

THE CENTER FOR DISCOVERY

SUBJECT: Enforcement and Discipline

MANUAL: Corporate Compliance

SECTION: Section 5

Purpose:

To provide guidance for uniform enforcement and discipline for violations of the code of conduct, laws, regulations, and organization policies.

Policy:

1. The Center for Discovery will comply with all applicable laws and regulations, the principles set forth in the Center's Code of Conduct, as well as other policies and procedures outlined in the Center for Discovery's Human Resources Policy and Procedure manual.
2. The Center for Discovery will impose appropriate disciplinary action fairly to all affected individuals within the CFD community to include members of the Board of Directors, contractors, vendors, administrators, chiefs, directors, supervisors, contractors, and employees who fail to comply with applicable laws, program requirements of Medicaid, Medicare, or other third-party payers; the Center's Code of Conduct; or other agency policies or procedures; or who otherwise may engage in wrongdoing which has the potential to impair the Center for Discovery's status as a reliable, honest and trustworthy provider of services to the developmentally disabled population.
3. The Center for Discovery recognizes that situations and circumstances vary. Therefore, in determining appropriate discipline, the Center reserves the right to evaluate each situation individually and to take whatever disciplinary action is appropriate based upon the specific circumstances involved. Disciplinary action will be firmly and fairly enforced regardless of the responsible affected individual's position within the CFD community
4. Supervisory personnel may be disciplined for failing to instruct their subordinates adequately or for failing to identify non-compliance with applicable policies or legal requirements where reasonable diligence on their part could have identified the problem.
5. Nothing in this policy shall be interpreted as granting affected individuals any right to challenge or seek further review of the disciplinary action imposed upon them by their supervisor or by any other administrator. The review processes set forth in this policy are intended to be for the sole benefit of the Center for Discovery in an effort to enhance the effectiveness of its Corporate Compliance program.

Procedures:

1. All Administrators and supervisory staff are responsible for disciplining employees and contractors under their supervision in an appropriate and consistent manner.
2. Should a violation of the Code of Conduct or any related violation of compliance laws, regulations or policies occur, the Director of People Operations will inform the Corporate

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Compliance Officer (CCO) of any allegations of improper conduct by personnel and the basis for the allegations, and, as necessary, will ensure that the CCO receives copies of all relevant documents generated in connection with the discipline of any staff member.

3. The type of disciplinary action for CFD employees imposed will be determined on a case-by-case basis and, where appropriate, in consultation with the CCO and/or the Director of People Operations. Discipline imposed in response to instances of non-compliance discovered through investigations conducted by the CCO and/or legal counsel will likewise be determined on a case-by-case basis in consultation with the appropriate member of senior management.
4. The range of disciplinary actions will include verbal warnings, written warnings, probation, demotion, suspension, or termination, as appropriate. . 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 Conduct or any applicable laws and regulations. Should a Board member be found in violation of the Code of Conduct / Corporate Compliance plan, the Board president in conjunction with the CCO and the remaining Board members by a majority vote, will determine the action to take which, depending on the nature of the violation, would range from a documented warning up to and including removal from the Board.
5. Disciplinary action for serious violations may subject an affected individual to immediate termination, severing of contract, or removal depending on position held at CFD. Examples of serious violations include:
 - Intentional, reckless, or negligent conduct that violates the Code of Conduct, applicable laws, or regulations
 - Failure to report conduct that the staff member knew was a violation of the Code of Conduct, applicable laws, or regulations
 - Willfully filing a false report or providing false information in connection with a Center for Discovery or government investigation of an alleged violation
 - Failure to correct behavior for which a staff member was subject to prior disciplinary action
6. An affected individual whose conduct otherwise would justify termination may, at the sole discretion of the Center for Discovery senior administration and in the case of a board member, The Board of Directors, have lesser disciplinary action imposed as a result of a voluntary disclosure of the violation and/or full and complete cooperation during any investigation.

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7. The CCO will report any violations, investigations, and disciplinary actions to the Governance and Corporate Compliance Committee of the Board of Directors on a Quarterly basis.
8. The CCO will ensure that the Code of Conduct and the ~~employee~~ compliance training program include discussion of the Enforcement and Discipline policies and procedures.

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