

CORPORATE COMPLIANCE PLAN

Introduction

As a not-for-profit health and human resources organization dedicated to improving the everyday lives of people with developmental disabilities, the Rockland County Chapter, NYSARC, Inc. inclusive of Arc HealthResources of Rockland Inc., d/b/a Hudson Valley Comprehensive Healthcare (herein called “The Arc Rockland”), is committed to complying with the rules and regulations of federal, state, and local government, including but not limited to those promulgated by the U.S. Center for Medicare and Medicaid Services (CMS), Office of the Medicaid Inspector General (OMIG), the New York State Office for People with Developmental Disabilities (OPWDD), and the Arc New York.

To this end, The Arc Rockland has adopted this Corporate Compliance Plan (the "Plan"). It is the intent of this Plan to establish a framework for governing all corporate level compliance issues. It is not intended to set forth all of the substantive practices of The Arc Rockland, but rather to serve as an overview of our commitment to address business, ethical and legal compliance issues and the expectations we hold for our employees and others associated with the Agency.

In developing this Corporate Compliance Plan, we are committed to ensuring that we conduct our business affairs with the highest integrity based on unwavering ethical and moral standards. As Medicaid providers, we are subject to the federal and state laws that govern this program. The Arc Rockland expects that all aspects of care for those supported and business conduct will be performed and billed for in compliance with all applicable laws and regulations governing the delivery of such services and which are appropriately documented. The Arc Rockland shall also comply with all applicable Federal, State and local laws and regulations and adhere to the Corporate Compliance Plan, Code of Ethics and Standards of Conduct and a wide array of policies and procedures that address key risk areas, and other related policies and procedures adopted by the Board of Directors, the Chief Executive Officer and the Compliance Committee. We will hold all affected persons to these same standards. Affected individuals is defined as all persons who are affected by the provider's risk areas including The Arc Rockland's employees, the chief executive and other senior administrators, managers, contractors, agents, subcontractors, independent contractors, and governing body and corporate officers. (N.Y. Comp. Codes R. & Regs. tit. 18, § 521-1.2).

The Arc Rockland's Corporate Compliance Plan conforms with the seven basic components of an effective compliance program outlined by the Office of Medicaid Inspector General. The Arc Rockland's Plan follows these seven components as listed below in order to demonstrate that we have (1) developed standards and procedures in order to reduce the prospect of improper conduct including a policy of non-intimidation and non-retaliation; (2) designated a high-level individual to oversee compliance; (3) not delegated authority to individuals who have exhibited a propensity for misconduct; (4) taken steps to communicate the standards to our employees and agents; (5) engaged in auditory and monetary compliance and established a reporting system in which employees can report misconduct confidentially and/or anonymously, without fear of retribution; (6) taken appropriate disciplinary measures against individuals found to have violated the Corporate Compliance Plan or related policies and procedures; and (7) taken reasonable

steps to respond and prevent future violations.

The Corporate Compliance Plan was instituted by the Board of Directors. Our Corporate Compliance Plan also supports and complies with the NYSARC Board of Governor's policy requiring that each chapter of NYSARC implement an effective Corporate Compliance Plan.

This Compliance Plan is intended to be flexible and adaptable to changes in regulatory requirements. The Plan should be regularly reviewed and updated as necessary.

1.Existence and Implementation of Policies, Procedures, Code of Conduct Including a Policy of Non-Intimidation and Non-Retaliation

The Arc Rockland has adopted as part of this Compliance Plan a Code of Conduct which outline affected individuals' expected behavior in the workplace and in any activity where an affected individuals' actions reflect on The Arc Rockland. Every employee, volunteer, contracted practitioner or other agent of the Agency shall receive a copy of this Plan, be familiar with its contents and adhere to its code and standards.

We have numerous additional Policies and Procedures guiding aspects of our business that are regularly reviewed and updated. Every affected shall be familiar with the relevant Policies and Procedures necessary for job performance and will receive any updates on a timely basis.

Affected individuals are held to the same legal and ethical standards discussed here. It is the responsibility of all persons associated with The Arc Rockland to understand, implement and uphold the standards set out in this Plan, Code of Conduct, and the Agency's policies and procedures.

We will hold all affected individuals to this Compliance Plan. The Arc Rockland compliance standards will also be incorporated into all contracts entered into with all business associates, contracted practitioners and vendors.

As indicated in The Arc Rockland False Claims Act/Whistleblower Policy, the agency will not retaliate or intimidate against any affected individual or person supported associated with The Arc Rockland for taking any lawful action under the False Claims Act or other similar laws. Moreover, The Arc Rockland will not retaliate or intimidate against any affected individual or person supported for reporting any potential compliance concern, as described in The Arc Rockland's False Claims Act/Whistleblower Procedure.

2.Designation of a Compliance Officer and Corporate Compliance Committee Compliance Officer

In order to uphold our values and monitor compliance with the Plan, Code of Conduct, and policies and procedures, The Arc Rockland will select a Compliance Officer (CO). The Compliance Officer shall:

- Maintain a reporting system and respond to concerns, complaints and questions related to the Compliance Plan
- Develop and implement compliance policies and procedures and oversee and ensure adherence to the Compliance Plan
- Actively seek and research current material relative to regulatory compliance
- Collaborate with The Arc Rockland's training department to develop and implement a program for communicating the requirements of the Compliance Plan to the Agency's affected individuals
- Review annually and update the Compliance Plan as necessary to reflect changes that may occur with The Arc Rockland, pertinent laws and regulations, and mandates of governmental and other relevant third-party payers
- Ensure that training is updated at regular intervals to include new developments in the law and regulation
- Advise and monitor departments to assure conformity with the Plan
- Oversee internal and external compliance audits
- Identify and investigate areas of non-compliance
- Implement corrective action plans in conjunction with management
- Ensure that corrective action has been implemented
- Maintain records of all corrective actions and investigations

The Compliance Officer has direct lines of communication as needed to the Chief Executive Officer, the Board of Directors and counsel. The Compliance Officer shall report directly to the Agency's Chief Executive Officer and shall report at least quarterly to the Corporate Compliance Committee, and at least annually to the Board of Directors on the activities of the Compliance Plan.

Corporate Compliance Workgroups and Committee

Corporate Compliance Workgroups comprised of a cross section of agency management and Senior Leadership will meet regularly, typically monthly, to preliminarily identify and review action items related to compliance issues and via the Compliance Officer, report up to the Corporate Compliance Committee (CCC).

The Board of Directors and the Chief Executive Officer will appoint members to the Corporate Compliance Committee (CCC). The purpose of the Corporate Compliance Committee is to advise and assist the Compliance Officer with implementation of the Compliance Plan. At a minimum, the CCC shall consist of the members of the Board Senior Leadership, and the Compliance Officer.

The Corporate Compliance Committee shall:

- Coordinate with the Compliance Officer to ensure that the written policies and procedures and required standards of conduct are current, accurate, and complete, and that the required training topics are completed timely
- Coordinate with the Compliance Officer to ensure communication and cooperation by affected individuals on compliance-related issues, internal or external compliance audits, or any other function or activity required in the regulations
- Ensure that the Compliance Officer is allocated sufficient funding, resources, and staff to fully perform their responsibilities
- Ensure that effective systems and processes are in place to identify Compliance Program risks, overpayments, and other issues, and effective policies and procedures for correcting and reporting such issues
- Enact required modifications to the Compliance Program
- Review and assess existing policies and procedures that address risk areas for possible incorporation in the Compliance Plan
- Stay informed as to departments' adherence relative to compliance matters

The Compliance Officer will act independently in carrying out the duties of the position and is not an agent of the Corporate Compliance Committee. The CCC shall meet quarterly and more frequently if circumstances require.

3.An Effective Training and Education Program for Employees and Board Members

The Arc Rockland affected individuals on behalf of The Arc Rockland will receive a copy of this Plan and other information necessary to ensure compliance with these standards. The Arc Rockland will communicate its expectations and policies and procedures to its employees, contracted practitioners and Board Members through a required orientation program, a formalized ongoing training and education program, and publication of this Plan. The Compliance Officer are responsible to ensure this training is carried out.

Affected individuals will be provided with an acknowledgment form which states that the individual has read and understands these provisions. Each affected individual will be required to annually review these compliance standards. Any changes in these policies will be made available to affected individuals as they occur and they will receive updated training as necessary.

4.A Confidential Reporting System and Open Lines of Communication

All affected individuals shall acknowledge in writing their responsibility to immediately

report any known or suspected instances of noncompliance with this Plan, including but not limited to, fraud, waste or abuse.

If for any reason an employee or other individual associated with the Agency does not wish to report a violation to a direct supervisor, he or she may contact the Compliance Officer or designee. Reports to the Compliance Officer or designee can be made over the phone at (845) 267-2591 or via voicemail to a secure hotline at (845) 905-6504. Written reports can be submitted by U.S. mail, interoffice mail, or in person at 210 Route 303, Valley Cottage, NY 10989, or via email to kramos2@thearcrockland.org. All communications of this nature will be investigated thoroughly and fairly and will be kept, to the extent possible, in the strictest confidence.

The Arc Rockland will ensure the confidentiality of its records at all levels. Reports may be made without fear of retaliation, retribution, or breach of confidentiality. Strict rules on privacy and confidentiality of information will be mandatory with restriction on the flow of information to those who need to know for investigative purposes. We will operate under the presumption of innocence with safeguard for the rights of the accused. Retaliation or intimidation of any sort against an affected individual for reporting an incident in good faith or against employees or other individuals who participate in an investigation will not be tolerated. Failure to report noncompliance, failure to cooperate with an investigation, or knowingly making a false report will be grounds for disciplinary action, up to and including termination of employment or other association with the Agency.

5. Internal Monitoring, Auditing and Review

The Arc Rockland will perform periodic, compliance audits by internal auditors who have familiarity with the applicable Federal, State and local statutes, regulations and program requirements. We will also be prepared for and fully cooperate with external auditors and will contract for audits with outside firms on an as-needed basis.

We will require all directors, managers, supervisors, and employees to immediately notify the Senior Leadership in the event of any visits, audits, investigations or surveys by Federal or State agencies or authorities, and forward correspondence received from any regulatory agency charged with administering a Federal or State funded program or enforcing its relevant regulations.

6. Enforcement of Publicized Standards and Disciplinary Guidelines

While all instances of noncompliance cannot be foreseen, there are several key steps The Arc Rockland will take to try to prevent legal and ethics violations and enforce the standard set out in this Plan:

- The Arc Rockland shall conduct reasonable inquiries into the background of all affected individuals prior to hiring, contracting with or appointing the individual.
- We shall make compliance with this Corporate Compliance Plan and applicable laws and regulations a condition of employment at or other association with The Arc Rockland.

- We will take appropriate action in response to failure to comply with this Plan and such failure will be documented in the employee's personnel file.
- We will require affected individuals to timely disclose to The Arc Rockland any activities which do not comply with regulatory standards including conviction of any crime.
- We will discipline supervisors for failure to adequately instruct their subordinates in the requirements of this Plan or for failing to detect non-compliance with applicable policies and legal requirements where reasonable diligence on the part of the director, manager or supervisor would have led to the earlier discovery of any problems or violations.
- We will require all directors, managers and supervisors to encourage and support the commitment and adherence to the policy and procedures of the Compliance Plan.

7. Timely Response to Detected Offenses and Development of a Corrective Action Plan

The Arc Rockland shall take all necessary steps to respond to every allegation of noncompliance or violation of this Plan. If it determines that a violation has occurred, an inquiry into the matter will be undertaken. All reasonable measures will be taken to maintain the confidentiality of such inquiries.

If The Arc Rockland determines that a violation of this Plan has occurred, whether through monitoring, an anonymous tip, internal investigation, audit or other means, there are a series of corrective steps The Arc Rockland may take depending upon the severity of the violation. Such responses will serve two purposes: first, to correct the violation, and second, to prevent further similar violations. Corrective steps may include: revision or implementation of new policies and procedures, refunding overpayments through self-disclosure, training or re-training, written warnings, suspension or termination of persons associated with the Agency. All corrective action will be determined on a case-by-case basis and may include discipline up to and including termination of employment or other association with the Agency. Counsel shall be contacted as needed.

