

## **CORPORATE COMPLIANCE PROGRAM OVERVIEW**

*\*Below is an overview of the Corporate Compliance Program at MHA. To receive a full copy of the MHA Compliance Plan, including the Code of Conduct, contact the MHA Compliance Officer at (518)762-5332.*

The Mental Health Association in Fulton and Montgomery Counties (“MHA” hereafter) seeks to ensure that its activities comply with its mission as well as with all applicable rules and regulations of the federal, state, and local government. All affected individuals (persons who are affected by our risk areas including employees, the Executive Director, other senior administrators, managers, contractors, agents, subcontractors, independent contractors, the governing body corporate officers, and people supported), are strongly advised to learn and use the laws and policies under which we operate.

The MHA Corporate Compliance Program is a set of formal organizational systems intended to prevent, detect and respond to potential fraud, abuse, waste, and other potential liability areas or misconduct committed by its employees and other agents.

The Compliance Plan consists of the following seven elements:

### **Element 1: Compliance Policies and Procedures**

MHA develops and distributes, a Compliance Plan, including a Code of Conduct and related compliance policies, in accordance with all applicable federal, state and local laws and regulations, and payor requirements. The Compliance Plan serves to provide guidance to ensure that all affected individuals affiliated with MHA conduct themselves ethically and honestly at all times and provides resources to help report and resolve any potential compliance issue or concern. The Code of Conduct is the foundation of the MHA Compliance Program and explicitly lays out agency expectations for affected individuals to act with honesty, transparency, and integrity in all business functions. The Compliance Officer, in conjunction with the Compliance Committee, reviews the Compliance Plan on an annual basis and makes any necessary revisions.

### **Element 2: Compliance Officer and Compliance Committee**

MHA has formalized an organizational structure to include a Compliance Officer who has the primary responsibility for developing and implementing compliance systems within the agency, as well as overseeing the day-to-day activities of the Compliance Program.

### **Lauri Nawrot is the Mental Health Association Compliance Officer**

The Compliance Officer reports directly to the MHA Executive Director and quarterly to the Board of Directors. MHA has also established a Compliance Committee comprised of senior management and chaired by the Compliance Officer, that meets quarterly. The responsibilities of the Compliance Committee include but are not limited to, supporting the Compliance Officer in identifying risk areas, reviewing the results of investigations and corrective actions, and reviewing the Compliance Plan.

### **Element 3: Training and Education**

The Board of Directors, all employees and, as applicable, other affected individuals, must be informed about regulatory requirements and the MHA Compliance Plan, as they apply to each individual. Therefore, the agency will adequately provide training on the agency’s standards and procedures. The agency maintains a training plan that continuously identifies training topics, including those arising as a result of self-monitoring, audits by regulatory agencies and regulatory developments. All MHA employees receive training on MHA Compliance Plan, including the Code of Conduct and related compliance policies and procedures relevant to their job duties at orientation and annually thereafter. The agency will tailor training based on the roles and responsibilities of each group of individuals and in a manner that the individual can understand.

#### Element 4: Communication Lines to Compliance Officer

MHA has established channels of communication for affected individuals in order to promote reporting of potential violations of the Compliance Program, as well as applicable laws and regulations. Employees are encouraged to discuss their concerns with their supervisor (who are required to report these concerns to the Compliance Officer) but can also communicate directly with the Compliance Officer and such communications will be kept as confidential as possible. Individuals may contact the Compliance Officer via the following methods:

- Phone: (518)762-5332 ext. 102
- Email: [lnawrot@mhafm.org](mailto:lnawrot@mhafm.org)
- Mail to:  
**Mental Health Association in Fulton and Montgomery Counties**  
**307-309 Meadow St.**  
**Johnstown, NY 12095**  
**Attn: Compliance Officer**

In addition, MHA has made available an anonymous Compliance Hotline, which provides for confidential communications of suspected compliance violations. Affected individuals may place calls to the Compliance Hotline and leave a message 24-hours a day, 365-days a year, by dialing \*67, then **518-332-1222**.

In order to encourage individuals to come forward and report misconduct involving false claims, the False Claims Act provides whistleblower protections to qui tam relators who are discharged, demoted, suspended, threatened, harassed, or in any other manner discriminated against in the terms and conditions of their employment as a result of their furtherance of an action under the False Claims Act. In accordance with these provisions, MHA has a strict non-retaliation policy to protect any individual who makes a report of non-compliance in good faith.

#### Element 5: Disciplinary Policies

Failure of affected individuals to comply with the Compliance Plan, including the Code of Conduct and related compliance policies, and/or laws and regulations applicable to MHA may result in disciplinary action. The following are infractions that may subject an employee to disciplinary action:

- failing to report suspected problems;
- participating in non-compliant behavior; or
- encouraging, directing, facilitating or permitting either actively or passively non-compliant behavior

The degree of discipline or corrective action may range from verbal warnings to termination of employment or contract. Such disciplinary policies are enforced fairly and firmly.

#### Element 6: Auditing and Monitoring

MHA has a system of auditing and monitoring procedures to ensure compliance with agency standards, federal and state laws and regulations, and for the purposes of routine identification of compliance risk areas. On an annual basis, the Compliance Officer prepares a Compliance Work Plan, to be approved by the Board of Directors, which details the compliance activities, including audits, planned for the coming year for each. An annual self-assessment is also conducted to review and ensure the effectiveness of the MHA Compliance Program.

#### Element 7: Response to Compliance Issues

The Compliance Officer has the authority to investigate any potential compliance issues that are reported or identified through auditing and monitoring procedures. If, after an investigation, it is determined that remedial action is required, an appropriate corrective action plan will be implemented that specifies the tasks to be completed. The Compliance Officer is responsible for monitoring any corrective action plans to assess implementation and effectiveness. MHA may also consult with legal counsel to determine if it is necessary to report the violation to law enforcement or to a regulatory agency, such as OMIG, in the case of a potential

Medicaid overpayment. Investigation results are shared with the Compliance Committee as well as the Board of Directors.

### Notice of Electronic Monitoring

Please be advised that pursuant to the New York State Civil Rights Law §52-c you are being placed on notice that any and all telephone conversations or transmissions, electronic mail or transmissions, or internet access or usage by an employee by any electronic device or system, including but not limited to the use of a computer, telephone, wire, radio or electromagnetic, photoelectronic or photo-optical systems may be subject to monitoring at any and all times and by any lawful means.

**Mental Health Association in Fulton & Montgomery Counties**  
**Anonymous Compliance Hotline**

Dial \*67, then  
(518) 332-1222



Issues and Concerns that must be reported include any violations of the Compliance Plan, including the Code of Conduct and related Compliance Policies. Examples include:

- **Discrimination**
- **Threats, Harassment, or Violence**
- **Vandalism or Sabotage of Agency Property**
- **Alcohol or Substance Abuse**
- **Suspected Fraud (e.g. - Falsification of Documentation)**
- **Privacy or Security Violations**
- **Theft of Inventory or Assets**
- **Inappropriate Boundaries**

\*Grievances regarding performance evaluations, wages, disagreements with peers or supervisor, etc., should continue to be reported through your normal channels such as your supervisor or the Human Resources Director.

**Do the right thing! Report your concerns**

Call the MHA Compliance Hotline number today.  
Messages can be left 24 hours a day, 365 days a year.  
If you choose to leave your name, your call will be kept confidential unless the matter is turned over to law enforcement

Remember:  
You may also contact the Compliance Officer directly at (518) 762-5332 ext. 102  
OR  
Mail your concern to:  
Mental Health Association in Fulton and Montgomery Counties  
307-309 Meadow St  
Johnstown NY, 12095  
Attn: Compliance Officer

**Under no circumstances shall retaliation or reprisal in any form be tolerated when an issue or concern is reported in good faith.**

If it Concerns You, It Concerns Us! Reported issues will be investigated thoroughly and timely.