

Phoenix Center

Behavioral Health Services

Corporate Compliance Plan

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INTRODUCTION

The Phoenix Center Community Service Board and Phoenix Center Behavioral Health Services are both committed to conducting business honestly and ethically. In order to live up to this commitment, Phoenix Center has set forth, through this plan, the principles and rules to be followed by board members and employees. Conduct in violation of these principles and rules is beyond the scope of a board member or employee's position and may lead to serious consequences including termination and/or criminal charges.

The contents of this plan are not intended to cover every conceivable situation that may be encountered. When there is doubt or the correct course of action is unclear, employees are strongly urged to seek guidance from superiors or the Corporate Compliance Officer. Unethical and/or illegal actions are not in the best interest of employees, Board Members or clients.

VISION AND MISSION STATEMENTS

Our Mission

To provide comprehensive behavioral health and developmental disability services that improve our consumers' psychological health, social functioning and quality of life.

Our Vision

To be a recognized leader and provider of behavioral health and developmental disability services that meet the changing needs of Houston and Peach.

Our Consumers

Child and adult consumers with a mental illness, addictive disease or developmental disability.

Our Values

**We believe in:
Consumer centered services,
Dignity and respect for staff and consumers,
Quality and professionalism, and
Honesty and high ethical standards.**

CORPORATE COMPLIANCE POLICY

It is the policy of the Phoenix Center Community Service Board and Phoenix Center Behavioral Health Services that no employee, contractor or sub-contractor will commit or participate in any professional, physical, written, oral, electronic or financial activity during the course of their relationship or employment with Phoenix Center that constitutes a deception or false statement of fact that is done to secure unfair, unethical or unlawful financial or material gain either personally or for Phoenix Center in general.

Employee Ethical Responsibility

Phoenix Center provides all staff education and training designed to ensure understanding of laws, codes of ethics, conduct, and procedures in monitoring, evaluating, investigating, and correcting Corporate Compliance practices. Training is provided in orientation and on an ongoing basis. Every employee of Phoenix Center has an obligation to be honest in all of their dealings with clients, vendors, third parties and fellow employees. Each employee must know and comply with all applicable laws and Phoenix Center policies and procedures. Claims of ignorance, good intentions or using poor judgment will not be accepted as an excuse of noncompliance. The maintenance of ethical standards is everyone's responsibility regardless of position. If you know of a problem, you cannot remain quiet. You must step forward to solve it!

Ethical Leadership

Leadership requires setting a personal example of high ethical standards in job performance. Management is expected to set the tone for Phoenix Center. Managers must take responsibility for the actions of their employees. Managers will be accountable for making sure that their employees understand and apply the ethical standards set forth in this plan. The Executive Director will be held accountable for making sure that the persons she directly supervises understands and applies the ethical standards set forth in this plan. This is accomplished through adequate training, supervision, and vigilance. Management must also listen to employees' questions and diligently act upon their concerns.

ADMISSION AND TREATMENT

Assessments: The purpose of an assessment is to determine whether an individual has a clinical need for a treatment or service and to recommend the most appropriate level of care to meet that need. An individual's ability to pay or lack of insurance coverage shall not affect whether the individual receives an assessment or appropriate service(s). Those persons admitted to service(s) who have the financial means will be expected to pay for the services they receive.

Clients deserve to be treated at all times with respect and dignity: Each Phoenix Center client receives a list of Rights and Responsibilities through the Client Orientation Process given at admission. All clients have the right to file complaints or grievances if they feel their rights have been violated. A system to hear complaints and/or grievances is provided during the Client Orientation Process, and through the review of the clients handbook.

Phoenix Center only admits clients who need and will benefit from treatment or services provided: Phoenix Center uses clinical admission criteria to determine whether or not to admit an individual into services. Only a physician, Mental Health Professional (MHP), Substance Abuse Professional (SAP), or Developmental Disability Professional (DDP) determines whether or not to admit an individual into services. Phoenix Center does not pay any employees or other contracted individuals involved in the intake process based on the number of clients admitted or the length of the client stay. Phoenix Center expects that its CEO, Unit Directors, Managers and Supervisors ensure that personnel and medical staff members never feel pressured to recommend admission, non-admission or referral on any basis other than medical or clinical need.

Each individual client deserves to be treated as an individual: Utilizing a multi-disciplinary approach, Phoenix Clinical Staff develop individual treatment plans in conjunction with the attending physician and client to meet the specific clinical needs. Services are provided in the least restrictive environment appropriate to individual client needs, such as outpatient care, residential crisis stabilization, inpatient care referral, community support individual, community housing, residential services, mental health, and substance abuse treatment. Phoenix Center is committed to creating a safe, compassionate treatment environment which helps each client to reach their maximum independent functioning level in the community.

Treatment Planning: Treatment planning is based on the consumer's assessment; it reflects needs, strengths and abilities as well as their preferences for making changes in their lives. Plans and assessments are reviewed with consumers on a periodic schedule and whenever clinically necessary. Discharge planning begins at the time of admission and continues throughout the treatment process. The client, the client's family, loved ones, and the clinical team are all involved in the treatment planning and discharge process. The client is discharged with a follow-up plan, including interaction with community organizations and support groups whenever possible. Phoenix Center does not influence attending physicians or other professionals to admit or discharge clients solely on the basis of financial resources.

Confidentiality: All Phoenix Staff and Board Members will maintain the confidentiality of all client information and records in accordance with Federal and State laws and policies.

Length of Stay: Length of stay is to be based primarily on clinical considerations.

Quality of Care: Phoenix Center provides treatment and services which are consistent with evidence of best practice guidelines, medical practice and professionally recognized standards in the behavioral health care field. Phoenix Center will also provide treatment and services which are consistent with applicable laws, regulations, policies, requirements and/or standards established by its payers.

Medical Documentation: Medical records documentation must meet the requirements of Phoenix Center policies, DHR policies, applicable law, regulations and standards (e.g. CARF, ORS, Medicaid, Medicare, CMO'S, ERO). Late entries and errors must be clearly labeled as such in the medical records.

Credentialing: The purpose of the credentialing process is to assure that only fully qualified staff persons are permitted to provide treatment and/or services to Phoenix Center clients. Phoenix Center has established and will follow its policies on credentialing.

Referrals: Phoenix Center does not pay anyone – mental health professionals, employees, physicians or other providers – for referrals. Phoenix Center does not pay clients, waive deductibles, waive co-payments or otherwise provide financial benefits to clients in return for admission.

BILLING AND ACCOUNTING

Billing: Phoenix Center bills only for services rendered – nothing more and nothing less. Phoenix Center must comply with special billing requirements for government programs and other payers. All Phoenix Center employees must exercise the utmost care in any written or oral statements made to any government agency or other payer. Phoenix Center must bill for services using billing codes that accurately describe the services that were provided by Phoenix Center. Staff are provided initial and ongoing training for billing and coding procedures. Phoenix Center will not tolerate false statements made by any employee to a government agency or other payer. Deliberate or negligent misstatements to government agencies or other payers may expose the employee involved, regardless of position, to criminal penalties.

Accounting: State and Federal laws require Phoenix Center to maintain accurate financial records in accordance with generally accepted accounting principles and standards. Phoenix Center is required to have an annual independent audit performed by Certified Public Accountants selected by the Department of Human Resources Office of Audits. Although Phoenix Center relies on the integrity and honesty of the employees, the Center maintains a system of internal controls in handling of cash receipts, cash disbursements and management of personal clients' funds.

Phoenix Center's reporting systems, whether written or electronic, must contain accurate entries that reflect all Phoenix Center financial transactions. Phoenix Center employees, regardless of position, must not engage in any conduct that results in false, artificial or misleading entries being made in any written or electronic record open, maintained or closed by Phoenix Center.

CONFLICT OF INTEREST

Each Phoenix Center employee and Board Member has a duty of loyalty to Phoenix Center Behavioral Health Services. Phoenix Center employees and board members must avoid any actions that may involve or may appear to involve a conflict of interest with their obligations to Phoenix Center.

Suppliers/Vendors: Phoenix employees who deal with suppliers/vendors must do so in a reputable, professional, and legal manner. To avoid even the appearance of impropriety, Phoenix Center employees, regardless of position, should decline any gifts, including discounts, the acceptance of which would raise even the slightest doubt of improper influence. Discounts that are available to all Phoenix Center employees and employees of other organizations may be accepted.

Gifts to Non-Employees: Phoenix Center does not provide monetary or material gifts to non-employees.

Business Information: Board members and Phoenix Center employees, regardless of position, should disclose possible conflicts of interest involving themselves or their immediate families (spouse, parents, brothers, sisters, and children). This reporting may be done in a number of ways, including contacting the immediate supervisor, unit director, Corporate Compliance Officer or Executive Director. The Corporate Compliance Officer and or Rights & Ethics Committee will investigate and report possible conflicts, in writing, to the Executive Director. The Executive Director is responsible for reporting possible conflicts to the Community Service Board. However, the Corporate Compliance Officer may report problems directly to Board if appropriate actions are needed.

Software Copyright Infringement: Phoenix Center licenses the use of the computer software from a variety of outside vendors. Unauthorized copying of software programs could expose employees and Phoenix Center to litigation and result in damage claims from software vendors. No Phoenix Center employee or Board Member shall make a copy of copyrighted software for personal or Phoenix Center use if such reproduction is not permitted by written license agreement.

BUSINESS DEVELOPMENT

Phoenix Center will not participate in any business which can only be obtained by improper and illegal means. Phoenix Center will not make any unethical or illegal payments to anyone to induce the use of its services. Further, no Phoenix Center employee should ever enter into any business arrangement which is either unethical or illegal with any potential referral source, payer, competitor, client or any other parties.

All Phoenix Center advertising must be truthful and not misleading. Phoenix Center employees must submit all advertising and marketing materials to Phoenix Center's Executive Director and Corporate Compliance Officer for written approval before use.

Phoenix Center's best advertisement is Phoenix Center itself. Phoenix Center does not use advertisements or marketing programs which might cause confusion between its services and those of other providers. Phoenix Center does not disparage the service or business of another provider through the use of false or misleading representations.

Phoenix Center does not compensate employees based on patient admissions or discharges. The decision to admit or discharge individuals from services is a separate and independent clinical decision made in accordance with applicable state laws, state policies, Phoenix Center policies and clinical Best Practices Standards.

Contracting: Laws governing the procurement of goods and services vary from the local to state level within a state. Prior to engaging in any bidding or contracting activity, Phoenix Center employees shall determine what procurement rules govern their activities and comply with those rules.

CONTACT WITH PUBLIC OFFICIALS AND EMPLOYEES **LOBBYING ACTIVITIES**

The State of Georgia has regulations concerning contacts between government officials or employees, the media and the public. Any time an employee or board member is unsure of the laws governing the particular contact that is desired, they should contact the Executive Director and Corporate Compliance Officer of the Phoenix Center.

HUMAN RESOURCES/PERSONNEL

Drugs, Narcotics, and Alcohol: Phoenix Center prohibits the use, sale, dispensing or possession of illegal drugs and narcotics by its employees, whether on or off Phoenix Center premises. Phoenix Center also prohibits the consumption of alcoholic beverages on Phoenix Center premises. Phoenix Center will immediately discipline or discharge employees who violate this policy.

Any employee reporting to work or discovered at work in a condition that suggests that he or she is under the influence of narcotics, drugs or alcohol will not be permitted to report to or remain on his or her job. The supervisor will escort the employee to the Human Resources Department for consultation and possible testing. Incidents occurring outside normal business hours will result in the employee being sent home and further investigation of the situation.

In order to ensure the safety of all Phoenix employees and clients, any employee who has been directed by a physician to take a prescription drug that may adversely affect or impair performance on the job must report that circumstance to his immediate supervisor, along with the acceptable medical documentation. The Human Resources Department, in

conjunction with the medical director, will then determine whether the effects of the medication pose a potential safety risk or impair the employee's efficiency and effectiveness. Employees are encouraged to contact their supervisors and the Human Resources Department to discuss situations of this nature or other concerns.

EQUAL EMPLOYMENT OPPORTUNITIES

In determining suitability for employment, promotions, transfers, demotions and wages, Phoenix Center looks only at the individual's ability to perform the essential functions of the job. Phoenix Center extends equal employment opportunities and freedom from harassment to all individuals, regardless of sex, race, age, color, religious beliefs, marital status, sexual preference, legal citizenship status, national origin or physical/mental disabilities.

Phoenix Center expects that everyone associated with Phoenix Center treats coworkers and clients with respect and courtesy. Discrimination or harassment will not be tolerated and violators will be disciplined or discharged regardless of position.

Freedom from harassment specifically includes freedom from intimidation, hostile or offensive activities, unwelcome sexual advances, request for sexual favors or other verbal, graphic or physical conduct of a sexual nature.

WORKPLACE SAFETY AND HEALTH

Phoenix Center is committed to providing a safe and healthy work place for our clients, employees and for visitors to our premises. It is Phoenix Center's policy that all employees report any condition that could create a hazard in their workplace.

INVESTIGATIONS

It is Phoenix Center's policy to comply with the law and to cooperate completely with any reasonable government investigation. In doing so, however, it is important that the legal rights of Phoenix Center and of the employees involved be protected. If any employee receives any inquiry, a subpoena, search warrant, or other legal documentation regarding Phoenix Center business, whether at home or in the workplace, from any governmental agency, Phoenix Center requires that the employee notify his or her Supervisor and the Unit Director. The Unit Director will contact the Executive Director and the Corporate Compliance Committee Officer.

RIGHTS & ETHIC COMMITTEE

The Chief Executive Officer (CEO) of Phoenix Center shall appoint from senior management staff, a Corporate Compliance Officer (CCO) to have oversight to the Phoenix Center's Corporate Compliance Plan. The Rights & Ethics Committee (REC) will assist in all investigations.

Upon receiving an oral or written report of an alleged wrongdoing under the Compliance Plan, the CCO may call a meeting to be convened within a timely manner. If an investigation is warranted, the CCO will submit a preliminary report to the CEO identifying the work remaining to be done and a time frame to be completed. The CCO in consultation with legal counsel, if necessary, shall determine whether the alleged wrongdoing is a violation of the Center's Compliance Plan, is a violation of federal or state law, or otherwise puts the Phoenix Center at risk of economic injury or injury to reputation. Thereafter, the CCO and counsel (if necessary) shall take action commensurate with the gravity of the allegation to determine if the allegation has a basis in fact; what internal disciplinary and/or remedial action, if any is warranted; whether the alleged violation must by law, or should by discretion, be reported to the appropriate governmental authorities; and what modifications in the program might help prevent similar future conduct. No REC member may delegate his/her responsibilities as a member without written and signed agreement.

If the CCO and counsel conclude reporting to governmental authorities is or may be appropriate, they shall so inform the CEO immediately. The CEO, in consultation with the Community Service Board and counsel, if appropriate, shall then be responsible for determining whether and how a timely and thorough report should be made to appropriate governmental authorities on behalf of Phoenix Center.

If a member of the CCO or an employee directly or indirectly supervised by that member is accused of alleged wrongdoing in respect to this Corporate Compliance Plan, then that member shall not participate in any deliberations of the REC. The Phoenix Center CEO shall appoint another Phoenix Center employee to take the place of the excluded REC member.

In the event the REC receives a report of alleged wrongdoing in respect to this Corporate Compliance Plan concerning the Phoenix Center CEO, then the CCO will contact the chairperson of the Community Service Board and provide the report of alleged wrongdoing to the Board. It shall be the responsibility of the Community Service Board to fully investigate the alleged wrongdoing, decide what internal disciplinary and/or remedial action, if any is warranted for the CEO, decide whether the alleged violation must, by law, or should by discretion, be reported to the appropriate governmental authorities and what modifications in the Phoenix Center might help prevent similar future conduct.

For all methods of reporting, the Phoenix Center will make every effort to keep reports as confidential as possible, but it cannot and does not guarantee complete confidentiality, even for anonymously given reports.

RETRIBUTION

The Phoenix Center shall not take disciplinary action against an employee for merely reporting what the employee reasonably believes to be a violation of this plan. However, the Phoenix Center may take disciplinary action against an employee on several basis related to reporting. First, an employee will be subject to disciplinary action if the Center reasonably concludes that the employee knowingly fabricated, distorted, exaggerated or minimized a Report of Wrongdoing to either injure someone else or to protect himself/herself or others. Second, an employee whose report contains admissions of personal wrongdoing will not be guaranteed protection from discipline. The Phoenix Center generally will give positive weight to self-confession in determining disciplinary action, but the extent depends on factors such as whether the employee's conduct was previously known to Phoenix, whether discovery of the conduct was imminent, and whether the confession was complete and truthful.

GETTING ANSWERS TO ETHICS AND COMPLIANCE QUESTIONS

- Discuss the issue with your supervisor; or
- Speak to your Unit Director; or
- Speak to the Human Resource Manager; or
- Speak to the Corporate Compliance Officer Member; or
- Speak to the Chief Executive Officer of Phoenix Center; or
- Use any combination of these resources; or
- Write a letter or report and give to any of the above.

Please use the resources available to you within the Phoenix Center to solve ethics questions before they become problems!

Thank you for your ongoing compliance with this Corporate Compliance Plan.

Approved by the Phoenix Center Community Service Board.

FOR THE BOARD:

ATTEST:

Carolyn Miller
Chairperson

Joyce A. Jackson
Executive Director