



Policy Segment	Governance-Corporate Compliance
Policy Number & Name	2500.07 Standards of Conduct Policy
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Effective date of this Version	January 13, 2023
APPROVED BY	Brian McKee, President and CEO
APPROVAL SIGNATURE	Brian McKee (Signature on File)

Relevant Statutes, Regulations and Standards:

Title 18 NYCRR Part 521

Policy Purpose:

The House of The Good Shepherd is committed to conducting its business ethically and in conformance with all federal and state laws, regulations, and interpretations. To support this commitment, The House of The Good Shepherd will maintain and update as appropriate a written Standards of Conduct to provide guidance on employee and organizational responsibilities related to compliance. The Standards of Conduct addresses specific issues related to reimbursement, financial relationships, quality of care, and other critical areas.

Policy Statement:

It is the policy of The House of The Good Shepherd to observe all laws and regulations applicable to its business and to conduct business with the highest degree of integrity. To accomplish this, all employees, contractors, and Board members must obey the laws and regulations that govern their work and always act in the best interest of the people we serve, their families and the agency.

The Standards of Conduct, established within this policy and approved by the agency’s governance Board, is designed as a commitment made by all employees, contractors, and Board members to uphold the highest standards of ethical behavior and practices in all areas of business connected with the organization.

Policy:

The House of The Good Shepherd will develop, maintain, and update as appropriate a written Standards of Conduct to provide employees, contractors, and Board members, as defined in the Compliance Plan, with guidance on requirements for conduct related to employment or engagement by The House of The Good Shepherd.

The Standards of Conduct describe important parts of the compliance program including, but not limited to the problem resolution process and the non-retaliation/ non-intimidation policy.

At a minimum, the Standards must address critical areas such as compliance with laws and regulations, human resource practices, quality of care/service, conflicts of interest, proprietary rights, and confidentiality, safety, and reimbursement practices.

The Standards of Conduct address specific areas of potential fraud or similar wrongdoing (e.g., claims development, submission processes, and diagnostic/procedural code selections).

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The Standards of Conduct include instructions to report fraud, abuse, suspected violations of the Standards of Conduct, or other suspected wrongdoing directly to the Compliance Officer or other supervisory personnel.

The Standards of Conduct provide written guidance on how employees, contractors, and Board members may report suspected violations of federal or state law, regulations, interpretations thereof, or the Standards of Conduct without fear of retribution or retaliation to an organization hotline or other mechanism that bypasses management.

The Standards of Conduct will address major issues identified by the Federal Sentencing Guidelines and the Office of Inspector General (OIG).

The Standards of Conduct address human resources related compliance issues such as sexual harassment and discrimination, as well as The House of The Good Shepherd's commitment to quality of care and service.

Written confidentiality and non-retaliation policies are referenced and included as part of the Standards of Conduct for the purpose of encouraging communication and the reporting of incidents of suspected fraud or other wrongdoing.

The Standards of Conduct must be written at a basic reading level, avoiding complex language and legal terminology.

The Compliance Officer, in consultation with the Corporate Compliance Committee, is responsible for the development and periodic update of The House of The Good Shepherd's Standards of Conduct.

The Board of Directors is responsible for the final approval of the Standards of Conduct.

Training Requirements

The House of The Good Shepherd's Corporate Compliance Plan, applicable policies, and the Standards of Conduct will be provided to all employees, contractors, and Board members, as defined in the Compliance Plan.

The Standards of Conduct and related policies will be provided to all new employees, Board members, and contractors as part of the orientation to the agency or initiation of contract.

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The Compliance Officer will ensure that each Board member is provided with a copy of the Corporate Compliance Plan and the Standards of Conduct at the time of Board orientation and upon renewal of his/her Board seat.

The Compliance Officer will ensure that all contractors are provided with access to the Corporate Compliance Plan and Standards of Conduct upon entering into a contractual agreement with The House of The Good Shepherd.

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The Compliance Officer will include in his or her report to the Agency Corporate Compliance Committee and Board of Directors the status of training, along with any recommendations for updating or improving the contents of the Standards of Conduct.

Standard of Conduct Violations

The Standards of Conduct will include a description of disciplinary mechanisms utilized by the Agency and the procedures for addressing disciplinary actions. The Compliance Officer is responsible for investigations of possible violations of the Standards of Conduct and assuring disciplinary action has been taken when necessary.

Standards of Conduct

The House of The Good Shepherd's Standards of Conduct (the Standards) applies to all employees, contractors, and Board members, as defined in Agency's Compliance Plan.

The Standards of Conduct was approved by The House of The Good Shepherd's Board of Directors and is a formal statement of the Agency's commitment to the standards and rules of ethical conduct.

The House of The Good Shepherd is committed to preventing the occurrence of unethical or unlawful behavior, stopping such behavior as soon as possible after discovery, and to disciplining employees, contractors, or Board members who violate the Standards, including employees, contractors, and Board members who neglect to report a violation.

All employees, contractors, and Board members must comply with these Standards, immediately report any alleged violations of illegal or unethical conduct, and assist management and compliance personnel in investigating allegations of wrongdoing.

The Agency will not take any retaliatory or intimidating action against an employee, contractor, or Board members if they participate in good faith in the Compliance Program by disclosing information about Agency's policies, practices or activities to a regulatory, law enforcement or other similar agency or public official.

While these standards addressed in the Standards of Conduct are intended to guide employees, contractors, and Board members in the course of their day-to-day responsibilities, they do not replace any Agency or program policies and procedures. There may be instances that are not addressed by the Standards of Conduct or existing policies and procedures, or activities that may conflict with these standards. Employees, contractors, and Board members must seek direction from their supervisor (if applicable), other Agency management staff or the Compliance Officer in these instances.

Ethics

It is the policy of The House of The Good Shepherd to observe all laws and regulations applicable to its business and to conduct business with the highest degree of integrity. To accomplish this, all employees,

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contractors, and Board members must obey the laws and regulations that govern their work and always act in the best interest of the people we serve, their families and the Agency.

Employees, contractors, and Board members:

- are expected to keep management staff informed of what you are doing; to document or record all services or transactions accurately; and to be honest and forthcoming with the Agency, regulatory agencies, and internal and external auditors.
- are expected to comply with the Agency’s policies and procedures, accounting rules, and internal controls.
- are expected to function with honesty in your work for the Agency and with people we serve, providers, suppliers and all others with whom the Agency does business.

Conflict of Interest

Employees, contractors, and Board members must not allow any outside financial interest, or competing personal interest to influence their decisions or actions taken on behalf of the Agency.

Employees and contractors must avoid any situation where a conflict of interest exists or might appear between their personal interests and those of the Agency. The appearance of a conflict of interest may be as serious as an actual conflict of interest.

It is a conflict of interest to personally take opportunities that are discovered through the use of Agency property, information or position with the Agency; to use Agency property or information for personal gain; or to compete with the Agency.

There are many types of situations where potential conflicts may arise. Any actual or potential conflicts of interest must be promptly reported to immediate supervisor or directly to the Compliance Officer. Board members must comply with the Agency’s Conflict of Interest Policy.

Outside Activities and Employment

- You should not conduct outside activities during work time. Such activities interfere with your regular duties and negatively impact the quality of your work.
- You are a representative of the Agency in your every day life and must represent the Agency positively in the community.
- Outside employment must not conflict in any way with your responsibilities to the Agency or its clients. You may not compete against The House of the Good Shepherd, or have any ownership interest in a competitor.

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Use of Agency Funds and Resources

The Agency's assets are to only be used for the benefit of the Agency and the people we serve. Assets include funds, equipment, inventory, and office supplies, but also concepts, business plans and strategies, information about people served, financial information, computer property rights, and other business information about the Agency.

Agency assets must not be used for personal gain or give them to any other persons or entities, except in the ordinary course of business as part of an approved transaction.

Confidentiality

During your employment, you may acquire confidential information about The House of The Good Shepherd, its staff and people we serve that must be handled in strict confidence and not discussed with outsiders. The protection of confidential business, staff, and youth/family information is very important.

Business Dealings Between the Agency and Employees

The House of The Good Shepherd will not be inappropriately influenced with goods or services from any business in which you or your immediate family members have a substantial interest.

Property and resources of the Agency should only be used for the benefit of the Agency or the people we serve.

Maintenance of Records

Employees and contractors must record and report all agency, consumer and financial information fully, accurately, and honestly. Records include, but are not limited to, records of the people we serve, documentation of services, personnel records, accounting books or records, financial statements, timesheets or records, expense reports, vouchers, bills, payroll, claims payment records, correspondence, and any other method of communication. Employees or contractors must not omit or conceal any relevant information.

Guidelines for Employees and Contractors

Many of the Agency forms are legal documents used to prove that a service was provided, to bill for a service to a consumer, to record a job task, or to record specific happenings. You must document accurately and honestly, and only for those services that you provided or those events you were involved in.

Falsification of Records

- You must not make any false entries in any of the Agency's records or in any public record for any reason.

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- You may not alter any permanent entries in the Agency’s records.
- You may only approve payments or receipts on behalf of the Agency that are described in documents supporting the transaction. “Slush funds” or similar of-book accounts, where there is no accounting for receipts or expenditures on the agency books, are strictly prohibited.
- You may not create or participate in the creation of any records that are intended to mislead or to conceal anything that is improper.

Expense Records

You must always charge expenses accurately and to the appropriate cost center or account, regardless of the financial status of the program, project, or contract, or the budget status of a particular account or line item.

Retention of Records

The retention, disposal, or destruction of records of or pertaining to the Agency must always comply with legal and regulatory requirements and Agency policy.

You may not destroy records pertaining to litigation or government investigations or audit without express written approval of the Compliance Officer.

Protection of Confidential Information

The Agency has developed policies and procedures to assure that the confidentiality of Agency information and information about the people we serve is protected and released only with the appropriate authorization or for lawful reasons, in addition to purposes of treatment, payment, and operations. All employees, contractors, and Board members are required to comply with The House of The Good Shepherd Privacy Policy. If you have any questions concerning confidential information or the Privacy Policy, contact your immediate supervisor or the Compliance Officer.

Guidelines for Employees and Contractors

You must treat all Agency records and information as confidential.

You may not release confidential information without the proper authorization. Confidential information includes not only information about the people that we serve and their families, but also non-public information about the Agency that may be of use to the Agency’s competitors or harmful to the Agency or its customers if released.

You must protect Agency information and avoid discussing or disclosing Agency information, purposefully or inadvertently (through casual conversation), to any unauthorized person inside or outside the Agency. Furthermore, staff may not share confidential Agency information with anyone, except where required for a legitimate business purpose.

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Agency information may not be removed from Agency property without permission from a supervisor or administrator with proper authority over the information. Ask your supervisor if you are not sure whether certain information is confidential.

Termination of Employment

You may not use any confidential information gained from your employment with the Agency for your or another company's benefit. You may not take copies of any reports, documents, or any other property belonging to the Agency.

Upon termination of employment with the Agency, you must return all Agency property including, but not limited to, copies of documents, notes, and other records containing confidential information; information technology (i.e. computer, etc.); Agency ID; keys and credit cards.

Information Security

You are responsible for properly using information stored and produced by all of the Agency's computer systems.

Computers, Internet access, email, or other office communications systems are intended for business-related purposes only and not for uses that may be disruptive, offensive, harassing, or harmful to others.

Do not share your system user name or password with another person or allow another to access the computer with your password.

All employees, contractors, and Board members are required to comply with The House of The Good Shepherd's "Computer Security Policy and Procedures" found in the Agency's Policy and Procedure Manual.

Fair Dealing

Conducting business with providers, contracted practitioners, suppliers, people we serve, and competitors may pose ethical problems. Employees, contractors and Board members are expected to deal fairly with providers, contractors, people we serve, and competitors.

The Standards of Conduct and the following guidelines are intended to help you make appropriate, responsible and correct decisions in these and all matters:

Kickbacks and Rebate

Kickbacks and rebates in cash, credit, or other forms are prohibited. They are not only unethical, but in many cases, illegal.

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Gifts and Gratuities and Entertainment

You may not solicit money, gifts, gratuities or any other personal benefits or favors of any kind from providers, contractors, producers, accounts, or people we serve and their families.

You must not offer or accept entertainment that is not a reasonable addition to a business relationship but is primarily intended to gain favor or to influence a business decision.

Supervisors may not accept gifts from employees and may not give gifts to employees.

Employees may not give gifts directly to individual clients. Staff wishing to make donations or give gifts to clients must formalize their contribution through the Development and Communications office.

Employees may not accept gifts of more than token value from children or families of children.

Employees may not borrow or otherwise acquire or use clients' money or property, including clothing. Staff must adhere to agency policies on handling client's money.

Employees may not lend or otherwise give money, or property to clients

Commercial Relationships: Employees may not buy or sell goods or services to a client(s). It is acceptable for staff to support official/sanctioned fundraising activities conducted by children.

Agreements with Contractors and Vendors

The Agency must assure that any agreements with contractors and vendors clearly and accurately describe the services to be performed or items to be purchased. Performance standards, and the applicable compensation, if any, must be reasonable in amount, not be excessive in terms of industry practice and must equal the value of the services rendered.

Improper Use of Funds or Assets

Use of the Agency's funds or assets for any improper purpose is strictly prohibited. If you are aware of or have reason to believe that funds or assets are being improperly used, you must report this immediately to your supervisor or the Compliance Officer.

Federal and State Programs

The House of The Good Shepherd is committed to complying with the laws and regulations that govern the federal and state programs that it administers. Policies and procedures, the Compliance Program, and this Standards of Conduct are developed to provide guidance in your day-to-day work. You must abide by the policies and procedures and the standards set by the Agency.

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Governmental Investigations

There may be times that the Agency is asked to cooperate with an investigation by a federal or state governmental agency, or to respond to a request for information. A request may be formally addressed to the Agency or an individual within the Agency. Employees and contractors must report any requests for information or cooperation with an investigation to the Compliance Officer immediately.

Political Activities and Contributions

Because the Agency is a non-profit organization, it is prohibited from engaging in any political campaign activities and a “substantial” amount of lobbying.

Agency funds and resources, including paid work time, may not be used for political contributions or activities.

You may not act as a representative of the Agency in any political campaign activity. In expressing your personal political views or support or opposition of a candidate for public office, it must be very clear that you are expressing your personal view, support, or opposition as an individual and not a representative of the Agency.

Laws and regulations prohibit a “substantial” amount of lobbying. There are allowances for the Agency to advocate its position on public issues. To assure that the Agency does not violate any laws or regulations, or risk losing its tax-exempt status, you must seek prior approval from the Compliance Officer before engaging in any lobbying activities. The Compliance Officer may need to consult with legal counsel on the matter and will need to record the amount of time spent in lobbying activities.

Employment Environment

The House of The Good Shepherd is committed to creating a safe and professional workplace where employees and others are treated with respect and without regard to their race, sex, age, religion, national origin, color, marital status, disability, or other protected characteristics. Business integrity, teamwork, trust, and respect are among the Agency’s values. Unlawful discrimination or harassment of any sort violates these values. All Agency employees must exhibit and promote respect, integrity, trust, and teamwork in the workplace and must comply with Agency policy prohibiting discrimination and harassment in all facets of the Agency’s work

All employees are required to support the Agency’s commitment to a safe and professional work environment and to demonstrate appropriate behavior in the workplace.

All employees are prohibited from joking about another employee’s race, sex, age, religion, national origin, color, marital status, disability, or other protected characteristics.

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All employees are prohibited from considering someone's race, color, religion, sex, national origin, age, disability, or other protected characteristic in making decisions about hiring, placement, assignment of duties, training, promotion, termination, compensation, benefits and other work terms.

Sexual harassment is prohibited. Sexual harassment includes any form of unwelcome sexual advance, request for sexual favors, or other verbal or physical conduct of a sexual or sex-based nature.

You are responsible for understanding the Agency's policy prohibiting discrimination and sexual harassment. You should consult with an appropriate supervisor or administrator if you have questions about your right to a workplace free from unlawful harassment or discrimination or if you have questions about your duty to avoid discrimination.

Seeking Guidance and Reporting Violations

Employees, contractors, and Board members must report any actual or suspected violations of these Standards of Conduct, any applicable law or regulation, or any Agency policy and procedure to their immediate supervisor or the Compliance Officer. Please refer to the Compliance Plan for Agency's methods of reporting, including anonymous reporting procedures.

When an actual or suspected violation of these Standards of Conduct, any applicable law or regulation, or any Agency policy and procedure is reported to any Agency employee, contractor, or Board member, it must be promptly referred to the Compliance Officer. Agency will ensure the confidentiality of persons reporting compliance issues is maintained unless the matter is subject to a disciplinary proceeding, referred to, or under investigation by, MFCU, OMIG or law enforcement, or disclosure is required during a legal proceeding, and such persons shall be protected under Agency's policy for non-intimidation and non-retaliation. The Agency will not tolerate any form of retaliation or intimidation against a person who makes a good-faith report in accordance with these Standards of Conduct.

All employees and contractors must cooperate fully and honestly in any investigation into a reported violation of these Standards of Conduct, any applicable law or regulation, or Agency policy, procedure, or practice.

Corrective Action and/or Discipline

Any employee, contractor, or Board member who violates or knowingly fails to report any violation of these Standards of Conduct, any applicable law or regulation, or Agency policy, procedure, or practice is subject to appropriate disciplinary action, up to and including termination.

Disciplinary action may range from a warning to suspension or discharge, depending upon the nature of the incident and the relevant surrounding circumstances.

Employee/Board Member/Contractor Responsibilities

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- Attend required training, and read and understand The House of The Good Shepherd’s Corporate Compliance Plan, Corporate Compliance Policies and Procedures, and Standards of Conduct.
- Follow the Agency’s Standards of Conduct and abide by all policies and procedures, guidelines, and Federal and State laws and regulations.
- Be alert to any situation that could violate the Agency’s Standards of Conduct, policies and procedures, guidelines, and/or federal and state laws and regulations.
- Promptly report any issues, concerns, violations or suspected violations to your supervisor, other management staff, Director of Human Resources, Compliance Officer, or the Chief Executive Officer, or following procedures in the Agency’s Compliance Plan.

Areas Affected: Agency-wide

Exception Process: There are no exceptions to this policy.

Cross Referenced Policies:

Corporate Compliance Plan
301.00 Personnel Policy
301.01 Employee Handbook

Owner: Corporate Compliance Officer

Review Frequency: This policy is to be reviewed annually and updated or modified as necessary. Changes are not implemented until approved by the Board and signed into policy by the agency’s Chief Executive Officer.

Failure to comply with this policy may lead to corrective action up to and including termination of employment for cause.

Related Procedure(s) and/or Standard Form(s):

2500.25 Standards of Conduct with Compliance Acknowledgements

Key Word Library:

[Code of Conduct](#) // [Standard of Conduct](#) // [Compliance](#) // [Corporate Compliance](#)

Policy Tracker

DATE	STATUS*	APPROVED BY
4/27/10	Initiated	William Holicky, Executive Director
1/13/23	Revised	Brian McKee, President & CEO

*Status Options: Initiated; Revised; Discontinued