

## **ODYSSEY HOUSE CORPORATE COMPLIANCE PLAN**

### **Mission**

It is the mission of Odyssey House to: provide comprehensive and innovative services to the broadest range of metro New York's population who abuse drugs, abuse alcohol, have mental illness; provide high quality, holistic treatment impacting all major life spheres; psychological, physical, social, family, educational, and spiritual; support personal rehabilitation, renewal and family restoration. Throughout its activities, Odyssey House undertakes to act as a responsible employer of the community and to manage the assets of the organization in a professional manner.

### **Policy Statement**

Odyssey House's objective in establishing an integrated compliance program is to provide a framework for adherence to all pertinent Federal and State laws, regulations and policies as well as a mechanism for preventing and reporting any breach of those laws and regulations. This policy has been adopted by the President/CEO and the Board of Trustees of this agency. It applies to all personnel, whether directly employed or contracted, as well as volunteers. We will treat our residents and conduct our business in a manner that satisfied our obligations and our own high standards of integrity and quality.

### **Purpose**

The Compliance plan has been developed to minimize any potential for employees to engage in unlawful conduct affecting the organization, and to assure upon such conduct, that these matters are handled appropriately, including reporting to the appropriate authorities.

### **Delegation of Authority**

Compliance oversight will be the responsibility of the Office of Corporate Compliance (OCC) (or the Compliance Officer). The CO objective is to establish an ongoing integrated evaluation process. This effort will not only establish that the standards and procedures are current and accurate, but it will also assist in ensuring that the compliance program is working. The functions of the OCC/CO, include:

- Serving as a organization-wide resource on the organization's compliance activities and responding to questions or inquiries on the program
- Ensuring the education of all employees, contracted staff and volunteers on the organization's compliance program

- Supervising the process for establishing up-to-date written standards and procedures in all areas.
  - Ensuring that auditing and monitoring is occurring in all identified high-risk areas, such as billing, coding and documentation
  - Overseeing that corrective action is taken on findings from audits and followed-up on in future audits to ensure they remain corrected
  - Fielding reports of suspected or known violations to the Compliance Program
  - Overseeing investigations into reported or suspected violations
  - Participating in the enforcement of disciplinary standards upon finding of an actual violation to the program
  - Serving as a liaison between all required departments, e.g. Human Resources, CEO, legal counsel, upon investigation and finding of a violation to the Compliance Program
  - Ensuring proper documentation for all compliance-related activities, including attendance at trainings and training topics, reported violations, investigatory activities, corrective actions taken and disciplinary actions taken.
- is to perform three types of reviews:

### **Corporate Code of Conduct**

Employees are required to understand and abide by those laws, regulations, policies and procedures that are applicable to them in the performance of their job duties. Compliance with these laws forms the basis of the Code of Conduct.

### **Resident Rights**

Employees are expected to comply with and recognize resident rights as stated in the Bill of Rights.

### **Confidentiality**

Resident information is confidential. This includes all resident information, whether it is in an electronic or paper format. Employees are required to protect and preserve that confidentiality. Information about residents will not be released or discussed with others unless it is necessary for the resident's care or as requires or permitted by law. Discussion of confidential information should occur in private, and individuals not directly involved in the resident' care should not be present with out the resident's permission. Resident charts should be kept secure and unavailable to those who are not involved with the resident's care.

### **Kickbacks**

Employees must never accept or offer to take payment or compensation of any kind in exchange for resident referrals or the purchase of services from Odyssey House. If employees are offered such “kickbacks,” they should immediately report the incident to their supervisor or the OCC/CO.

### **False Claims**

Employees should never file or make claims for reimbursement for services that were not provided or that were not medically necessary. Employees should never submit reimbursement claims that contain false or misleading information. If employees become aware of a situation in which a false claim has been made or is to be submitted, they should report it immediately to their supervisor or the OCC/CO.

### **Controlled Substances**

Employees may have access to prescription drugs, controlled substance and other medical supplies as part of their job responsibilities. Employees have legal and ethical responsibilities to maintain control over these items and report any discrepancies in the inventory.

### **Substance Abuse**

Employees are prohibited from participating in the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance on all Odyssey House property and at Odyssey House sponsored or supervised activities. The unlawful possession, use and/or distribution of alcohol is also prohibited on all Odyssey House property, or at Odyssey House-sponsored or supervised activities. Employees involved in such acts will be subject to immediate termination or other disciplinary measures in accordance with Odyssey House Human Resources policies and procedures.

### **Confidential Information**

Confidential information obtained either during assigned duties or by accident should not be released or discussed with anyone unless that individual is authorized to receive the information unless that information. Employees should not seek access to confidential information out of curiosity, for malicious purposes or for financial gain.

### **Conflict of Interest**

Employees are prohibited from engaging in any activity, practice or act of financial interest that conflicts with or appears to conflict with the interests of Odyssey House, its

residents or suppliers. A conflict of interest may occur if an employee's outside activities or personal interests appear to influence his or her ability to make objective decisions on the job. A conflict of interest may also exist if the demands of outside activities hinder or distract the employee from the performance of his or her job or cause the employee to use Odyssey House's resources for purposes not related to the agency. Therefore, employees should avoid any actions that might lead someone to believe there is a conflict of interest. Questions regarding conflicts of interest should be directed to the employee's supervisor or the OCC/CO.

### **Equal Opportunity**

Equal opportunity is and shall be provided for all employees and applicants for employment on the basis of their demonstrated ability and competence. Odyssey House does not discriminate on the basis of a person's race, color, religion, sex, sexual preference, national origin, age, disability or status as a Vietnam veteran.

### **Sexual Harassment**

Sexual harassment in the workplace is unacceptable conduct. Sexual harassment is subject to discipline, up to and including termination.

### **Non-retaliation**

Retaliation against any person who brings an accusation of discrimination or sexual harassment or who assists with the investigation or resolution of a sexual harassment or discrimination claim is strictly prohibited. Retaliation against any person who reports in good faith an actual or perceived violation of the Corporate Compliance Plan or other applicable laws, regulations or policies also is strictly prohibited.

### **Advertising**

Odyssey House must offer factual, fully informative and non-deceptive information in all its marketing and advertising. Marketing and advertising may be used to educate the public, provide information to the community, increase awareness of the services offered by the agency and recruit colleagues. All marketing materials will accurately reflect the services available and the level of licensure and certification of the provider/practitioner.

Odyssey House shall not be used for commercial or promotional advertising purposes by outside persons or entities. The name of Odyssey House may not be identified in any way with the aims, policies, programs, products or opinions of any organization or its members unless the president/CEO grants an exception.

### **Acceptance of Business Courtesies**

Employees should not accept or encourage individuals or businesses to give them gifts or gratuities in relation to their employment at Odyssey House. Accepting gifts or gratuities may give the appearance of providing personal gain or showing favoritism to an individual and/or current or potential business partner. If situations arise that conflict with this policy, the employee should immediately inform their supervisor or the OCC/CO.

### **Competitor Information**

Employees should not obtain proprietary or confidential information about a competitor through illegal or unethical means. Information may be gathered about other organizations, including our competitors, through legal and ethical means, such as public documents and other published and spoken information.

### **Contract Negotiations**

Odyssey House will comply with all applicable disclosure rules and regulation honestly and completely. Employees involved in the negotiation of a contract must ensure that all the data generated, supplied and represented is accurate, current and complete. Failure to follow these guidelines may result in civil or criminal liability for Odyssey House, the involved employee and any managers or supervisors who condone such a practice. The agency will not contract to obtain services or products from any individual or company that has been convicted of a criminal offense related to health care and/or is listed by a federal agency as debarred, excluded or otherwise ineligible for participation in federally-funded healthcare programs.

### Investigation of Potential Violations

#### **Expectations of Employees**

Employees have an obligation to report any known or suspected compliance violations. Employees are encouraged to work through their supervisor or manager first to report these issues. However, reports may also be made to the Corporate Compliance Resource and Reporting Line at (Ethics Point 888-279-7375 <https://secure.ethicspoint.com/domain/media/en/gui/22441/index.html>).

Employees are required to attend annual in-service education sessions or other comparable training pertaining to applicable laws, regulations, policies and the Corporate Compliance Plan.

### **Expectations of Supervisors and Managers**

In addition to complying with the law, keeping current on compliance issues and reporting known or suspected violations, supervisors and managers are responsible for:

- Ensuring that employees are aware of and follow the standards in the Code of Conduct.
- Ensuring that employees have received proper training on the policies and procedures pertaining to their job responsibilities and informing employees of any updates to the policies and procedures.
- Keeping the lines of communication between the employee and him/herself open so that the employee is encouraged to report any potential violations.
- Fielding reports of known or suspected violations and reporting them to the OCC/CO.
- Taking no retaliatory action against any employee reporting in good faith a known or suspected violation.

### **When do I report a known or suspected violation?**

Employees should report any result or potential violations of the Corporate Code of Conduct, the Corporate Compliance Plan or any other law, regulation or policy immediately. It is recommended that employees begin with their supervisor or manager. However, employees can report a known or suspected violation to the Corporate Compliance Resource Reporting Line at **Ethics Point (888-279-7375)** or <https://secure.ethicspoint.com/domain/media/en/gui/22441/index.html>.

### **How do I report a known or suspected violation?**

Employees can speak directly to their supervisor or call the Compliance Resource and Reporting Line at Ethics Point 888-279-7375 or via the internet at:

<https://secure.ethicspoint.com/domain/media/en/gui/22441/index.html>

The OCC/CO will ask questions intended to further understand the nature of the potential violation and whether there is sufficient evidence to conduct an investigation.

### **Will my confidentiality be maintained?**

If requested, every effort will be made to keep the reporter's identity confidential, but confidentiality cannot be guaranteed. However, no adverse action or retaliation of any

kind will be taken against an employee because he or she reports, in good faith a known or suspected violation of the Corporate Compliance Plan, the Corporate Code of Conduct, or any other law, regulation or policy.

### **What happens after a report is filed?**

The Office of Corporate Compliance OCC/CO begins a detailed investigation when it receives sufficient information to act on a credible report of a suspected violation. All employees are required to cooperate fully with investigations by the OCC.

### **What happens after the investigation is complete?**

The OCC/CO reports the results of the investigation to the president/CEO either when the investigation is complete or potentially sooner depending upon the severity of the reported violation. Corrective actions, if needed, are taken to resolve the situation.

### **Training and Education**

The most effective and efficient method of preventing compliance errors and misconduct is a well formulated training and education program.

One of the goals of the OCC/CO is to implement an education program that includes training for employees at Odyssey House on the Compliance program and specific high-risk areas. In some circumstances, these education sessions may be mandatory and targeted for specific audiences.

At a minimum, these education sessions would be provided on an annual basis. Topics will be offered as deemed necessary and required to assist our combined staff in compliance matters.

### **Annual Certification**

Annual certifications will be signed by all personnel to demonstrate that they have received, reviewed, and understood the contents of this manual. The annual certification also requires employees to confirm that they have not engaged in any conduct that contravened the requirements of the manual.

### **Government Action and Litigation**

While it is the policy to cooperate with reasonable requests for information from the government agencies, no information about Odyssey House or its operations should be revealed unless a supervisor has been consulted as it could prejudice Odyssey House's legal right. If law enforcement officers, government officials, or like representatives appear at our sites to review financial or other records, interview personnel or residents, or serve legal documents including summons and complaints, you should inform your supervisor and/or OCC immediately. Do not comply with any claim, request, or demand without speaking with a supervisor beforehand. This policy does not apply to regularly scheduled NYS OASAS audits and audits by third party payers.

### **Medicaid Requirements**

This program is governed by complicated laws and regulations which impose strict requirements on providers. For example, the payment guidelines identify not only the services to be reimbursed, the applicable rate-setting methodologies and claiming processes, but also documentation that must be maintained and available for audit. Violation of Medicaid regulations can result in imposition of civil and criminal penalties not only on the persons actually involved but also on Odyssey House.

### **Record Keeping**

All funds, assets, liabilities (actual or contingent) and transactions of Odyssey House shall be fully and correctly disclosed and recorded. Invoices and authorizations for the payment of money shall correctly describe the goods and services to which they relate. The use of funds or assets of Odyssey House for any unlawful purpose is strictly prohibited.

Odyssey House has established guidelines providing for the retention, protection, and disposition of corporate records as required by governing laws and regulations. Strict compliance with these guidelines is required of all personnel.

All memoranda and documents generated by Odyssey House personnel, including internal and external email messages, may be subject to subsequent review by government or private litigants or produced in court. Personnel should exercise sound judgment in the creation of any documents, reports or emails regarding confidential information or potentially sensitive matters. All submissions to regulatory authorities must be accurate.

All of Odyssey House's business transaction, books, and records shall be kept in accordance with all applicable standards. Books, records, and accounts shall be created,



maintained, and destroyed in strict accordance with Odyssey House's records management policy.

The OCC/CO will maintain records pertaining to the compliance program, including but not limited to:

- Compliance program training materials
- Documentation of attendance at compliance program-related training and education sessions
- Compliance program policies and procedures
- Auditing and monitoring activities of the compliance program and specific areas as well as findings from such audits and corrective actions taken
- Reports of suspected violations
- Documentation related to investigations of reported violations
- Disciplinary actions taken in response to known violations

### **Health and Safety**

During the course of Odyssey House's operations, hazardous materials are used and infectious waste is generated. Odyssey House is legally responsible for the proper handling and disposal of these materials. It is essential that all employees are aware of and comply with Odyssey House's environmental safety policies and procedure. Additionally, there are federal and state laws regarding the promotion of occupational safety and avoidance of job related hazards. Every employee should be aware of and pay attention to these laws and regulations.

### **Media Communications**

Employees may be asked for information regarding Odyssey House by members of the media. While it is the policy to respond to appropriate inquires, such communications are subject to constantly changing legal disclosures requirements and other consideration. Odyssey House has established systems for responding to media requests and for obtaining management approval for public statements. Therefore, all requests from the media regarding Odyssey House should be referred to the Senior Vice President, Director of Communications (212) 361-1616.

### **Confidentiality of Odyssey House Information**

One of Odyssey House's valuable assets is its body of confidential information. The widespread use of computer terminals and systems has caused this information to be accessible to many employees. Failure to protect this information adequately can lead to the loss of highly confidential data that may place Odyssey House legally at risk. Due to this risk, employees shall not, without written consent, during the term of their

employment or thereafter, use the benefit of such access to disclose to others any confidential information obtained during the course of employment.

Confidential information includes Odyssey House research data, clinical data, personnel data, resident lists, financial data, and all other records and data which are in the possession of Odyssey House and which have not yet been disclosed to the general public.

Employees must not make inappropriate modifications of information or destroy or disclose information except as authorized. Documents containing sensitive data, including information containing resident data, should be handled carefully during working hours and must be properly secured at the close of each business day. Particular attention should be paid to the security of data stored on the computer system.

### **Computers and Software**

Odyssey House relies heavily on computer systems to meet informational, operational, financial, and communication requirements. It is therefore imperative that computer data, hardware, networks and software be adequately protected against alteration, damage, theft, or unauthorized access. Each employee must strictly adhere to the security measures and internal controls established for safeguarding the integrity and validity of computer systems.

The use of software on any Odyssey House computer requires appropriate approval by the Director of Information Technology. Under no circumstances may any unauthorized software be brought in and loaded to any Odyssey House computer without this approval.

### **Billing Practices**

Odyssey House billing procedures must comply with all applicable regulations and must always be based on adequate documentation. In addition to legal standards, documentation must satisfy Odyssey House's internal standards for quality assurance.

All federal and state regulations governing billing procedures will be meticulously followed. Billing must be accurate, truthful, and complete.

Odyssey House will not tolerate false statements or intentional omissions of information by any employee to a government agency or other payor. If an employee is found to have made deliberate misstatements of this nature, he/she will be subject to immediate termination and potential criminal penalties.

If you have any questions as to the truth or accuracy of the documentation for billing purposes, or if there is insufficient information, the bill for services in question must not be submitted for payment until the uncertainties are resolved.

### **Human Resources**

Odyssey House is committed to a work environment in which all employees are treated with respect, dignity and fairness. Each employee has the right to work in a professional atmosphere that promotes equal opportunity and prohibits discriminatory practices. If you believe you are being harassed or discriminated against, you should immediately report this to your supervisor or the OCC.

### **Workplace Violence**

Odyssey House is committed to employee safety and health. Violence will not be tolerated in any firm. All personnel at Odyssey House must adhere to work practices that are consistent with a respectful workplace and a safe and secure environment.

### **Policies and Procedures**

All personnel are given a Human Resources manual at the time they are hired. This manual provides an easy reference for the employment policies and procedures you are expected to follow. Additionally, Odyssey House provides orientation lectures to all of its employees. Site specific policies and procedure manuals will also be provided as part of your orientation period.

### **Enforcement and Discipline**

Failure to comply with the policies in this compliance manual, as well as other regulations, policies and procedures of the organization may result in disciplinary action up to and including termination and possible criminal prosecution. Disciplinary actions will be pursued by Odyssey House against all of the following:

- Violations of this compliance plan or other regulations.
- Withholding information regarding a violation.
- Supervisors or managers, in circumstances where the violation reflected poor supervision or lack of diligence; and
- Retaliation, directly or indirectly, against any employee who reports a violation.

### **Monitoring and Auditing**

The OCC/CO will conduct periodic audits of its program services and residential sites to ensure that compliance regulations are observed. The OCC/CO will be responsible for monitoring the implantation of corrective action plans in order to determine that recommended changes have been successfully implemented.

### **Summary Statement**

We believe our employees provide services with honesty and professional integrity. We hope the guidelines stated in the Corporate Compliance Plan assist you in continuing to work according to these high standards. Our future success depends on maintaining a reputation of professionalism in our business conduct and clinical practices. Thank you for your part in helping to make Odyssey House successful.