



Corporate Compliance Plan

Updated and Approved: June 13, 2024
Board of Directors – Community Place of Greater Rochester

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The Community Place of Greater Rochester, Inc., (CPGR)
CORPORATE COMPLIANCE POLICY

I. Policy

It has been and continues to be the policy of CPGR to comply with all applicable federal, state and local laws and regulations, and payer requirements. It is also CPGR's policy to adhere to the Code of Ethics that is adopted by the Board of Directors, the President and Chief Executive Officer and the Compliance Committee.

II. Commitment

We have always been and remain committed to our responsibility to conduct our business affairs with integrity based on sound ethical and moral standards. We will hold our employees, volunteers, contracted practitioners, and vendors to these same standards.

CPGR is committed to maintaining and measuring the effectiveness of our compliance policies and standards through monitoring and auditing systems reasonably designed to detect noncompliance by its employees and agents. We shall require the performance of regular, periodic compliance audits by internal and/or external auditors.

III. Responsibility

All employees, volunteers, contracted practitioners, and vendors shall acknowledge that it is their responsibility to report any suspected instances of suspected or known noncompliance to their immediate supervisor, the Compliance Officer, the Chair of the Audit and Finance Committee or the President and Chief Executive Officer. Reports may be made anonymously without fear of retaliation or retribution. Failure to report known noncompliance or making reports which are not in good faith will be grounds for disciplinary action, up to and including termination. Reports related to harassment or other workplace-oriented issues will be referred to Human Resources.

IV. Policies and Procedures

CPGR will communicate its compliance standards and policies through required training initiatives to all employees, volunteers, contracted practitioners, and vendors. We are committed to these efforts through distribution of this Compliance Policy and our Code of Ethics and Philosophy.

V. Enforcement

This Compliance Policy will be consistently enforced through appropriate disciplinary mechanisms, including, if appropriate, discipline of individuals responsible for failure to detect and/or report noncompliance.

VI. Agency Response

Detected noncompliance, through any mechanism, i.e. compliance auditing procedures, confidential reporting, will be responded to in an expedient manner. We are dedicated to the resolution of such matters and will take all reasonable steps to prevent further similar violations, including any necessary modifications to the Compliance Plan.

VII. Due Diligence

CPGR will, at all times, exercise due diligence with regard to background and professional license investigations for all prospective employees, contractors, vendors, and members of the Board of Directors.

VIII. Whistleblower Provisions and Protections

CPGR will not take any retaliatory action against an employee if the employee discloses certain information about CPGR's policies, practices or activities to a regulatory, law enforcement or other similar agency or public official. Protected disclosures are those that assert that CPGR is in violation of a law and that the violation creates a substantial and specific danger to the public, health and safety or which constitutes fraud under the law.

Code of Ethics and Philosophy

I. Philosophy

The Community Place of Greater Rochester, Inc. is committed to operating under the highest moral and ethical standards and to maintaining a positive, ethical work environment for all members of our agency. The Community Place of Greater Rochester has established a Code of Ethics to guide every board director, staff member, contractor and volunteer affiliated with CPGR to act in an honest, respectful and legally responsible manner.

The conduct and practices of the Board of Directors, staff and volunteers of The Community Place of Greater Rochester, while serving to fulfil the mission and vision of the agency are govern by core values and must:

- Comply with applicable government laws, rules and regulations.
- Maintain the confidentiality of information entrusted to them by CPGR or its clients except when authorized or otherwise legally obligated to disclose.
- Maintain complete, accurate and contemporaneous records as required by the agency. The term “records” includes all documents, both written and electronic, that relate to the provision of agency services or provides support for the billing of agency services. Records must reflect the actual service provided and must never be backdated or predated.
- Deal fairly with clients, suppliers, competitors, volunteers, and employees.
- Provide members of the community with information that is accurate, completely objective, relevant, timely, and understandable.
- Proactively promote ethical behavior in the work environment as a responsible partner among peers.
- Protect and ensure the proper use of company assets.
- Prohibit improper or fraudulent influence over any external Auditors.

II. Mission

To provide neighborhood-based programs, services, and resources which strengthen the Greater Rochester community, one person, one family at a time.

III. Expectations

We ensure that all aspects of consumer care and business conduct are performed in compliance with our mission/vision statement, policies, and procedures, professional standards and applicable governmental laws, rules and regulations and other payer standards. CPGR expects every person who provides services to our consumers to adhere to the highest ethical standards and to promote ethical behavior. Any person whose behavior is found to violate ethical standards will be disciplined appropriately.

Employees may not engage in any conduct that conflicts – or is perceived to conflict – with the best interest of CPGR. Employees must disclose any circumstances where the employee or his or her immediate family member is an employee, consultant, owner, contractor or investor in any entity that (i) engages in any business or maintains any relationship with CPGR; (ii) provides to, or receives from, CPGR any consumer referrals; or (iii) competes with CPGR. Employees may not without permission of the Chief Compliance Officer accept, solicit or offer anything of value from anyone doing business with CPGR.

Employees are expected to maintain complete, accurate and contemporaneous records as required by CPGR. The term “records” includes all documents, written and electronic, related to the provision of CPGR services or providing support for the billing of CPGR services. Records must reflect the actual service provided. Any records to be appropriately altered must reflect the date of the alteration, the name, signature and title of the person altering the document and the reason for the alteration if not apparent. No person shall ever sign the name of another person on any document. Backdating and predating documents is unacceptable and will lead to discipline up to and including termination.

When any person knows or reasonably suspects that the expectations above have not been met, this must be reported to immediate supervisors, the Chief Compliance Officer (CCO), the Chair of the Audit and Finance Committee or the President and Chief Executive Officer, so each situation may be appropriately dealt with. The Chief Compliance Officer may be reached at (585) 730-6194.

The Role of the Compliance Officer

I. Chief Compliance Officer

The Board of Directors of CPGR designates Cynthia Elliott as the Chief Compliance Officer (CCO). The Chief Compliance Officer has direct lines of communication to the President and Chief Executive Officer, the Board of Directors and CPGR counsel.

II. Job Duties

The CCO is directly obligated to serve the best interests of the agency, consumers, and employees. Responsibilities of the CCO include, but are not limited to:

- Developing and implementing compliance policies and procedures.
- Overseeing and monitoring the implementation of the compliance program.
- Directing CPGR internal audits established to monitor effectiveness of compliance standards.
- Providing guidance to management, program personnel and individual departments regarding policies and procedures and governmental laws, rules and regulations
- Updating, periodically, the Compliance Plan as changes occur within CPGR, and/or in the law and regulations or governmental and third-party payers.
- Overseeing efforts to communicate awareness of the existence and contents of the Compliance Plan.
- Coordinating, developing and participating in educational and training programs.
- Ensuring that independent contractors (consumer care, vendors, billing services, etc.) are aware of the requirements of CPGR's Compliance Plan.
- Actively seeking up-to-date material and releases regarding regulatory compliance.
- Maintaining a reporting system and responding to concerns, complaints and questions related to the Compliance Plan.
- Acting as a resource leader regarding regulatory compliance issues.
- Investigating and acting on issues related to compliance.
- Coordinating internal investigations and implementing corrective action.

The Structure, Duties and Role of the Compliance Committee

I. Reporting Structure and Purpose

The Corporate Compliance Committee (CC) members are appointed by the Chair of the Board of Directors and approved by the Board of Directors. Compliance issues are reported by the CC to the President and Chief Executive Officer, the Chair of the Audit and Finance Committee, and the Board, where appropriate. The CC purpose is to advise and assist the Chief Compliance Officer with implementation of the Compliance Plan.

II. Function

The roles of the Compliance Committee include:

- Analyzing the environment where CPGR does business, including legal requirements with which it must comply.
- Reviewing and assessing existing policies and procedures that address these risk areas for possible incorporation into the Corporate Compliance Plan.
- Working with departments to develop standards and policies and procedures that address specific risk areas and encourage compliance according to legal and ethical requirements.
- Advising and monitoring appropriate departments relative to compliance matters.
- Developing internal systems and controls to carry out compliance standards and policies.
- Monitoring internal and external audits to identify potential non-compliant issues.
- Implementing corrective and preventive action plans.
- Developing a process to solicit, evaluate and respond to complaints and problems.

Delegation of Substantial Discretionary Authority

I. Requirement

All employees and prospective employees are required to disclose any name changes, and any involvement in non-compliant activities including health care related crimes. In addition, CPGR performs reasonable inquiries into the background of applicants, contractors, vendors and Members of the Board of Directors.

The following organizations may be queried with respect to employees, potential employees, contractors, vendors and Members of the Board of Directors;

- a) General services administration: list of parties excluded from federal programs. The URL address is <https://www.verifycomply.com>
- b) HHS/OIG cumulative sanction report. The URL address is <https://www.verifycomply.com>
- c) NYS Medicaid Fraud Database. The URL address is https://apps.omig.ny.gov/exclusions/ex_search.aspx
- d) Licensure and disciplinary record with NYS Office of Professional Medical Conduct (Physicians, Physician Assistants? The URL address is: <https://www.health.ny.gov/professionals/doctors/conduct/index.htm> and/or New York State Department of Education (other licensed professionals, the URL address is <https://www.op.nysed.gov/professions-index>

Education and Training

I. Expectations

Education and training are critical elements of corporate compliance plan. Every employee and agent are expected to be familiar and knowledgeable about CPGR's Corporate Compliance plan and have a solid working knowledge of his or her responsibilities under the plan. Compliance policies and standards will be communicated to all employees through required participation in training programs.

II. Training Topics - General

All personnel and members of the Board of Directors shall participate in training on the topics identified below:

- Government and private payer reimbursement principles,
- History and background of Corporate Compliance,
- Legal principles regarding compliance and Board responsibilities related thereto,
- General prohibitions on paying or receiving remuneration to induce referrals and the importance of fair market value,
- Prohibitions against submitting a claim for services when documentation of the service does not exist to the extent required,
- Prohibitions against signing for the work of another employee,
- Prohibitions against alterations to records and appropriate methods of alteration,
- Proper documentation of services rendered, and
- Duty to report misconduct.

III. Training Topics - Targeted

In addition to the above, targeted training will be provided to all managers and any other employees whose job responsibilities include activities related to compliance topics, particularly those whose duties relate to billing, coding and its documentation. This training will be provided at hire, with ongoing training, monitoring and evaluation. Supervisors shall assist the Chief Corporate Compliance Officer in identifying areas that require specific training and are responsible for communication of the terms of this Corporate Compliance Plan to all independent contractors doing business with CPGR.

IV. Orientation

As part of the orientation process, each employee, volunteer and contractor shall receive compliance training within 30 days of hire. A copy of the Corporate Compliance Plan is available on the Paycor platform for your reference, but is also available in hardcopy by making a request to the HR department or by emailing the department at hrdepartment@communityplace.org.

V. Attendance

All education and training relating to the Compliance Plan will be verified by attendance and a signed acknowledgement of participating in the training. Attendance at compliance training sessions is mandatory and is a condition of continued employment.

Effective Confidential Communication

I. Expectations

Open lines of communication between the CCO and every employee and agent subject to this Plan is essential to the success of our Compliance Program. Every employee has an obligation to refuse to participate in any wrongful course of action and to report the actions according to the procedure listed below.

II. Reporting Procedure

If an employee, contractor or agent witnesses, learns of, or is asked to participate in potential non-compliant activities, in violation of this Compliance Plan, he or she should contact the CCO, his or her immediate supervisor, the Chair of the Audit and Finance Committee or the President and Chief Executive Officer. Reports may be made in person or by calling a telephone line dedicated for the purpose of receiving such notification (585-730-6194), or by mailing information to Cynthia Elliott, Chief Corporate Compliance Officer, 57 Central Park, Rochester, NY 14605.

Upon receipt of a question or concern, any supervisor, officer or director, shall document the issue at hand and report to the CCO. Any questions or concerns relating to potential non-compliance by the Chief Compliance Officer should be reported immediately to the President and Chief Executive Officer.

The Chief Compliance Officer or designee shall record the information necessary to conduct an appropriate investigation of all complaints. If the employee was seeking information concerning the Code of Ethics or its application, the Chief Compliance Officer or designee shall record the facts of the call, the nature of the information sought and respond as appropriate. CPGR shall, as much as is possible, protect the anonymity of the employee or contractor who reports any complaint or question.

III. Protections

The identity of reporters will be safeguarded to the fullest extent possible and will be protected against retribution. Report of any suspected violation of this Plan by following the above shall not result in any retribution. Any threat of reprisal against a person who acts in good faith pursuant to his or her responsibilities under the Plan is acting against the CPGR's compliance policy. Discipline, up to and including termination of employment will result if such reprisal is proven.

IV. Guidance

Any employee and agent may seek guidance with respect to the Compliance Plan or Code of Ethics at any time by following the reporting mechanisms outlined above.

Enforcement of Compliance Standards

I. Background Investigations

For all employees who have authority to make decisions that may involve compliance issues, CPGR will conduct a reasonable and prudent background investigation, including a reference check, as part of every employment application.

II. Disciplinary Action - General

Employees who fail to comply with CPGR's compliance policy and standards, or who have engaged in conduct that has the potential of impairing CPGR's status as a reliable, honest, and trustworthy service provider will be subject to disciplinary action, up to and including termination. Any discipline will be appropriately documented in the employee's personnel file, along with a written statement of reason(s) for imposing such discipline. The Chief Compliance Officer shall maintain a record of all disciplinary actions involving the Compliance Plan and report at least quarterly to the Board of Directors regarding such actions.

III. Performance Evaluation - Supervisory

CPGR's Compliance Program requires that the promotion of, and adherence to, the elements of the Compliance Program be a factor in evaluating the performance of CPGR employees and contractors. They will be periodically training in new compliance policies and procedures. In addition, all managers and supervisors will:

- a. Discuss with all supervised employees the compliance policies and legal requirements applicable to their function.
- b. Inform all supervised personnel that strict compliance with these policies and requirements is a condition of employment.
- c. Disclose to all supervised personnel that CPGR will take disciplinary action up to and including termination or revocation of privileges for violation of these policies and requirements.

IV. Disciplinary Action - Supervisory

Managers and supervisors will be sanctioned for failure to adequately instruct their subordinates, or for failing to detect noncompliance with applicable policies and legal requirements, where reasonable diligence on the part of the manager or supervisor would have led to the earlier discovery of any problems or violations and would have provided CPGR with the opportunity to correct them.

Auditing and Monitoring of Compliance Activities

I. Internal Audits

Ongoing evaluation is critical in detecting non-compliance and will help ensure the success of CPGR's Compliance Program. An ongoing auditing and monitoring system, implemented by the Chief Compliance Officer, in consultation with the Compliance Committee, is an integral component of our auditing and monitoring systems. This ongoing evaluation shall include the following:

- Review of relationships with third-party contractors, specifically those with substantive exposure to government enforcement actions,
- Compliance audits of compliance policies and standards, and
- Review of documentation and billing relating to claims made to federal, state and private payers for reimbursement, performed internally or by an external consultant as determined by Chief Compliance Officer and the Compliance Committee.

The audits and reviews will examine CPGR's compliance with specific rules and policies through on-site visits, personnel interviews, general questionnaires (submitted to employees and contractors), and consumer record documentation reviews.

II. Plan Integrity

Additional steps to ensure the integrity of the Corporate Compliance Plan will include:

- The Chief Compliance Officer will be notified immediately in the event of any visits, audits, investigations or surveys by any federal or state agency or authority and shall immediately receive a photocopy of any correspondence from any regulatory agency charged with licensing CPGR and/or administering a federally or state-funded program or County-funded program with which CPGR participates.
- Establishment of a process detailing ongoing notification by the Chief Compliance Officer to all appropriate personnel of any changes in laws, regulations or policies, as well as appropriate training to assure continuous compliance.

Detection and Response

I. Violation Detection

The Chief Compliance Officer, President and Chief Executive Officer and the Compliance Committee or Audit and Finance Committee, as appropriate, shall determine whether there is any basis to suspect that a violation of the Compliance Plan has occurred.

If it is determined that a violation may have occurred, the matter may be referred to legal counsel, who, with the assistance of the Chief Compliance Officer, shall conduct a more detailed investigation. This investigation may include, but is not limited to, the following:

- Interviews with individuals having knowledge of the facts alleged,
- A review of documents, and
- Legal research and contact with governmental agencies for the purpose of clarification.

If advice is sought from a governmental agency, the request and any written or oral response shall be fully documented.

II. Reporting

At the conclusion of an investigation involving legal counsel, he/she shall issue a report to the Chief Compliance Officer, President and Chief Executive Officer, and Audit and Finance Committee Chair, summarizing his or her findings, conclusions and recommendations and will render an opinion as to whether a violation of the law has occurred. The report will be reviewed with legal counsel in attendance. Any additional action will be on the advice of counsel. The CO shall report to the Audit and Finance Committee regarding each investigation conducted.

III. Rectification

If CPGR identifies that an overpayment was received from any third-party payer, the appropriate regulatory (funder) and/or prosecutorial (attorney general/police) authority will be appropriately notified with the advice and assistance of counsel. It is our policy to not retain any funds which are received as a result of overpayment. In instances where it appears an affirmative fraud may have occurred; appropriate amounts shall be returned after consultation and approval by involved regulatory and/or prosecutorial authorities. Systems shall also be put.

IV. Record Keeping

Regardless of whether a report is made to a governmental agency, the Chief Compliance Officer shall maintain a record of the investigation, including copies of all pertinent documentation. This record will be considered confidential and privileged and will not be released without the approval of the President and Chief Executive Officer or legal counsel.

Whistleblower Provisions and Protections

V. Provisions

The False Claims Act provides protection 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.

CPGR will not take any retaliatory action against an employee if the employee discloses information about CPGR's policies, practices or activities to a regulatory, law enforcement or other similar agency or public official. Protected disclosures are those that assert that CPGR is in violation of a law that creates a substantial and specific danger to the public health and safety or which constitutes health care fraud under the law or that assert that, in good faith, the employee believes constitute improper quality of patient care.

VI. Protections

The employee's disclosure is protected only if the employee first brought up the matter with a supervisor and gave the employer a reasonable opportunity to correct the alleged violation, unless the danger is imminent to the public or patient and the employee believes in good faith that reporting to a supervisor would not result in corrective action.

CPGR will protect qui tam relators with remedies that include reinstatement with comparable seniority as the qui tam relator would have had but for the discrimination, two times the amount of any back pay, interest on any back pay, and compensation for any special damages sustained as a result of the discrimination, including litigation costs and reasonable attorneys' fees.

If CPGR takes a retaliatory action against the qui tam relator (employee), the employee may sue in state court for reinstatement to the same, or an equivalent position, any lost back wages and benefits and attorneys' fees.