



Rochester Childfirst Network

SERVING CHILDREN SINCE 1857

RCN Corporate Compliance Policy

Purpose of our Policy

This Rochester Childfirst Network's Corporate Compliance Plan has been established to assure a culture which promotes prevention, detection and resolution of practices which are not consistent with federal, state and local laws and regulations. For more than a century, RCN has been committed to enriching the quality of life for our community's children and their families. In order to maintain our high level of service, RCN expects all employees, volunteers, contractors/vendors and Board members to comply with our Code of Conduct

Code of Conduct –Rochester Childfirst Network

All employees, volunteers, contractors/vendors, and Board members shall observe and follow all relevant federal state and local laws and agency policies. They shall at all times maintain the standard of conduct as outlined in the RCN Professional Standards listed below. If any of these individuals exhibit behavior which conflicts with our Mission, Vision or Professional Standards, or with the orderly and efficient operation of the Agency, corrective disciplinary action will be taken. It is understood that impropriety of any kind damages the effectiveness of our services and hurts the agency and the families we serve.

It is the responsibility of all subject to this Policy to report areas of concern and possible impropriety in the manner outlined below. The Staff/Agency policy is in place which protects any individual who has reported a concern from retaliatory action: the intimidation, harassment, discharge, suspension, demotion, penalization or discrimination of any employee, or other adverse employment action taken against an employee in the terms and conditions of employment. Possible retaliation actions against reporting Board members, volunteers or contractors/vendors are difficult to quantify but recognizable if they occur, and such persons shall act in the manner of, and be given protection appropriate to the circumstances in the nature of that applicable to, employees under the Staff/Agency policy and using similar processes.

Staff/Agency Protection Policy (method of responding to reports and policy of non-intimidation)

This staff/agency protection policy is designed to provide specific guidance about how to report improper activities (such as violation of laws, abuse of authority, creating danger to health or safety, or material waste of resources) by employees of Rochester Childfirst Network and to protect employees, who have reported improper actions, against retaliation.

If any person knows or believes that there has been a violation of laws, abuse of authority creating danger to health or safety, or material waste of the organization's resources, the Executive or Corporate Compliance Officer should be contacted. Such notification may be made in writing, in person or by phone either anonymously or with self identification. If the alleged wrongdoing concerns the Executive Director, then the Board President (or-his/her appointed designee) or the Corporate Compliance Officer should be notified.

The person receiving this type of information will make a written record of all such reports and perform or facilitate an investigation of all credible allegations. At all times the privacy and reputation of individuals involved will be respected. There will be no punishment or retaliation for reporting circumstances described in this policy.

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Process:

The Executive Director, Corporate Compliance Officer (or, if the complaint involves the Executive Director, the President of RCN Board of Directors) shall be responsible to investigate the complaint(s) involving alleged violations as described above. The investigation would involve collecting, if possible, all relevant signed and written documentation of the violation(s). The information shared shall remain confidential.

The Executive Director, Compliance Officer and/or the Board president shall then call a meeting of the Executive Committee less any member who is not an “independent Director” (“herein the Special Executive Committee”), and share the results of the investigation with that Special Executive Committee. The Board President and the Special Executive Committee shall then be responsible for directing the Executive Director to take action, or take any regulatory or legal action themselves, that is required. The full Board will be informed of this investigation and any regulatory or legal actions that follow.

Designation of a Corporate Compliance Officer

The Corporate Compliance Officer is designated to administer the Corporate Compliance Policy including its whistleblower protection provisions. Rochester Childfirst Network provides for a Corporate Compliance Officer who also performs in other capacities within the agency. Care is taken to ensure that the officer is provided with sufficient time to complete his/her duties.

Training is provided for the person in this position to fulfill their duties. Such duties involve:

- Promoting a climate and culture which values the need to maintain sufficient policies, habits and internal controls to produce accurate records, billing processes and results.
- Monitoring of all regulations, laws and guidance documents produced at the national, state and local level with regards to the programs and services provided at RCN
- Training of staff, volunteers, contractors/vendors, the administrative team and the Board of Directors in the concepts required by the RCN Corporate Compliance Plan
- Periodically reporting to the governing body (Board of Directors) on the status of the agency Corporate Compliance Plan

Training and Education

Rochester Childfirst Network provides training and education on matters of Corporate Compliance to all affected employees and people associated with its services. Training addresses the culture and expectations of compliance in all aspects of program operation including service delivery and internal controls with regard to fiscal and record keeping accuracy. Training occurs at the time of orientation for new staff, contractors/vendors, Board and volunteers and periodically thereafter. Elements of Corporate Compliance training include:

- Staff receive a job description at the time of hire which includes an explanation of the Professional Standards required of all members. These standards describe the culture and expectations of honesty and integrity which are central to Corporate Compliance.
- Staff receive a Personnel Handbook at the time of hire which they are required to preview. Included in this handbook is a description of the Staff Protection/Whistleblower protection policy.
- School health service providers (Occupational, Physical and Speech/Language Therapy providers) and other relevant employees participate in Medicaid Compliance training as required through the NYState School Supportive Health Services Program (SSHSP). Specific trainings were attended in 2010, 2011, and 2012. Fiscal, Management and Corporate Compliance employees participate in ongoing Medicaid training as outlined in the March 5, 2013 guidance Document from Stephen Wright of the STAC Unit at

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NYSED.

(http://www.oms.nysed.gov/medicaid/news_announcements/2013_SSHSP_training_memo.pdf)

- Annual presentations to the staff addressing the RCN Corporate Compliance plan are required. Training includes information about why the reporting of concerns is necessary for the benefit of our students and the health of the agency. Staff are instructed in how to make a report and provided with assurance that such reporting can remain anonymous and that no retaliation by the agency toward the employee is permissible.
- A review of the corporate culture requiring adherence to ethical standards is a part of each employee's annual performance evaluation during the review of agency Professional Standards.
- The Corporate Compliance officer will assure that this policy and its procedures are distributed to everyone; including contractors/vendors via the agency website, and volunteers who provide substantial services to the Corporation by the website or other means.

Ways to Communicate Concerns

There are multiple ways in which staff, volunteers, contractors/vendors, administrators and Board Members can report concerns. These communication lines include methods for anonymous and confidential good faith reporting of potential compliance issues.

- Reports of concerns can be written and either signed or left anonymous. These can be placed in the open mailbox of the Executive Director, Board President or Corporate Compliance Officer at the discretion of the reporter.
- Phone messages can be recorded directly to Executive Director or Corporate Compliance Officer.
- An additional confidential telephone extension is available which provides all parties with the opportunity to report a concern.
 - This phone number and extension are posted in all agency communication locations
 - It is distributed to staff in the educational materials provided at Corporate Compliance trainings.
 - It is provided within the Corporate Compliance Plan which is posted on the agency web site.

Discipline Policies

It is expected of all staff, administrators, contractors/vendors and Board Members that adherence to mandatory requirements of the federal, state and local regulating bodies be maintained at all times. It is also expected that the agency remain alert to the changes and updates in requirements that affect all programs. All employees, volunteers, contractors/vendors, executives, and Board members are required to report any issues of concern in the manner outlined in this plan. Those who fail to report issues of noncompliance with applicable policies and legal requirements are subject to disciplinary actions up to and including termination. Those who would encourage, direct, facilitate or permit non-compliant behavior are also subject to the full range of disciplinary options.

Identification of Compliance Risk

RCN performs periodic internal audits of its billing, records maintenance, services documentation, and direct services. We respond to the requirements of

- Monroe County Department of Social Services

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- Early Intervention (Island Peer Review Organization - IPRO),
- Preschool Special Education (Special Education Quality Assurance - SEQA),
- Office of the Medicaid Inspector General - OMIG,
- New York State Department of Health and USDA – CACFP
- New York State Office of Child and Family Services - OCFS
- New York State Labor Law.

Audits are performed to determine services adherence to student IEP/IFSP requirements and to medical necessity. Audits are performed to determine the accuracy and contemporaneous nature of reports and billing documentation. Audits are performed to determine contractor adherence to requirements.

Staff, volunteers and others in contact with children are screened in adherence to Office of Child and Family Services regulation with regards to fingerprinting, Statewide Central Registry Clearance System, the Justice Center, and for those providing Medicaid eligible services, the Medicaid Exemption checklists.

The Corporate Compliance Officer is required to maintain an ongoing update of changes in regulations including a review of Medicaid Alerts and the ongoing guidance from the New York State Departments of Education and Health and the Office of Child and Family Services.