



## POLICY

*Attachment 3A*

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**Purpose:** To define standards of conduct for Odyssey House and outline procedures for addressing allegations of unprofessional conduct to appropriate government, regulatory and accreditation agencies.

**Scope:** All programs

**Policy:** Odyssey House shall investigate all allegations and complaints of professional misconduct by its staff. Odyssey House is required to report a reasonable belief of professional misconduct by, and/or any adverse actions taken against, professionals licensed, certified and/or registered by New York State health care and professional oversight agencies. Odyssey House shall make all reports required, and cooperate with investigations, by New York State agencies to the extent permitted by applicable New York State and Federal Law.

**Procedure:**

1. If it is suspected or believed that a physician or physician's assistant has engaged in unprofessional conduct, as defined by the New York State Education Law or the Odyssey House Code of Ethics, the incident is reported to the VP, Director of Health Care and the VP, Medical Director so that a complete investigation can take place. If the investigation determines that professional misconduct has occurred and/or warrants an action such as restriction or termination of employment or ability to treat patients, the professional misconduct and/or corrective actions will be reported by the Medical Director to the New York State Office of Professional Medical Conduct and the National Practitioner Data Bank, as required, and in the time frame mandated, by applicable law.
2. Any professional licensed, certified or registered pursuant to title VIII of the Education Law, must adhere to the Rules of the Board of Regents. Any unprofessional conduct, as defined by the Education law or regulations or Odyssey House policy, will be reported respectively to the Education Department and/or the Department of Health, as required, and in the time frame mandated, by applicable law.
3. Any profession licensed, certified or registered pursuant by the Department of Mental Health and/or one of its divisions (e.g., OASAS) must adhere to the

applicable rules and regulations governing his or her profession. Upon knowledge of an incident, the Odyssey House OASAS program manager will be informed within a 24 hour period. Any unprofessional conduct, as defined by applicable law or Odyssey House policy, or other actions for which reporting is required by the applicable agency will be reported respectively to that agency (e.g., certain actions or alleged actions by credential alcohol and substance abuse counselors must be reported to the OASAS credentialing unit), as required, and in the time frame mandated, by applicable law. The Program Director will be responsible for making the report on the appropriate complaint forms.

4. In all instances, records will be made available to authorized agencies to the extent permitted by applicable law, with respect to an inquiry or complaint about the licensee's unprofessional conduct. It is recognized that there may be certain New York State or Federal protections against, or limitations on, release of patient or quality assurance information and such protections and limitations shall be considered before information is released.
5. In determining if a report is necessary or if information can be released, legal consultation may be sought in making such determination.