

## **Organizational Code of Conduct/Ethics**

It is the policy of Advocate Support Services, Inc. (Advocate) that all full and part-time employees, contractors, students, volunteers (collectively referred to as “staff”), and members of the governing authority are expected to perform their designated functions in a manner that reflects the highest standards of ethical behavior.

The ethical standards contained in this policy shape the culture and norms of Advocate’s administrative operations and clinical practices, and both staff and members of the governing authority will be held fully accountable to these standards. In addition to the specific guidelines contained in the policy, professionals are expected to follow the ethical standards required by their specific licensing and certification boards.

The Code of Conduct Policy is to ensure that all employees’ actions reflect a competent, respectful, and professional approach when serving our consumers, their families and/or representatives, working with other providers of services, and interacting within the communities we serve.

It is expected that staff and members of the governing authority will perform their duties in compliance with all federal, state, and local regulations in accordance with guidelines set forth in this policy. Violation of guidelines within the Code of Conduct Policy can lead to disciplinary actions, including termination of employment.

### **A. Professional Conduct**

- 1) Staff will respect the rights of our consumers by demonstrating full integration of the guidelines contained in the Rights and Responsibility Policy. This includes the right of the consumer to make autonomous decisions and fully participate in every aspect of the service delivery process.
- 2) Advocate employees will provide services in a manner that fully respects the confidentiality of consumers, by demonstrating a functional knowledge of confidentiality policies and guidelines.
- 3) Advocate employees will be fair and honest in their work. They will not exploit or mislead, and will be faithful to their contractual obligations and their word.
- 4) To prevent and avoid unethical conduct, Advocate employees will consult with, refer to, and cooperate with other professionals. Advocate employees will clarify their professional roles and obligations and be accountable for upholding professional standards of practice.

### **B. Personal/Professional Conduct**

- 1) All prior personal relationships between staff and persons entering Advocate's programs shall be disclosed by the staff member and subject to review by the Management Team.
- 2) Staff will limit relationships with persons served to their defined professional roles.
- 3) Staff will not establish ongoing personal or business relationships with consumers receiving services.
- 4) Staff will conduct themselves in a professional, ethical, and moral manner.
- 5) Sexual relationships between staff and person's served are never appropriate. Sexual relationships include, but are not limited to the following: engaging in any type of sexual activity, flirting, advances and/or propositions of a sexual nature, comments of a sexual nature about an individuals body, clothing, or lewd sexually suggestive comments.
- 6) Staff will not accept gifts of value from a consumer, family member, or stakeholder, and cannot accept personal favors or benefits that may reasonably be construed as influencing their conduct.
- 7) Staff will not take, borrow or remove agency property or personal property not belonging to them from the agency without permission of the property owner.
- 8) Staff will not solicit persons served for personal causes including but not limited to; soliciting funds for a personal or community cause, political fundraising, selling candy and cookies for their children, friend's children or other such fundraising item's for the staff's children.
- 9) Staff involved with a client's clinical care will not serve as a witness of any document for that client.

### **C. Business Practices**

- 1) Advocate will utilize the Corporate Compliance Officer to ensure that it conducts business in an ethical manner and ensure that any business practices that are questionable are thoroughly investigated the ethical investigation procedures that follow in this policy.
- 2) All financial, purchasing, personnel, facility development and information technology practices shall comply with local, state, and federal law and guidelines.
- 3) All employees shall adhere to Advocate's Human Resource Policies and Procedures.

### **D. Marketing Practices**

- 1) Advocate will conduct marketing practices in an honest and factual manner. Marketing materials and practices will in no way mislead the public or

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misrepresent Advocate's abilities to provide services. Advocate will not claim any service outcomes unless represented by valid and reliable outcome data and/or research studies.

- 2) Advocate will utilize clear and consistent methods of communicating information to consumers, family members, third-party entities, referral sources, funding sources, and community members, and will exhibit sensitivity to the educational and reading levels of all persons when distributing information.
- 3) Advocate will not utilize monetary rewards or gifts to any potential consumer of services in an attempt to entice them to enter programs.

### **E. Clinical Practices**

- 1) Staff will adhere to all professional codes of conduct and ethical standards for his/her specified professional discipline.
- 2) As part of new employee orientation, staff will read Advocate's Code of Conduct and demonstrate knowledge of the guidelines.

### **F. Potential Conflicts of Interest**

- 1) No consumer will be hired or placed in an employee/employer relationship with Advocate while an active participant in Advocate's Psychiatric Rehabilitation Program.
- 2) Any programming that involves a work task, and remuneration for the task, will be therapeutic in nature and will be documented as such by programming guidelines based on theoretical constructs.
- 3) Advocate employees will not engage in outside professional mental health services that are incompatible or in conflict with job duties within our organization.
- 4) Private practice must be done on the staff's own time and outside the organization, as long as such activities are not adverse to the interests and goals of Advocate and have met the Advocate's guidelines on conducting a private practice.
- 5) Staff will not recruit clients for their private practice within their professional roles as Advocate staff members.
- 6) If an employee leaves Advocate and enters private practice, or leaves to work for another provider, the consumer may choose to continue their services with the former employee. However, the services must be offered at the same cost and with equal accessibility to services.
- 7) No staff shall engage in any other employment or activity on Advocate's premises or to an extent that affects, or is likely to affect, his or her usefulness as an employee of Advocate.

### **G. Quality of Care**

- 1) Advocate will provide quality behavioral health care in a manner that is appropriate, determined to be necessary, efficient, and effective.
- 2) Health care professionals will follow current ethical standards regarding communication with consumers and their representatives regarding services provided.
- 3) Advocate will inform consumers about alternatives and risks associated with the care they are seeking and obtain informed consent prior to any clinical interventions.
- 4) Advocate recognizes the right of consumers to make choices about their own care, including the right to do without recommended care or to refuse care.

### **H. Necessity of Care**

- 1) Advocate shall submit claims for payment to governmental, private, or individual payers for those services or items that are clinically necessary and appropriate.
- 2) When providing services, Advocate employees shall only provide those services that are consistent with generally accepted standards for treatment and are determined by the professional to be clinically necessary and appropriate.
- 3) Service providers may determine that services are clinically necessary or appropriate; however, the consumers funding source may not cover or approve those services. In such a case, the consumer may request the submission of a claim for the services to protect his/her rights with respect to those services or to determine the extent of coverage provided by the payer.
- 4) Coding and documentation will be consistent with the standards and practices defined by Advocate in its policy, procedures, and guidelines.

### **I. Coding, Billing, and Accounting**

- 1) Advocate employees involved in coding, billing, documentation and accounting for consumer care services for the purpose of governmental, private or individual payers will comply with all applicable state and federal regulations and Advocate's policies and procedures.
- 2) Advocate will only bill for services rendered and shall seek the amount to which it is entitled.
- 3) Supporting clinical documentation will be prepared for all services rendered. If the appropriate and required documentation has not been provided, then the service has not been rendered.
- 4) All services must be accurately and completely coded and submitted to the appropriate payer in accordance with applicable regulations, laws, contracts, and organizational policies and procedures. Federal and state regulations

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take precedence, and organizational policies and procedures must reflect those regulations.

- 5) Consumers shall be consistently and uniformly charged.
- 6) Government payers shall not be charged in excess of the provider's usual charges.
- 7) Billing and collections will be recorded in the appropriated accounts.
- 8) An accurate and timely billing structure and medical records system will ensure that Advocate effectively implements and complies with required policies and procedures.

### **J. Cost Reports**

Advocate is currently not required to submit Cost Reports.

### **K. Personal and Confidential Information**

- 1) Advocate will protect personal and confidential information concerning our organization's system, employees, and consumers.
- 2) Advocate personnel shall not disclose confidential consumer information unless at the consumer's request and/or when authorized by law. Appropriate use of consumer information for research purposes must be obtained with the full informed consent of participants in the research.
- 3) Confidential information will only be discussed with or disclosed to persons and entities outside the organization through the request of the consumer. Persons outside the organization include the family, business, or social acquaintances of the consumer.
- 4) Consumers can request, and are entitled to receive copies or summaries of their records with the exception of minors and consumers being treated for alcohol and drug abuse, who may be provided with copies of their record if it is judged appropriate by the provider charged with their care.
- 5) Advocate personnel will be familiar with all organizational policy and procedures regarding confidentiality.

### **L. Creation and Retention of Consumer and Institutional Records**

- 1) Records are the property of Advocate. Personnel responsible for the preparation and retention of records shall ensure that those records are accurately prepared and maintained in a manner and location as prescribed by law and Advocate policy.
- 2) Employees will not knowingly create records that contain any false, fraudulent, fictitious, deceptive, or misleading information.
- 3) Employees will not delete any entry from a record. Records can be amended and material added to ensure the accuracy of a record in accordance with

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policy and procedures. If a record is amended, it must indicate that the notation is an addition or correction and record the actual date that the additional entry was made.

- 4) Employees will not sign someone else's signature or initials on a record.
- 5) Records shall be maintained according to specific organizational policy and procedure.
- 6) Employees shall not destroy or remove any record from the Advocate's premises.
- 7) Advocate will maintain record retention and record destruction policies and procedures consistent with federal and state requirements regarding the appropriate time periods for maintenance and location of records. Premature destruction of records could be misinterpreted as an effort to destroy evidence or hide information.

### **M. Government Investigation**

- 1) Advocate employees shall cooperate fully with appropriately authorized governmental investigations and audits.
- 2) Advocate will respond in an orderly fashion to the government's request for information through employee interviews and documentation review.
- 3) Advocate will respond to the government's request for information in a manner that enables the organization to protect both the organization and consumer's interests, while cooperating fully with the investigation.
- 4) When a representative from a federal or state agency contacts an Advocate employee at home or at their office for information regarding the organization or any other entity with which the organization does business, the individual will contact the CEO immediately. If the CEO is not available, the individual will contact the Program Manager.
- 5) Advocate employees will ask to see the government representative's identification and business card, if the government representative presents in person. Otherwise, the employee should ask for the person's name, office, address, phone number, and identification number and then contact the person's office to confirm his/her identity.

### **N. Prevention of Improper Referrals or Payments**

- 1) Advocate employees will not accept, for themselves or for the organization, anything of value in exchange for referrals of business or the referral of consumers.
- 2) Employees must not offer or receive any item or service of value as an inducement for the referral of business or consumers.
- 3) Federal law prohibits anyone from offering anything of value to a Medicare or Medicaid consumer that is likely to influence that person's decision to select or receive care from a particular behavioral health care provider.

- 4) Advocate shall establish procedures for the review of all pricing and discounting decisions to ensure that appropriate factors have been considered and that the basis for such arrangements are documented.
- 5) Development or initiation of joint ventures, partnerships, and corporations within the organization must be reviewed and approved by Advocate's Management Team to ensure compliance with organizational policy and federal regulations.

### **O. Antitrust Regulations**

- 1) Advocate will comply with all applicable federal and state antitrust laws.
- 2) Employees should not agree or attempt to agree with a competitor to artificially set prices or salaries, divide markets, restrict output, or block new competitors from the market, share pricing information that is not normally available to the public, deny staff privileges to qualified practitioners, or agree to or participate with competitors in a boycott of government programs, insurance companies, or particular drugs or products.

### **P. Avoiding Conflicts of Interest**

- 1) Advocate employees shall conduct clinical and personal business in a manner that avoids potential or actual conflicts of interests.
- 2) Employees shall not use their official positions to influence an organizational decision in which they know, or have reason to know, that they have a financial interest.
- 3) Employees must be knowledgeable about activities that may be an actual or potential conflict of interest. Examples of such activities may include, but are not limited to the following:
  - a. Giving or receiving gifts, gratuities, loans, or other special treatment of value from third parties doing business with or wishing to do business with the organization. Third parties may include, but are not limited to, consumers, vendors, suppliers, competitors, payers, carriers, and fiscal intermediaries.
  - b. Using Advocate facilities or resources for other that organization sanctioned activities.
  - c. Using Advocate's name to promote or sell products or personal services.
  - d. Contracting for goods or services with family members of the organization directly involved in the purchasing decision.

### **Q. External Relations**

- 1) Advocate employees shall adhere to fair business practices and accurately and honestly represent themselves and the organization's services.

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- 2) Advocate employees will be honest and truthful in all marketing and advertising practices pertaining to the business practices of the organizations service delivery system.
- 3) Vendors who contract to provide goods and services to the organization will be selected on the basis of quality, cost-effectiveness and appropriateness for the identified task or need, in accordance with organization policy.

### **R. Human Resources**

- 1) Advocate prohibits discrimination in any work related decision on the basis of race, color, national origin, religion, sex, physical or mental disability, ancestry, marital status, age, sexual orientation, citizenship, or status as a covered veteran. The organization is committed to providing equal employment opportunity in a work environment where each employee is treated with fairness, dignity, and respect.
- 2) Advocate will make reasonable accommodations to the known physical and mental limitations of otherwise qualified individuals with disabilities.
- 3) Advocate does not tolerate harassment or discrimination by anyone based on the diverse characteristics or cultural backgrounds of those who work for the organization pursuant to the organization's affirmative action policy.
- 4) Any form of sexual harassment is prohibited.
- 5) Any form of workplace violence is prohibited.

### **S. Code of Conduct Procedures**

- 1) All employees, students, volunteers and governing authority members, as part of Advocate's initial orientation, will review the Code of Conduct, including the procedures for investigating and acting on conduct violations.
- 2) All staff will be required to read the Code of Conduct, and by Accepting this section acknowledging their review and full understanding of the code.
- 3) To assure an awareness of ethical practices, reviews of the Code of Conduct and continued training will be conducted on an annual basis.

### **T. Procedures for Investigating and Acting on Violations of The Code of Conduct**

1. When any consumer, family member, authorized representative, advocate or other person believes that an ethical violation has occurred within the operations of the organization, they may report such suspicion directly to any employee, or management staff.
2. When employees believe a violation of the Code of Conduct has occurred they are obligated to report the violation in one of the following ways:



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- a. Immediate notification of the incident or violation through the organization's corporate compliance program and reporting mechanisms.
  - b. Immediate reporting to their supervisor, or to corporate compliance officer if the suspected violation involves their supervisor.
- 3) Supervisors who have been informed of a suspected violation are required to immediately inform the corporate compliance officer of the suspected violation.
- 4) If the violation involves a direct and immediate threat to the safety of a patient, staff member, or clinic visitor, employees are obligated to report the alleged violation immediately to their supervisor.
- 5) Staff is required to report any suspected violation of the Code of Conduct; however, they are not required to investigate or know for certain that a violation has occurred.
- 6) Once the questionable behavior has been brought to the attention of the supervisor or reported through the corporate compliance procedures, staff reporting the situation will no longer have a responsibility for being involved with the investigation other than providing additional information through a requested interview by the investigator.
- 7) Staff must report each suspected violation of the Code of Conduct separately, should a violation that has been reported occur again.
- 8) When any suspected violation of the Code of Conduct is reported to a supervisor, program sponsor or the corporate compliance officer, the corporate compliance officer will begin an investigation of the matter immediately. While investigating the complaint, the following issues should be considered and action taken depending on the situation:
  - a. Is any client in any harm or potential harm because of this behavior?
  - b. Does the complaint require immediate action to remove the employee from contact with a client?
  - c. Does the complaint put Advocate or its employee in a potentially liable situation that needs legal consultation?
- 9) Code of Conduct investigations will follow the guidelines outlined in the Advocates' Corporate Compliance Policy and Procedure.

### **U. General Ethical Guidelines and Considerations**

- 1) The Code of Conduct is shared with persons served during client orientation and is posted throughout public areas in all owned, leased, or rented facilities.
- 2) Advocate believes in the importance of ethical practices within the organization. Any employee who reports waste, fraud, abuse or any other questionable practices will not be subject to reprisal by management of the

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organization. To assure that reprisal is not used, the organization's governance authority will serve as advocates for any employee who reports questionable practices. The Corporate Compliance Officer will provide assurance and oversight that there are no adverse actions toward the employee.

- 3) The following violations of the Code of Conduct will result in termination of employment: Theft of funds, and/or physical, emotional, or sexual abuse of a client or employee.