

Updated 2/13/2023, 3/21/2023, 8/1/2023, 10/6/2023, 1/31/2024,
4/15/2026, 8/20/2026



Code of Conduct

Dear Community Access:

This Code of Conduct provides guidance to ensure our work is done in an ethical and legal manner. It emphasizes the shared common values and culture which guide our actions. It also contains resources to help resolve any questions about appropriate conduct in the workplace. Please review it thoroughly. Your adherence to its spirit, as well as its specific provisions, is absolutely critical.

If you have questions regarding this Code or encounter any situation which you believe violates provisions of this Code, you should immediately consult your supervisor, another member of management at your program, or the Compliance Officer(s). *You have my personal assurance there will never be any kind of retaliation for asking questions or raising concerns about the Code or for reporting possible improper conduct.*

Sincerely,

Cal Hedigan
CEO

TABLE OF CONTENTS

1. MISSION AND VALUES STATEMENT	4
2. PURPOSE OF OUR CODE OF CONDUCT	5
3. ACCOUNTABILITY STATEMENT	6
4. CODE OF CONDUCT OVERVIEW	8
5. CODE OF ETHICS FOR Chief Financial Officer AND THE Chief Executive Officer	9
6. LEADERSHIP RESPONSIBILITIES	10
7. QUALITY OF SERVICE	11
8. LEGAL AND REGULATORY COMPLIANCE	12
9. BUSINESS INFORMATION AND INFORMATION SYSTEMS	13
10. CONFLICT OF INTEREST	15
11. WORKPLACE CONDUCT AND EMPLOYMENT PRACTICES	16
12. DRUG-FREE WORKPLACE STATEMENT	18
13. PROFESSIONAL BOUNDARIES WITH PARTICIPANTS	19
14. BUSINESS COURTESIES	21
15. GOVERNMENT RELATIONS AND POLITICAL ACTIVITIES	23
16. THE CORPORATE ETHICS AND COMPLIANCE PROGRAM	24
i. Program Structure	
ii. Resources for Guidance and Reporting Violations	
iii. Reporting False Claims	
iv. Personal Obligation to Report	
v. Non-Retaliation/ Non-Intimidation	
vi. Internal Investigations & Corrective Action	
vii. Discipline	
viii. Acknowledgment Process	
17. ACKNOWLEDGMENT	31

(Note: This Code of Conduct is a part of the CA Employee Handbook. All references to "CA" or the "organization" or "agency" in this Code of Conduct refer to CA – Community Access, Inc. and/or its affiliates, as applicable.)

MISSION STATEMENT

Community Access expands opportunities for people living with mental health concerns to recover from trauma and discrimination through affordable housing, training, advocacy and healing-focused services. We are built upon the simple truth that people are experts in their own lives.

OUR VALUES

Human Rights

- We challenge and lead the mental health system towards greater rights-based policies and practices.

Peer Expertise

- We are dedicated to a workforce where at least 51% of our employees identify as having a personal experience using mental health services. We ensure that the voices and wisdom of individuals who have used mental health services have a visible and active presence in all aspects of our work.

Self-Determination

- We defend individuals' rights to create lives of their own choosing.

Harm Reduction

- We embrace policies and practices that promote dignity, wellbeing and access to health care.

Healing and Recovery

- We seek out and promote culturally relevant, trauma-informed and research-based opportunities for individual and community wellness.

Racial Equity

- We are committed to becoming an anti-racist organization – understanding and addressing the harms caused by racism and anti- Blackness, and increasing inclusion, belonging and access.

PURPOSE OF OUR CODE OF CONDUCT

Our Code of Conduct provides guidance to all Community Access (CA) staff, volunteers, contractors, agents, subcontractors, independent contractors, board members and interns affected by Community Access' risk areas and assists us in carrying out our daily activities within appropriate ethical and legal standards. These standards apply to our relationships and interactions with program participants, third-party payers, subcontractors, independent contractors, vendors, consultants, and one another.

The Code is a critical component of our overall Compliance Program and has been developed to ensure that we maintain our ethical standards and comply with applicable laws and regulations. It also provides us with the resources available to resolve questions or concerns as they relate to these standards.

The standards set forth in the Code are mandatory and must be upheld by all CA staff, volunteers, contractors, agents, subcontractors, independent contractors, board members and interns affected by Community Access' risk areas as, ultimately, the responsibility for ethical behavior rests with each of us.

ACCOUNTABILITY STATEMENT

Accountability Mindset

- By fostering an accountability mindset, we create a culture of trust and transparency. This mindset encourages each of us to take ownership of our actions and responsibilities, leading to more effective teamwork and a higher quality of service for participants and other stakeholders. When everyone is committed to accountability, we can collectively achieve our goals and drive meaningful impact through each of our roles and departments.

Accountability Defined

- Accountability in the workplace means that all employees are responsible for their actions, behaviors, performance and decisions.

Accountability in Practice

- Agency and managers set clear expectations, goals and outcomes for staff, including tasks, projects, deadlines, and methods of communication. Goals, when possible, should be SMART (Specific, Measurable, Achievable, Realistic and Time-based).
- Employees then work to meet those expectations.
- The manager assesses employees' contributions relative to expectations and offers both positive and constructive feedback.

Individual Employee Responsibility

- Arrive punctually, well-prepared to work, and consistently strive to meet daily expectations and goals.
- Ensure that you are clear about your role's responsibilities and expectations. If uncertain, obtain clarity prior to deadlines by asking questions, reviewing relevant documents, and communicating your need for understanding to avoid lack of clarity as a barrier to accomplishing tasks.
- Take the initiative to solve problems and find solutions to challenges.
- Take ownership of results as an outcome of your choices and actions.
- Avoid blaming others or making excuses. Instead, aim to make amends when things go wrong, learn from mistakes, and focus on how to move forward to prevent similar outcomes.
- Collaborate, contribute, and assist other team members in achieving program or departmental objectives.

Managerial/Leadership/Senior Management Responsibility

- Provide staff with the tools, resources, and training needed and empower them to seek solutions and take ownership of their work, with a focus on development and growth.
- Maintain a solution-oriented approach while also being cross-functional, engaging other stakeholders regarding the results or goals they desire from the outcome.
- Provide clarity on job roles, expectations, and responsibilities beginning during onboarding and on an on-going basis.
- Schedule and hold regular individual supervision, integrating performance feedback to support professional reflection and growth of staff, highlighting areas of strength and those in need of improvement.
- Role model expected behaviors including, but not limited to honesty, taking responsibility for mistakes, respectful communication, helpfulness, following through and setting and maintaining standards.
- Work to explicitly foster trust and inclusiveness within teams. Hold regular team meetings, all-staff meetings, and one-on-one supervision to offer opportunities for input that explicitly foster trust, inclusiveness, and open communication within the team.
- Acknowledge positive efforts, meeting outcomes, and accountability of team members.

- Utilize mistakes as opportunities to work with and coach employees toward their growth and development.

CODE OF CONDUCT OVERVIEW

Community Access (CA) has developed the Code of Conduct to guide staff, volunteers, contractors, agents, subcontractors, independent contractors, board members and interns affected by Community Access' risk areas in maintaining ethical standards and complying with all applicable laws and regulations in the course of performing your day-to-day duties.

The standards set forth in the Code of Conduct are mandatory and must be upheld, as ultimately the responsibility for ethical behaviors rests with each of us.

At CA, we:

- Promote a work environment that is safe and professional, in which our interactions are based on dignity, trust and respect.
- Prevent and/or refrain from any and all forms of discrimination/harassment, both in providing services and employment.
- Provide services to participants, and ensure that all contacts with participants are entirely professional and free of any conflict with the role as an employee of CA. (see Pledge of Employee Conduct to Participant)
- Are familiar and comply with all ethical, legal and regulatory requirements and conditions of participation, relevant to our duties.
- Protect the confidentiality of all participant and employee information, taking responsibility not to reveal or release confidential information to unauthorized personnel.
- Ensure that all communications, internal and external, do not produce false impressions of any aspect of CA business.
- Disclose any conflicts or the appearance of conflicts of interest and seek guidance.
- Utilize resources provided by CA for legitimate business purposes.
- Report violations of CA policies, ethical, regulatory or legal standards in "Good Faith" to the appropriate areas of management, and/or to the Director of Quality Improvement, Compliance and Data Analytics, as necessary.
- Do not commit fraud. We are committed to assuring that all billings to government payers and program participants are true and accurate and conform to all pertinent Federal and state laws and regulations. Furthermore, we have instituted oversight systems to verify claims submitted.
- Act in accordance with the CA Code of Conduct and refrain from participating in any unethical or illegal conduct.

CODE OF ETHICS FOR CHIEF FINANCIAL OFFICER AND THE CHIEF EXECUTIVE OFFICER

CA has adopted a written Code of Ethics for its Chief Executive Officer and Chief Financial Officer.

The Code was designed to deter wrongdoing and to promote honest and ethical conduct, including the ethical handling of actual or apparent conflicts of interest between personal and professional relationships; full, accurate, timely and understandable record keeping; compliance with applicable governmental laws, rules and regulations; prompt internal reporting of violations of the Code; and accountability for adherence to the Code.

The Code of Ethics:

- Ensures public disclosure of any amendments to, or implicit or explicit waiver of, the Code of Ethics for Chief Financial Officers and the CEO.
- Establishes that the CEO and all Chief Financial Officers are bound by all provisions of this Code of Conduct and particularly those provisions relating to ethical conduct, conflicts of interest, compliance with law, and internal reporting of violations of the Code.
- Establishes the reporting requirements, for the CEO and Chief Financial Officer to the Board of Directors, of any information concerning significant deficiencies in internal controls which could adversely affect the company's ability to record, process, summarize and report financial data; or any fraud.
- Has established the responsibility of the Board of Directors to determine appropriate actions to be taken in the event of violations of the Code by the CEO and the Agency's Chief Financial Officer. Such actions shall be reasonably designed to deter wrongdoing and to promote accountability for adherence to the Code.

Relevant Agency Policies (not all inclusive):

Conflict of Interest Policy

Whistleblower Policy

LEADERSHIP RESPONSIBILITIES

While all CA staff, volunteers, contractors, agents, subcontractors, independent contractors, board members and interns affected by Community Access' risk areas are obligated to follow our Code, we expect our leaders to set the example -- to be in every respect, role models. We expect everyone in the organization with supervisory responsibility to exercise that responsibility in a professional manner that is sensitive to and respectful of all staff. We expect each supervisor:

- to create an environment where all team members feel free to raise concerns and propose ideas;
- to ensure those on their team have sufficient information to comply with laws, regulations and policies, as well as the resources to resolve ethical dilemmas;
- to assist in creating a culture within CA which promotes the highest standards of ethics and compliance, in which ethical behavior is never sacrificed in the pursuit of business objectives and all staff are encouraged to share concerns as they arise.

QUALITY OF SERVICE

CA is committed to providing high quality, effective services in all areas of our operation. At CA, we:

- Treat all program participants in a manner that preserves their dignity, autonomy, self-esteem, civil rights, and involvement in their service planning.
- Make no distinction in the admission, transfer or discharge of program participants or in the services we provide based on age, gender identity, disability, race, color, religion, sexual orientation, national origin, or HIV status.
- Provide all program participants with a written statement of their rights and a notice of relevant privacy practices upon admission. Such statements conform to all applicable state and federal laws, including where applicable to the Health Insurance Portability and Accountability Act of 1996 (referred to as HIPAA).
- Have established processes for prompt resolution of program participants' grievances, which include informing program participants of whom to contact regarding grievances and informing program participants regarding the grievance resolution.
- Train our employees about program participant rights to promote understanding of their role in supporting them.
- Maintain the confidentiality of all program participant information collected in order to provide quality services, including psychiatric diagnosis, history, medications, and other information.
- Comply with relevant privacy and confidentiality laws and only disclose or discuss program participant-specific information with others as allowed by law, with specific authorization from the program participant, or in emergency situations.
- Do not pay for referrals. Program participants are accepted based solely on the program participants' needs and our ability to render the needed services.
- Do not permit any CA employee or any other person acting on behalf of the Agency to solicit or receive anything of value, directly or indirectly, in exchange for the referral of program participants.
- Assure that all billings to government payers and program participants are true and accurate and conform to all pertinent Federal and state laws and regulations.
- Operate oversight systems designed to verify claims are submitted only for services actually provided and services are billed as provided.
- Comply with all applicable Federal and state laws relating to all cost reports.

LEGAL AND REGULATORY COMPLIANCE

CA is committed to complying with all applicable federal, state and local laws, regulations and conditions of participation. Such laws, regulations and conditions of participation may include, but are not limited to: certificates of need, licenses, permits, accreditation, access to treatment, consent to treatment, medical record-keeping, access to medical records and confidentiality, program participants' rights, and Medicare and Medicaid program requirements. We:

- Will be forthright in dealing with any billing inquiries. Requests for information will be answered with complete, factual, and accurate information.
- Will cooperate with and be courteous to all inspectors and surveyors and provide them with the information to which they are entitled during an inspection or survey.
- Will never conceal, destroy, or alter any documents; lie; or make misleading statements to the agency representative, nor instruct our employees to do so.
- Will not tolerate any employee who deliberately causes another colleague to fail to provide accurate information or obstruct, mislead, or delay the communication of information or records relating to a possible violation of law.
- Provide our staff, volunteers, and interns with the information and education they need to comply fully with all applicable laws, regulations, and conditions of participation.
- Keep our staff, volunteers, and interns informed about stated areas of potential compliance concern, in order to ensure that we fully meet all regulatory obligations.
- May only utilize copyrighted materials in accordance with relevant laws and policies.
- Are diligent in reviewing elements of our systems to ensure correctness in the face of guidance from regulatory bodies, such as the Department of Health and Human Services, and its Inspector General, who routinely notify healthcare providers of areas in which they believe insufficient attention is being accorded government regulations.
- Present only truthful, fully informative, and non-deceptive information in materials and announcements used in marketing, fundraising and advertising activities, geared towards educating the public, providing information to the community, increasing awareness of our services, and recruiting staff members.

Relevant Agency Policies (not all inclusive):

Information Privacy and Procedures for Covered Programs

Information Security and Procedures for Covered Programs

Information Privacy and Procedures for Non-Covered Programs

Information Security and Procedures for Non-Covered Programs

BUSINESS INFORMATION AND INFORMATION SYSTEMS

Each CA staff member, volunteer, contractor, agent, subcontractor, independent contractor, board member, and intern affected by Community Access' risk areas are responsible for the integrity and accuracy of our organization's documents and records, not only to comply with regulatory and legal requirements but also to ensure records are available to support our business practices and actions. Furthermore, each CA staff member, volunteer, and intern is provided with access to varied communication systems, with the expectation that these systems will be used for business purposes.

At CA, we:

- Ensure that all financial information reflects actual transactions and conform to generally accepted accounting principles. Undisclosed or unrecorded funds or assets are not established.
- Maintain internal control systems, to provide reasonable assurances that all transactions are executed in accordance with management's authorization and are recorded properly to maintain accountability of the organization's assets.
- Retain medical and business documents and records in accordance with the law and our record retention policy. This includes letters and memos, e-mails or computer files on disk or tape, and any other medium that contains information about the organization or its business activities. These records must not be tampered with, removed, nor destroyed prior to the specified date.
- Do not share confidential information with colleagues, unless they have a legitimate business need to know and have agreed to maintain confidentiality of the information.
- Agree to maintain the confidentiality of all CA related information, including personnel or private data, protected health information; financial data; and strategic plans; during and after your employment relationship ends with CA.
- Do not share passwords and/or access to computer systems, in order to protect the confidentiality, integrity, and availability of our electronic information assets.
- Utilize all communications systems, including electronic mail, internet access, and voice mail, for business purposes, and recognize that as the property of CA, these communications are not private and may be monitored by the Agency at any time. Access or disclosure of employee messages may only be done with the approval of the HR Department.
- Do not use internal communication channels or internet access at work to post, store, transmit, download, or distribute any threatening materials; maliciously false materials; or obscene and/or pornographic materials including anything constituting or encouraging a criminal offense, giving rise to civil liability, otherwise violating any laws; or content the Agency deems inappropriate.

Additionally, these channels of communication may not be used to send chain letters, personal broadcast messages, or copyrighted documents that are not authorized for reproduction; nor are they to be used to conduct an external job search or open mis-addressed mail.

- Respond to any violations of confidentiality immediately and aggressively, to determine the source of the breach, to repair damage, to inform relevant parties, and to sanction those responsible.

Relevant Agency Policies (not all inclusive):

Computer Use Policy

Information Privacy and Procedures for Covered Programs

Information Security and Procedures for Covered Programs

Information Privacy and Procedures for Non- Covered Programs

Information Security and Procedures for Non-Covered Programs

CONFLICT OF INTEREST

CA is committed to avoiding conflicts of interest and the appearance of conflicts of interest in all areas of business.

At CA, we:

- Expect the Board of Directors and the Chief Executive Officer to promptly report any conflicts or the appearance of a conflict of interest to the Board Chair.
- Expect all staff, consultants, independent contractors, volunteers and interns to immediately inform their supervisor of any conflicts, or the appearance of a conflict of interest, including questions as to whether an activity may constitute a conflict of interest before pursuing the activity. If the conflict involves a CA Business transaction, it must be immediately reported to the Chief Executive Officer as well.
- Do not use confidential information acquired in the course of our employment for personal gain or in any manner contrary to the law.
- Require supervisors to immediately disclose to their department director and the Human Resources department, relationships that develop between themselves and a supervisee, as they are not permitted take part in any employment action affecting that supervisee.
- Encourage our colleagues to remain free of conflicts of interest in the performance of their responsibilities at CA.
- Recognize that the recruitment and employment of former or current U.S. government employees may be impacted by regulations concerning conflicts of interest. The hiring manager should consult with the Human Resources Department related to such recruitment and hiring.
- Selects subcontractors, suppliers, and vendors on the basis of objective criteria, including quality, technical excellence, price, delivery, adherence to schedules, service, and maintenance of adequate sources of supply; not on personal relationship and friendships, which could create a conflict of interest.
- Do not permit employees to supervise their relatives or close personal friends or work in the same Program as relatives.
- Expect each Board Member, senior staff member and manager to complete an annual Conflict of Interest statement.

Related Agency Policies:

Conflict of Interest Policy Staff

Relationships Policy

WORKPLACE CONDUCT AND EMPLOYMENT PRACTICES

At CA, we recognize that our colleagues are one of the greatest strengths, and we are committed to providing everyone with a safe work environment, in which our professional interactions are based on dignity, trust and respect.

At CA, we:

- Comply with all laws, regulations, and policies related to non-discrimination in all of our personnel actions.
- Do not tolerate harassment by anyone based on the diverse characteristics or cultural backgrounds of those who work with us.
- Prohibit any form of sexual harassment, including but not limited to, unwelcome sexual advances or requests for sexual favors in conjunction with employment decisions.
- Provide reasonable accommodations to enable employees with known disabilities to perform their job duties, providing such accommodations do not impose an undue hardship or create an unsafe working condition.
- Are committed to a workplace free of violence and prohibit unauthorized personnel from possessing firearms or any other weapons on CA premises.
- Expect staff members, volunteers and interns to report for work free of the influence of alcohol and non-prescription or illegal drugs.
- Expect all CA facilities and colleagues to comply with all government regulations and rules, CA policies, and required facility practices that promote the protection of workplace health and safety.
- Take reasonable steps necessary to ensure that all staff and independent contractors retained or hired into positions with clinical responsibilities have the appropriate and current credentials.
- Seek employees, vendors and business partners who have not been sanctioned by regulatory agencies.
- Expect employees to utilize CA resources, including time, materials, supplies and equipment for business purposes. Personal use of CA resources requires pre-approval from supervisors.
- Prohibit staff from engaging in any form of agency misrepresentation, or misrepresentation of their position within the agency.
- Does not prohibit colleagues from giving gifts to one another; however no employee should feel compelled to participate. A lavish gift to anyone in a supervisory role would be a violation of agency policy.

- Expect our colleagues who observe or experience any violations of the Code of Conduct to report the incident to their supervisor, the Human Resources Department, a member of management, the Compliance Officer(s), or via the **Confidential Misconduct Reporting Line (646) 722-9398**.

Relevant Agency Policies (not all inclusive):

Sexual Harassment Prevention Policy

Equal Employment Opportunity/Americans with Disabilities Act

DRUG-FREE WORKPLACE STATEMENT

The unlawful manufacture, distribution, dispensing, possession, or use of drugs and/or alcohol is prohibited at Community Access.

Any employees found to violate this prohibition will be subject to disciplinary action, up to and including termination.

As a condition of employment, all employees must:

- abide by the terms of this statement
- notify Human Resources (Chief People Officer and/or Director of Human Resources) in writing if they are convicted for a violation of a criminal drug statute occurring in the workplace, and must do so no more than five calendar days after the conviction.

Relevant Agency Policies & related documents (not all inclusive):

Drug and Alcohol Use in the Workplace

PROFESSIONAL BOUNDARIES WITH PARTICIPANTS

Professional conduct includes behaviors that advance the services provided to program participants and establishes appropriate boundaries in the employee-participant relationship.

At CA, we:

- Believe in the right of all individuals to have power over their own lives; to choose and direct their own services; to make decisions regarding health and well-being; to choose the levels of their supports in making decisions; to be free from involuntary treatment and to have access to leadership roles in the design, delivery and evaluation of services.
- Do not give, borrow or lend money to our program participants.
- Do not request favors from program participants such as store runs, loaning of cigarettes, cooking of food, etc.
- Do not sell to or buy anything from our program participants. Exceptions are items purchased via the CA Art Collective or items purchased during Community Access authorized events where purchasing items is permissible (e.g. Community Access Holiday Fair).
- Do not socialize with any program participants outside of agency activities or activities involving other people from the agency, or invite a program participant into our homes other than for an agency related activity involving other people from the agency.
- Do not coerce, intimidate or engage a program participant in any kind of sexual activity.
- Do not act on behalf of any participant as an executor of will, as an attorney -in- fact under a power of attorney, or as a health care agent under a living will or healthcare proxy.
- Do not receive any property under a program participant's will or as a beneficiary of any non-probate assets (including insurance proceeds, death benefits and pay-on-death or joint bank account).
- Do not perform any form of financial transactions for or on behalf of a program participant without written authorization from a supervisor and the participant.
- Agree not to receive financial or material gain, or gifts from or on behalf of a program participant (except for a token personal memento of no appreciable value). Employees must report all gifts received from program participants to their supervisor.
- Do not provide any client services outside of employee's job description.
- Do not engage in any forms of sexual harassment or retaliation against any program participant.

- Do not engage in threatening, intimidating, or coercing any program participant on or off the job.
- Do not provide program participants with your personal cell phone numbers, personal email addresses, social media accounts, or other personal contact information. Use only agency approved communication channels when communicating with participants.

Relevant Agency Policies & related documents (not all inclusive):

Self Determination Practice Principles

Pledge of Employee Conduct to Program Participant

BUSINESS COURTESIES

This part of the Code of Conduct should not be considered in any way as an encouragement to make, solicit, or receive any type of entertainment or gift. These limitations govern activities with those outside of CA, and do not pertain to actions between CA and its staff.

We recognize there will be times when invitations may be extended between CA staff members and current or potential non-referral business associates to further develop a business relationship.

“Non referral business associates” refer to vendors, consultants and others who provide us with services and/or products, who are not in a position to refer program participants. **“Non referral sources”** are defined as those we come in contact in our business settings, who are not engaged in providing services and products to our agency, and are not in the position to refer program participants. **“Referral Sources”** are defined as those who, by the nature of their work and/or affiliations with entities, have the potential to refer program participants or recommend our Agency as a service provider.

However, these invitations should follow certain basic guidelines:

- (1) the cost associated with such an event is reasonable and appropriate, which, as a general rule, means the cost will not exceed \$750.00 per person;
- (2) expenses incurred for travel costs (other than in a vehicle owned privately or by the host company) or overnight lodging do not exceed \$400 per day; and
- (3) such events are infrequent,
- (4) the Compliance Officer(s) is notified of invitations that are extended.

The limitations of this section do not apply to business meetings at which food (including meals) may be provided. If the costs associated with any events exceed \$100.00, you must seek advance approval from your supervisor.

In addition, at CA, we:

- Do not accept or provide gifts from non-referral sources with a total value more than \$50.00. This does not include perishable or consumable gifts given to a department or facility.
- Do not accept or provide cash or other financial instruments (e.g. checks, stocks). However, gift certificates are acceptable, with a total value of \$50.00 or less. Gift certificates in higher denominations require notification to the Compliance Officer(s).
- Acknowledge the need for modest flexibility to the \$50.00 limit, in order to permit appropriate recognition of the efforts of those who have spent meaningful amounts of volunteer time on behalf of CA. All gifts valued at over \$50.00, per occasion, require pre-approval by the Compliance Officer(s).

- Comply with agency policy as it relates to sponsored events with legitimate business purposes (e.g. board meetings or retreats), provided such events are for business purposes. Reasonable and appropriate meals and entertainment may be offered, in addition to transportation and lodging.
- Notify the Compliance Officer(s) of all gifts received by CA facilities, excluding perishable and consumable gifts.
- Do not give gifts or other incentives to improperly influence relationships or business outcomes with non-referral sources.
- Comply with all Federal laws, regulations, and rules regarding entertainment or gifts involving physicians or other persons in a position to refer program participants to our healthcare facilities. Any exchanges, monetary and non-monetary, between CA staff, volunteers, or interns and referral sources require pre-approval.
- Do not provide any gifts, entertainment, meals, or anything else of value to any employee of the Executive Branch of the Federal Government, except for minor refreshments in connection with business discussions or promotional items with the CA or facility logo valued at no more than \$10.00.
- Follow all rules with regard to gifts, meals, and other business courtesies involving any other category of government official or employee.

Relevant Agency Policies (not all inclusive):

GOVERNMENT RELATIONS AND POLITICAL ACTIVITIES

At CA, we comply with all Federal, state and local laws governing participation in government relations and political activities. In addition, we do not contribute funds or resources directly to individual political campaigns, political parties or other organizations which intend to use the funds primarily for political campaign objectives.

“Organization resources” include financial and non-financial donations such as using work time or CA communication systems to solicit for a political cause or candidate, or the loaning of CA property for use in a political campaign.

At CA, we:

- Engage in public policy debate only in a limited number of instances where we have a special expertise that can inform the public policy formulation process.
- May provide relevant, factual information about the impact of public policy decisions, when the agency is directly impacted.
- Understand and educate our staff, Board of Directors, consultants, independent contractors, volunteers and interns, on the need to separate personal political activities in order to comply with the appropriate rules and regulations relating to lobbying or attempting to influence government officials.
- Encourage our colleagues to participate in the political process on their own time at their own expense, with the understanding that they do not give the impression they are speaking on behalf of or representing CA in these activities.
- May ask staff members to make personal contact with government officials or to write letters to present our position on specific issues.
- Familiarize those members of CA Management that interface on a regular basis with government officials, on the behalf of the organization, on the need to observe relevant regulatory constraints.

Relevant Agency Policies (not all inclusive):

THE CORPORATE COMPLIANCE PROGRAM

Program Structure

The Corporate Ethics and Compliance Program is intended to demonstrate in the clearest possible terms the absolute commitment of the organization to the highest standards of ethics and compliance. The elements of the program include setting standards (the Code of Conduct and Policies and Procedures), communicating the standards, providing a mechanism for reporting potential exceptions, monitoring and auditing, and maintaining an organizational structure that supports the furtherance of the program.

These elements are supported at all levels of the organization. **The Director of Quality Improvement, Compliance and Data Analytics serves as the Chief Compliance Officer and reports directly to the Chief Operating Officer and The Board Compliance Committee.** The Compliance Officer(s) are responsible for the development of the Ethics and Compliance Program, including the creation and distribution of ethics and compliance standards; the development and delivery of ethics and compliance training; auditing and monitoring compliance with billing laws, regulations, conditions of participation, and policies; and providing a mechanism for reporting potential exceptions.

Reporting False Claims

Community Access is committed to its role in preventing and detecting fraud, waste, and abuse with the agency. In accordance with the Federal Deficit Reduction Act 2005, CA is required to provide education concerning federal and New York State False Claims Act provisions and their remedies, as well as other applicable laws related to fraud, waste, and abuse and the whistleblower provisions that protect those who report such issues. All CA staff, volunteers, contractors, agents, subcontractors, independent contractors, board members and interns affected by Community Access' risk areas have an affirmative duty and responsibility for reporting reasonably suspected misconduct and wrongdoing including violations of the federal or state false claims provisions.

Fraud, Waste and Abuse Defined

Fraud

An intentional deception or misrepresentation made by a person with the knowledge that the deception could result in some unauthorized benefit to himself or some other person. It includes any act that constitutes fraud under applicable Federal or State law.

Waste

The overutilization or inappropriate utilization of services and misuse of resources, and typically is not a criminal or intentional act.

Abuse

Practices that are inconsistent with sound fiscal, business, or professional practices, and result in an unnecessary cost to the healthcare or other federal program, or in reimbursement for services that are not allowed or fail to meet professionally recognized standards of care. It also includes practices that result in unnecessary cost to the healthcare or other federal program.

Deficit Reduction Act of 2005

The Deficit Reduction Act, in part requires covered entities like CA to provide information about:

- The Federal False Claims Act (FCA)
- The Federal Program Fraud Civil Remedies Act
- Other federal and state laws pertaining to civil or criminal penalties for false claims and statements
- Any whistleblower protections under such laws
- The roles of such laws in preventing and detecting fraud, waste, and abuse

Federal False Claims Act (31 U.S.C. § 3729 et. seq.)

The Federal False Claims Act allows a civil action to be brought against an organization who:

- Knowingly presents, or causes to be presented a false or fraudulent claim for payment or approval to any federal employee;
- Knowingly makes, uses or causes to be made or used a false record or statement to get a false or fraudulent claim paid;
- Conspires to defraud the government by getting false or fraudulent claim allowed or paid; or
- Knowingly uses (or causes to be used a false record or statement to conceal, avoid, or decrease an obligation to pay money or transmit property to the federal government.

A person acts knowingly if he or she:

- Has actual knowledge of the information,
- Acts in deliberate ignorance of the truth or falsity of the information, or
- Acts in reckless disregard of the truth or falsity of the information.

Violations of the federal False Claims Act is punishable by a civil penalty of between \$10,781 and \$21,563 per false claim, plus three times the amount that the government was defrauded. In addition, the submission of false claims may also give rise to criminal liability and/or subjection of a person or entity to exclusion from participation in federal healthcare programs, such as Medicaid and Medicare or other federal grant programs.

A federal false claims action may be brought by the US Department of Justice Civil Division to the US Attorney's Office.

The Qui tam provision of the False Claims Act allows persons and entities with evidence of fraud against federal programs or contracts to sue the wrongdoer on behalf of the United States government. In other words, the individual files an action on behalf of the government. In such action, the government would be the plaintiff and the person who files the civil lawsuit would be the relator or qui tam plaintiff. The relator may receive an award of up to 30% of the damages realized by the government if (and after) the government recovers money from the defendant as a result of the lawsuit. Any person can be relator or qui tam plaintiff, including CA staff or agents of CA. Unlike the False Claims Act, a violation of this law occurs when a claim is submitted, not when paid.

Federal Program Fraud Civil Remedies Act of 1986

The Program Fraud Civil Remedies Act of 1986 (“Administrative Remedies for False Claims and Statements”) allows for administrative recoveries by federal agencies. If a person presents or causes to be presented a claim or written statement that the person knows or has reason to know is false, fictitious, or fraudulent due to an assertion or omission to certain federal agencies (including the Department of Health and Human Services), then the agency receiving the claim may impose a penalty of up to \$10,781 (per claim or per statement).

New York State False Claims Act

The New York State False Claims Act is similar to the federal False Claims Act. Differences include:

- Both the Attorney General and local governments may bring actions to enforce the NYS False Claims Act.
- The penalties for violating the statute range from \$6,000 - \$12,000 for each false claim and up to three (3) times the amount of actual damages sustained by NYS or the local government as a result of the prohibited conduct.

Other Applicable Federal Laws

- Occupational Safety and Health Act of 1970; Federal False Claims Act Provision; Health Insurance Portability and Accountability Act; Patient Safety & Quality Improvement Act of 2005; Age Discrimination Act of 1975; Rehabilitation Act of 1973, Section 504; Americans with Disabilities Act; Fair Labor Standards Act; Family Medical Leave Act

Other Applicable State Civil and Criminal Laws

- Social Service Law § 145-b False Statements; Social Service Law § 145-c Sanctions; Social Service Law § 145, Penalties; Social Service Law § 366-b, Penalties for Fraudulent Practices; Penal Law Article § 155, Larceny; Penal Law Article 175, False Written Statements; Penal Law Article 176, Insurance Fraud; Penal Law Article 177, Health Care Fraud;

Resources for Guidance and Reporting Violations

To obtain guidance on an ethics or compliance issues or to report a suspected violation, CA staff, volunteers, contractor, agent, subcontractor, independent contractor, board member, or interns affected by Community Access’ risk areas may choose from several options:

- We encourage the resolution of issues at a program level, utilizing the appropriate chain of command, starting with the immediate supervisor, whenever possible.
- If this is uncomfortable or inappropriate, another option is to discuss the situation with the department head or another member of the Executive Management Team.
- It is always possible to contact the Chief Compliance Officer at (212)780-1400 ext 7785 or the Compliance Officer at (212) 780-1400 ext. 7911, 1 State Street Suite 1015, New York, NY 10004 at qi@commnuityaccess.org, or make a report via the **Confidential Misconduct Reporting Line at (646) 722-9398**.

Community Access will use its best efforts to protect colleagues that make reports on suspected

violations against retaliation.

Personal Obligation to Report

The standards set forth in the Code are mandatory and must be upheld by all CA staff, volunteers, and interns, as, ultimately, the responsibility for ethical behavior rests with each of us. That responsibility is to report any activity by any other colleague that appears to violate applicable laws, rules, regulations, or this Code.

As a guide in determining whether an action or behavior is meeting the expected standards for ethical behavior, a colleague should ask themselves:

- Is the action/behavior consistent with CA policies, procedures and legal or regulatory standards?
- Will the action/behavior cause harm?
- Could the action/behavior give the appearance of wrongdoing?
- Will the action/behavior bring discredit to CA if fully disclosed to the public?
- Is the action in the best interest of CA (keeping in mind that ethical behaviors are never to be sacrificed in the pursuit of business objectives)?

Non-Retaliation/ Non-Intimidation

There will be no retaliation, intimidation or disciplinary action taken against anyone, including program participants who reports a possible violation of the Code of Conduct and related policies, in good faith – that is, when a report is not made for personal retaliation. Anyone believing that they have suffered some form of retaliation for making a report should contact the Director of Quality Improvement, Compliance and Data Analytics, as soon as possible. A proven complaint shall result in a proper remedy for the person harmed and initiation of disciplinary action, up to and including dismissal, against the retaliating person as described in Community Access Inc's Whistleblower Policy(see section A.C. of the Complete Policy Manual).

However, any colleague who deliberately makes a false accusation with the purpose of harming or retaliating against another colleague will be subject to discipline.

Internal Investigations & Corrective Action

CA is committed to investigating all reported concerns promptly and confidentially to the extent possible. We will make every effort to maintain, within the limits of the law, the confidentiality of the identity of any individual who reports possible misconduct.

The Director of Quality Improvement, Compliance and Data Analytics will coordinate any findings from the investigations and immediately recommend corrective action and/or necessary changes.

Where an internal investigation substantiates a reported violation, it is the policy of the agency to initiate corrective action, including, as appropriate, making prompt restitution of any overpayment amounts, notifying the appropriate governmental agency, instituting whatever disciplinary action is necessary, and implementing systemic changes to prevent a similar violation from recurring in the future at any CA facility.

Each staff member, Board member, consultant, independent contractor, volunteer and intern deemed relevant to the investigation is expected to cooperate with investigation efforts.

Discipline

All violators of the Code will be subject to corrective action, up to and including termination. The precise discipline utilized will depend on the nature, severity, and frequency of the violation and may result in any or all of the following corrective actions:

- Verbal warning;
- Written warning;
- Limited final warning*;
- Suspension;
- Termination;
- Restitution.

*A Limited final warning is a corrective action issued as a final warning in response to a substantiated or partially substantiated allegation involving an employee's interaction with a program participant that is in violation of a policy, practice or regulatory requirement (e.g. Failure to meet Mandated Reporter responsibilities, uphold Code of Conduct standards, Corporate Compliance violations, Justice Center, etc.); which holds the level of first warning for all other performance or

unrelated misconduct concerns. Employees subject to subsequent allegations or job performance issues will be subject to additional corrective action up to and including termination of employment.

Failure to comply with the written policies and procedures up to and including the Code of Conduct may be subject to corrective action. In addition, the Compliance Officers must be notified immediately regarding concerns of non-compliance.

If an employee contractor, agent, subcontractor, independent contractor, board member, or interns affected by Community Access' risk areas engages in serious intentional or reckless behavior, CA will terminate their employment or contract immediately without first invoking any interim, progressive corrective action steps.

Relevant Agency Policies (not all inclusive):

A.B. Corporate Compliance Program

A.C. Whistleblower Policy

Acknowledgment Process

CA requires all staff, volunteers, and interns to sign an acknowledgment confirming they have received the Code, understand it represents mandatory policies of CA and agree to abide by it.

- New colleagues must receive Code of Conduct Training during orientation and will be required to sign this acknowledgment as a condition of employment.
- Each CA staff member, volunteer, and intern is also required to participate in annual Code of Conduct training, and records of such training must be retained by each facility and placed in their personnel folders.
- Adherence to and support of CA's Code of Conduct and participation in related activities and training will be considered in decisions regarding hiring, promotion, and compensation for all candidates and colleagues.

For Quality Improvement/ Compliance Purposes:

Effective Date: 10/6/2023

Review Date: 8/5/2022, 2/13/2023, 4/3/2024, 7/17/2025, 4/14/2026

Revision Date: 8/5/2022, 2/13/2023, 10/6/2023, 1/31/2024, 7/17/2025, 4/15/2026

ACKNOWLEDGMENT

I certify that I have received the CA Code of Conduct, understand it represents mandatory policies of the agency and agree to abide by it.

Signature:

Printed Name:

Position:

Program:

Date:
