax, letter, personal visit, or other method by a village, town, county, state, federal, or other regulatory or enforcement agency must be immediately reported to the Corporate Compliance Office (CCO) who in turn will notify the Chief Executive Officer (CEO) and legal counsel, when appropriate.
2. Announcement of an impending visit by any government investigator or auditor should immediately be reported to the CEO, CCO and legal counsel.
3. All contacts and communications with a regulatory or enforcement agency concerning or relating to any department, activity, or services provided by the Center for Discovery are to be initiated only by designated department administrators having received approval by the CEO and the CCO and, if applicable, legal counsel.
4. No employee should release or copy documents in connection with or in response to an investigative demand letter, subpoena, or search warrant without the authorization of the Chief Executive Officer.
5. No employee may remove, alter, create or destroy documents or records including, but not limited to, paper, tape, and computer records, in anticipation of or during an investigation.

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6. Procedures for handling the receipt of a search warrant or subpoena are covered by separate policies. (See Search Warrant Policy and/or Subpoena Policy.)

## Procedures for Visits:

1. If a representative arrives from a government agency to a facility, the following procedures should be followed:
  - Treat government representatives with respect and courtesy.
  - Request identification and obtain business card.
  - Lead them to an unused office or location where business is not being conducted.
  - Immediately contact the program administration and the CCO, who will in turn, contact the CEO and legal counsel.
  - Await direction from the CCO and/or legal counsel. Do not submit to questioning or an interview, or provide documents or other information.
  - The CCO will verify the visitor's identification before proceeding.

## Employee Interviews:

The government agency's representative may request employee interviews. Employees need to be aware that:

1. Government representatives may not threaten employees in any way or require an employee to speak with him or her *immediately*. Employees have the right to schedule an appointment at a later time to speak with the government representative. Employees also have the right to decline to be interviewed altogether.
2. Employees are entitled to have someone with them during an interview with a government representative. The Center for Discovery will arrange to have the organization's attorney present at no cost, or the employee may choose to consult an attorney separately at his or her own expense.
3. Employees who agree to be interviewed should always be truthful. If they do not know the answer to a question, they should say so and avoid speculation.

## Maintaining Confidentiality:

1. Employees are not to discuss any inquiries, requests for information or investigations with anyone without first receiving permission from the Corporate Compliance Officer.
2. Employees are not to respond to any inquiries from the media, any person or organization. If faced with such a situation, the employee is to respond by saying "I am not authorized to discuss the matter.", and should firmly and politely decline to comment further. The Chief Executive Officer, the Vice President of Development and the Corporate Compliance Officer should be made aware of the inquiry.

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