

AUDRAIN DEVELOPMENTAL DISABILITY SERVICES CORPORATE COMPLIANCE POLICY

INTRODUCTION

In support of Audrain Developmental Disability Service's (ADDS) mission, vision, and core values, and to comply with all Federal, State and Local regulations and mandates, ADDS has adopted this Corporate Compliance Program to ensure our organization provides its services to Audrain County and its residents with integrity and without waste or fraud.

The law requires all providers to comply with standards and regulations and set organization wide standards to define, communicate and monitor compliance with these standards.

Our Plan documents the systems which are in place to insure efficient, legal and ethical standards. Several key components of the Plan are set forth below and are noted to ensure that we have programs in place to exercise due diligence to prevent, detect, correct and eliminate non-adherence to Standards, Policies and Procedures by our employees or our agents.

Key components of the Plan include the following company-wide standards:

- Compliance with all Policies and Procedures
- Appropriate authority and oversight
- Communication of the Corporate Compliance Plan; expected code of conduct, education, training, and communication of updates
- A system for both confidential reporting and investigation of Compliance Concerns
- Enforcement and Discipline
- Internal controls including: methods for audits, ongoing monitoring of practices, identifying concerns, correction and measuring results for verification in a timely and effective manner
- Documentation and Reporting
- Whistleblower Protections

Adhering to and Safeguarding the Plan

This plan has been prepared with the assistance of the executive team, directors, and staff of ADDS (and is adopted by the Board of Directors). ADDS shall make every effort to assure compliance with the law given limitations imposed by practical and commercial realities.

Authority and Oversight

Ultimate accountability and oversight for Corporate Compliance lies with the Board of Directors and the Executive Director. The Corporate Compliance Plan shall be shared with all staff. The Board of Directors is committed to providing both the human and financial resources necessary to develop, implement, support, maintain, and monitor an ethical environment, which complies with all Federal, State, and Local Law.

The Compliance Officer is responsible for operational oversight and implementation of ADDS's compliance activities and reports directly to the Executive Director, as well as the Board of Directors.

The Compliance Officer is free to meet directly with the Board of Directors.

The Compliance Officer communicates compliance activities to the Executive Director and Board of Directors.

The Compliance Officer shall have access and authority to review all documentation relevant to compliance activities as well as seek the advice of outside legal counsel when appropriate. This documentation includes but is not limited to:

- Policies and Procedures
- Case Records
- Billing Records
- Contracts, Service Agreements, Joint Ventures, Leases
- Any related documentation

Communication, Training and Education

ADDS shares expected codes of conduct and this Corporate Compliance Plan to all employees and Board members through its policy and procedure manual, training and periodic updates. Every new employee and board member will be instructed to review the Corporate Compliance Plan. In addition, existing staff and board members are instructed to review the Plan annually.

A signed acknowledgement and acceptance of our Policy and Procedures not only validates receipt of information, but also binds the individual to follow the Plan and that they are required to bring any violations or perceived violations to the attention of the Executive Director and Compliance Officer.

Communication updates and enhancements to the Corporate Compliance Plan will be continuously communicated to the staff through established channels of communication. (i.e., Bulletin Boards, Staff Meetings, Memos, etc.)

Investigation of Compliance Concerns

The Compliance Plan provides employees and board members a means to convey concerns regarding corporate integrity in confidence and without fear of retaliation or intimidation. Every concern can be conveyed to the Compliance Officer and will be investigated by him/her.

The Compliance Officer for Audrain Developmental Disability Services is Janet McDowell. If anyone has an issue regarding Corporate Compliance, Ms. McDowell can be reached at (573) 581-8210 ext. 12. Written correspondence may be directed to Ms. McDowell either by e-mail at

jmcdowell@audraindds.com or by mail at Audrain Developmental Disability Services, 222 East Jackson St., Mexico MO 65265

The Compliance Officer is responsible for documenting all concerns brought to his/her attention, initiating a confidential investigation, and reporting findings to the Executive Director and Board of Directors in a confidential manner.

Enforcement and Discipline

All ADDS employees and board members are required under this Compliance Plan to report any suspected compliance concerns to the Compliance Officer, whether done anonymously or otherwise. It is the expectation that all employees and board members of ADDS will assist in the resolution of compliance issues where applicable. Employees and board members are expected to assist in appropriate disciplinary measures and Corrective Action Plans as part of the resolution process.

Standards will be consistently enforced through appropriate channels for disciplinary action. Individuals who participate in non-compliant behavior, encourage, direct, or permit non-compliant behavior, or who fail to report suspected problems is in direct violation of this Compliance Plan. Disciplinary actions are applicable to all employees and board members and will be enforced and determined on a case-specific basis up to and including termination of employment, or termination of affiliation with ADDS as applicable.

Audits and On-Going Monitoring of Practices

ADDS takes reasonable and prudent steps to achieve compliance with its standards, policies and procedures by utilizing both internal and external auditing systems. Utilizing safeguards to maintain the efficacy of our Corporate Compliance Program and internal auditing systems can reasonably be expected to detect violations in a timely fashion. In addition, on-going monitoring systems and internal auditing systems can reasonably be expected to detect violations in a timely fashion. In addition to ongoing monitoring systems, the Compliance Officer shall provide a secure medium for employees to report suspected violations without fear of retribution.

Documentation and Reporting:

ADDS has a system in place for identifying and correcting compliance problems promptly and thoroughly. Policies and procedures are in place to provide guidance on how potential compliance problems are investigated and resolved. This system regularly conducts internal risk assessments, identifies and prioritizes potential risks, implements corrective action plans to mitigate risk and monitors the effectiveness of the compliance system.

All concerns brought to the attention of the Compliance Officer will be appropriately documented, including investigation and corrective steps to insure future prevention. At a minimum, the Board of Directors will be updated on all Corporate Compliance activities by the Compliance Officer directly or Executive Director.

When necessary ADDS will report to the appropriate regulatory body the identified compliance issue in the form/format and time frame prescribed by the regulatory body.

Whistleblower Protections

ADDS requires its employees and board members to observe high standards of business and personal ethics in the conduct of their duties and responsibilities and to comply with all applicable laws and regulations. It is the responsibility of all employees and board members to report violations or suspected violations of business and personal ethical standards and/or violations of applicable laws and regulations. No employee or board member who, in good faith, reports a violation shall suffer harassment, retaliation, intimidation or adverse employment consequence. This includes but is not limited to individuals who report potential issues, have an investigatory role, perform self-evaluations and audits, and institute remedial actions including reporting to appropriate officials. Adverse actions in retaliation against someone who has reported a violation in good faith will be subject to disciplinary action up to and including termination of employment or relationship with the Agency.

STANDARDS OF CONDUCT

The following statement of organizational policy constitutes ADDS's Standards of Conduct. It affirms our policy of conducting business and delivering services in accordance with both the law and the highest clinical and professional standards. It is our intent to provide clear direction to our employees and board members with respect to behavior within the scope of their practice.

It is the policy of ADDS to conduct all activities in a responsible and ethical manner. Employees and Board members must comply with Federal, State, and Local Laws and Regulations and must report any actual or perceived violation of the Corporate Compliance Program or ADDS policy.

The standards of conduct cannot cover every situation that our employees and board members may face. If you are unsure of what a proper course of conduct might be in a specific situation or believe that the standards of conduct set forth in the Code may have been violated, contact your supervisor and the Compliance Officer immediately.

ADDS will not tolerate any form of unlawful or unethical behavior by anyone associated with this organization. We expect and require all employees and board members to be law-abiding, honest, trustworthy, and fair in all of their business dealings maintaining the highest standards of ethics.

General Standards

1. ADDS requires compliance by all employees and board members with laws to which it is subject. When the application of law, regulation, or other policy is uncertain, the employee and any consultants must seek the guidance and advice in accordance with the Corporate Compliance Plan.

2. When either directly providing or managing the provision of services, ADDS takes all reasonable efforts to ensure that the services are appropriately prescribed, necessary, and performed in accordance with standards of care.
3. ADDS will treat all individuals with dignity, respect, and courtesy. The individuals we serve, and their families will be involved in decisions regarding the treatment delivered to the extent practical and possible. In all circumstances will we attempt to treat individuals in a manner appropriate to their background, culture, religion and heritage, and respect their objectives for care.
4. Employees and board members shall not engage in any activity that constitutes abuse, neglect, or any kind of unauthorized physical restraints of any kind toward any individual.
5. There shall be no discrimination toward any individual for any reason, including race, color, religion, creed, sex, sexual orientation, national origin, ancestry, ethnicity, age, disability, citizenship, marital status, military or veteran status, predisposing violence victim status, domestic violence victim status, HIV status or any other characteristic protected by law.
6. ADDS will not refuse, transfer, or discharge individuals who are in need of our services based upon any factor that is unrelated to individual care needs.
7. ADDS recognizes that from time to time, conflicts will arise among those who participate in agency and service recipient care decisions. Whether this conflict is between employees and board members or between individual caregivers and the service recipients, ADDS will seek to resolve all conflicts fairly, objectively, and in a timely manner. In cases where mutual satisfaction cannot be achieved, the service recipient, their representative, the administration or appropriate group can engage in the conflict resolution process. Other staff, or if needed, outside experts will be involved and their opinions sought as needed to pursue a mutually satisfactory resolution.
8. All service recipient information is private and confidential and as such, staff is charged to protect the privacy and confidentiality of the individuals we serve and to communicate in a professional manner in accordance with all applicable Missouri and Federal regulations.
9. **Service Recipient-Staff Relations:** Staff shall keep relations on a professional level that is above question of any kind. The guidelines are as follows:
 - There shall be no personal financial transactions between staff and service recipient. This includes accepting gifts of obvious significant value and lending or borrowing money under most normal circumstances.
 - Staff will not include service recipients as guests in their home or take them on personal outings unless approved by the Coordinator of that Program.
 - There is to be no fraternization with service recipients via any form of electronic communication.
 - During conversations and treatment, discretion should be exercised in sharing the details of staff private life.
 - Sexual contact with a service recipient by staff is prohibited. Contact for hygiene, weather, or medical incidents are permitted based on care needs. (See Sexual Harassment Policy)
 - Dating service recipients or similar romantic involvement is not appropriate at anytime or under any circumstances.

- Staff who are assigned, through their job description, the duties and responsibilities of counseling are the only authorized persons to carry out this function.
 - Sexual Harassment or the creation of a hostile work or living environment is unacceptable.
10. Staff are obligated to report any of the following to a supervisor and any other appropriate agency: suspected abuse and/or neglect of service recipients, situations which may jeopardize quality service delivery, misuse of agency resources, and/or violate agency policy or procedures, and any perceived Corporate Compliance violations.
 11. Service recipients shall not carry out the duties of staff unless such tasks are described in the participant's plan of services for the purpose of increasing skills.
 12. No firearms or other weapons may be stored or brought to any facility or grounds of this agency.
 13. The unlawful manufacture, distribution, dispensing, possession or use of alcohol, illegal drugs or controlled substances on Agency property, in an Agency vehicle or while engaged in Agency Activities are strictly prohibited.
 14. Staff shall be models of appropriate and acceptable behavior.
 15. All staff, when acting as a representative of ADDS must always uphold the integrity of the agency through their words and actions, no matter the format in which it is communicated.
 16. All ADDS financial transactions must be properly authorized by management and be accurately and completely recorded on ADDS's books and records in accordance with generally accepted accounting principles and established corporate accounting policies.
 17. ADDS requires the undivided diligence of its employees and consultants while exercising their responsibilities. Except where otherwise approved, personal investments or activities that may create a conflict of interest are prohibited, and situations that may give the appearance of conflict are to be avoided. Outside employment that raises any question in this regard must be disclosed to ADDS and approved in advance by their Supervisor and/or Executive Director. In the event the Executive Director needs to make disclosure, or needs permission as set forth above, he/she shall address him/herself to the Board of Directors of ADDS.
 18. If any circumstance presents itself which casts any doubt on the integrity of services delivered by ADDS, the employee or interested party are directed to contact the Compliance Officer immediately so that timely investigation and necessary correction may be enacted.
 19. As Corporate Compliance is a highly complex area, and this document cannot address all situations in which breach or concern may apply, employees, board members and other interested parties must contact their supervisor as appropriate, or the Compliance Officer, who will make necessary determinations. The best policy is "if in doubt, ask".

In addition, to the information listed above, other rules of staff conduct must be maintained in order for employees to work efficiently and effectively together in an organization such as ADDS. Lack of adherence to the rules will result in disciplinary action, up to and including termination. Infringements are summarized below:

- Habitual absenteeism or lateness
- Failure to properly notify your supervisor when late or absent
- Failure to perform assigned duties as directed
- Insubordinate, unlawful or disorderly conduct
- Verbal or physical altercations with other individuals
- Theft or misappropriation of ADDS property

These guidelines are not meant to restrict day-to-day relationships. They are general guidelines of behavior in the course of job performance. If any questions should arise, please discuss the situation with your program director.

GENERAL COMPLIANCE STANDARDS AND APPLICATIONS TO PREVENT CRIMINAL CONDUCT

All personnel associated with ADDS, including all consultants who are contracted by ADDS to deliver services to ADDS service recipients, must avoid all illegal or unethical conduct. No personnel will take any action that he or she believes is in violation of any statute, rule or regulation. In addition, all personnel must strive to avoid even the appearance of impropriety, and must never act in a dishonest or misleading manner when dealing with others, both within and outside ADDS.

Accounting and Financial Reporting

All ADDS's payments and other transactions must be properly authorized by management and be accurately and completely recorded on ADDS's books and records in accordance with generally accepted accounting principles and established corporate accounting policies and procedures. No false, incomplete or unrecorded corporate entries shall be made. No undisclosed or unrecorded funds shall be established for any purpose, nor shall ADDS's funds be placed in any personal or non-agency account. All agency assets must be properly protected, and asset records must be regularly compared with actual assets with proper action taken to reconcile any variances. All internal controls must be followed. The Board of Directors will review the expenditures by the Executive Director.

Anti-kickback and False Claims Issues

Both federal and state laws specifically prohibit any form of kickback, bribe or rebate made directly or indirectly, overtly or covertly, in cash or in kind to induce purchase, recommendation to purchase or referral of any kind or goods or services paid for by Federal, State, or Local Programs. The term "kickback" as defined in these statutes means the giving of remuneration, which is interpreted under the law as anything of value. Under the federal law, the offense is classified as a felony and is punishable by fines and imprisonment. Federal and State "anti-

referral” laws impose substantial penalties relative to billing for services referred by anyone who has a contractual or business relationship with ADDS. It is an individual’s responsibility to be familiar with these statutes and assure that all activities are conducted in such a manner that no question may arise as to whether any of these laws have been violated. Any questions concerning these statutes or any business arrangement subject to anti-kickback or anti-referral laws must be directed to the Compliance Officer. No employee or board member who in good faith reports a suspected violation shall suffer harassment, retaliation, intimidation or adverse employment consequences as per the False Claims Act qui tam provisions.

The laws prohibit accepting a kickback. In addition, there are laws that prohibit the filing of false claims. As this is a highly complex area of the law, this policy cannot list all situations in which the ant-kickback or false claims laws may apply. Therefore, employees must take special care in this area and promptly refer the question to their supervisor, or the Compliance Officer if appropriate.

Examples of the types of actions that could violate the Federal Medicare/Medicaid anti-kickback statute and similar State laws include the following:

1. Offering or paying anything of value to induce someone to refer an individual to ADDS.
2. Offering or paying anything of value to anyone (consumer or referral sources) in marketing ADDS.
3. Soliciting or receiving anything of value for the referral of ADDS consumers to others.

Making Political Contributions

Employees may not contribute or donate ADDS funds, products, services or other resources to any political cause, party or candidate. However, employees may make voluntary personal contribution to any lawful political causes, parties or candidates, as long as the individual does not represent that such contributions come from ADDS, and as long as the individual does not obtain the money for these contributions from ADDS for the purpose of making such a contribution.

Providing Business Courtesies to Customer or Sources of Customers

ADDS does not seek to gain an improper advantage by offering business courtesies such as entertainment, meals, transportation or lodging to customer, referral sources or purchasers of ADDS services. Employees should never offer any type of business courtesy to a referral source or a purchaser for the purpose of obtaining favorable treatment or advantage. To avoid even the appearance of impropriety, employees must not provide any referral source or purchaser with gifts or promotional items of more than nominal value (e.g. pens, calendars, and the like).

Employees are discouraged from paying for any business courtesies, including reasonable meals, refreshment and entertainment expenses for referral sources and purchasers of ADDS services which are incurred occasionally, and are not requested or solicited by the recipient, and are not

intended or likely to affect the recipient's business decisions with respect to ADDS. However, reasonable meals and refreshments can be provided under the above conditions for such events as training and coordination of services with prior approval from the Executive Director.

Fair Billing Practices

ADDS will bill individuals or third parties only for services actually provided and will give assistance to individuals seeking to understand the costs relative to their care. ADDS will attempt to resolve questions and objections to the satisfaction of the individual while also considering the institution's best interest.

Examples of the types of action that could violate the federal false billing laws include but are not limited to:

- Filing a claim for services that were not rendered or were not rendered as described on the claim form;
- Filing a claim for services that were rendered, but were medically unnecessary;
- Submitting a claim containing information you know to be false; and
- Misusing Social Security or Medicare symbols, emblems or names in marketing.

In addition, billing personnel should refer to specific departmental policies and procedures for guidance regarding reimbursement and billing practices.

Coding

It is the policy of ADDS that coding changes on bills or accounts can and will only be made if the records documentation supports making the changes.

Conflict of Interest

No employee of ADDS may have employment, consulting or other business relationship with a competitor, customer or supplier, or invest in any competitor, customer or supplier (except for moderate holdings of publicly traded securities) unless disclosure is made to the Executive Director and the Compliance Officer. The Executive Director and the Compliance Officer makes these disclosures to the Board of Directors and the Ethics Commission for the State of Missouri.

Acceptance of Business Courtesies

ADDS employees should never accept anything of value from someone doing business with the Agency or someone whose services are subject to the Agency's review. To avoid even the appearance of impropriety, the acceptance of gifts or gratuities is not permitted.

An employee may accept meals, drinks or entertainment only if such courtesies are unsolicited, infrequently provided and reasonable in amount. Such courtesies must also be directly connected

with business discussions. ADDS employees are not permitted to accept reimbursement for lodging or travel expenses or free lodging or travel without the express written approval of the Executive Director unless such lodging and travel reimbursement is required by contract (e.g. training for computer systems, technological equipment, etc.).

Charitable Contributions

All charitable contributions received from individuals and organizations must directly benefit ADDS. Under no circumstances may a check be made payable to an individual ADDS staff person. Under no circumstances shall donations be accepted that require ADDS to use the donation to purchase supplies or other goods and services from the vendor or persons making the contributions.