



COMPLIANCE PLAN

I. Introduction

Central New York, Inc. herein referred to as CNY Quest is a Medicaid funded agency with a mission to enrich the lives of people with developmental, intellectual, and mental health disorders. We are dedicated to helping every individual we serve achieve their goals and live as independently as possible. We treat everyone we serve with respect and compassion and recognize individuals with special needs as valuable members of the community. At CNY Quest, we act with the highest standards in all that we do. We do that by understanding and following laws and regulations we are bound to and by acting with integrity. We are strongly committed to and have a longstanding reputation for lawful and ethical conduct. We take pride in earning the trust of those we serve, government regulators and one another.

CNY Quest has adopted a Corporate Compliance Program to further its mission, values, and legal duty to promote adherence to all applicable state and federal statutes and regulations, and to conduct business in a manner that supports integrity in operations.

This Corporate Compliance Plan describes CNY Quest's Compliance Program. This plan is not intended to set forth all the substantive programs and practices of CNY Quest, designed to achieve compliance in many areas where the agency operates. The goal of CNY Quest's compliance program is to prevent fraud, waste, and abuse in the Medicaid program as well as organize CNY Quest resources to address compliance issues as quickly and efficiently as possible, and to impose systemic checks and balances to prevent future recurrence of such issues. The implementation of a compliance program may not completely eliminate fraud, waste, and abuse; however, CNY Quest establishes a compliance program to mitigate risk associated with unlawful or improper conduct, enhance our program effectiveness and efficiency, and allow CNY Quest to demonstrate a positive track-record of performance. Early detection and reporting minimize loss to the Medicaid program from false claims and helps CNY Quest avoid exposure to recoveries, civil damages and penalties, criminal sanctions, administrative remedies such as program exclusion, reputational issues, and litigation.

The Compliance Plan is the framework and foundation by which CNY Quest shows our commitment to comply with state and federal laws, regulations, and our internal policies and procedures and demonstrate the agency's commitment to honest and responsible corporate and provider conduct as it carries out its mission.

The compliance program is structured around the elements of an effective ethics and compliance program as recommended in the Department of Health Office of Inspector General (OIG) Compliance Program Guidance publications and is modeled after the seven elements identified by OMIG for an effective compliance program. It also addresses concerns as outlined in the Deficit Reduction Act ("DRA"), which requires the Organization to establish written policies and procedures to inform employees and others about certain federal and state false claims and whistleblower laws.

The Compliance Plan is updated annually and approved by CNY Quest Board of Directors.

CNY Quest will make this Compliance Plan available to all entities to which it applies, including employees, the Board of Directors, and contractors.

II. Scope

The Compliance Plan applies to all programs at CNY Quest and to all Affected individuals including employees (regardless of title), Board of Directors, contractors, agents, subcontractors, independent contractors, and volunteers. The Compliance Program applies to (1) billing; (2) payments; (3) medical necessity and quality of care; (4) governance; (5) mandatory reporting (6) credentialing; and (7) other risk areas that are or could be identified by CNY Quest

III. Compliance Program Responsibility

Proper implementation of CNY Quest's Compliance Program is the responsibility of all Affected Individuals. All Affected Individuals are responsible for acquiring sufficient knowledge, based on their level of responsibility, to recognize potential compliance issues related to their duties and to seek appropriate advice in dealing with those issues. All Affected Individuals are expected to be familiar and comply with the Compliance Program Standards of Conduct, this Compliance Plan, and applicable policies and procedures that describe CNY Quest's expectations. Affected Individuals must comply with all federal and state laws and regulations that govern their role with the agency and conduct business in a way that supports integrity in its operations. Conduct contrary to this expectation is a violation of the Standards of Conduct, this Compliance Plan, and/or applicable policies and procedures.

Illegal acts or improper conduct may subject CNY Quest affected Individuals to severe criminal and civil penalties. All affected Individuals must report any conduct that they believe violates this Compliance Plan, CNY Quest's policies, or laws and/or regulations to their supervisor, the Corporate Compliance Officer, or the agency's compliance hotline. Individuals who report conduct based on a reasonable belief and otherwise in good faith shall not be retaliated against or intimidated for making such a report.

Employees who engage in fraud, waste, abuse or other improper or unethical conduct will be subject to disciplinary action in accordance with CNY Quest's corrective action policies which are included in the employee handbook including but not limited to, termination of employment. Other affected individuals including board of director members, contractors, and vendors will also face disciplinary action for non-compliance and improper conduct. The Compliance Officer, in consultation with Human Resources as well as outside counsel, if necessary, will ensure that disciplinary mechanism in place for substantiated instances of noncompliance or improper or unethical conduct are applied consistently and in a manner that is appropriate given the nature and extent of non-compliance or improper conduct.

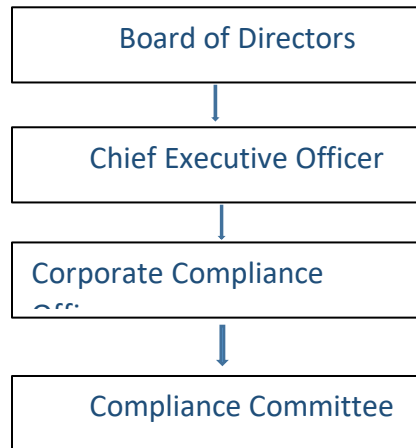
IV. Compliance Structure

CNY Quest’s compliance program imposes compliance requirements for contractors, agents, subcontractors, and independent contractors (contractors) within the scope of the contracted authority and affected risk area.

The successful implementation and operation of the Compliance program requires dedicated commitment and diligent oversight throughout CNY Quest including but not limited to key roles and responsibilities by the Board of Directors, the Corporate Compliance Officer, the Compliance Committee, and Senior Management.

The compliance program starts with its board of directors, who must assure that CNY Quest operates in compliance with applicable Federal, state, and local laws and regulations. The board of directors provides direction to the Chief Executive Officer (CEO), who sets the tone for CNY Quest’s compliance activities.

The Corporate Compliance Officer works to ensure that CNY Quest has the appropriate policies, procedures, and processes in place to minimize risk and further the agency's mission. In addition to the Corporate Compliance Officer, CNY Quest has a Corporate Compliance Committee which consists of senior management. The Committee meets with the Corporate Compliance Officer quarterly.



V. Compliance Program Elements

Our Compliance Program follows the seven core elements of an effective compliance program to ensure the agency meets Medicaid regulations recommended by OMIG.

The seven elements of CNY Quest’s Compliance Plan are:

1. Written Policies, Procedures, and Standards of Conduct. CNY Quest maintains written policies, procedures, and Standards of Conduct that communicate CNY Quest’s commitment to comply with all federal and state standards.

2. Compliance Officer and Compliance Committee. CNY Quest designates a Corporate Compliance Officer and Compliance Committee that are accountable to senior management.
3. Compliance Program Training and Education. CNY Quest provides effective training and education to all CNY Quest employees.
4. Lines of Communication. CNY Quest maintains effective lines of communication with all employees.
5. Disciplinary Standards. CNY Quest enforces standards through disciplinary actions detailed in the CNY Quest employee handbook.
6. Auditing and Monitoring. CNY Quest monitors and audits all its programs.
7. Responding to Compliance Issues. CNY Quest has procedures in place to ensure prompt response to detected offense and development of a corrective action plan.

VI. Written Policies and Procedures & Standards of Conduct

A. Overview:

CNY Quest has documented the process for the development, revision, review, approval, maintenance, storage and communication of policies and procedures. These policies must be accessible to all Affected Individuals. Affected individuals means all persons who are affected by CNY Quest's risk areas including employees (regardless of title), contractors, agents, subcontractors, independent contractors, and the board of directors. CNY Quest's policies and procedures are available to all staff through Paylocity under the documents section.

The written Corporate Compliance Policy and Procedure provide a clear explanation of CNY Quest's compliance and quality goals and provide clear and understandable mechanisms and procedures designed to achieve those goals in compliance with Federal, State, and other program requirements and standards.

CNY Quest's Compliance Plan, Standards of Conduct, and corporate policies outline what all employees, including contractors, consultants, volunteers, and Board of Directors must do to provide the overarching values by which CNY Quest operates.

CNY Quest has specific, individual policies for many matters ranging from proper documentation of services to whistleblower protection. All departments must maintain current Policies and Procedures updated annually or when guidance or internal changes occur. Policies and Procedures are reviewed during internal audits to ensure they accurately reflect the processes being followed on a day-to-day basis. The Compliance Department, with support from other departments, develops and implements written policies and procedures to support the organization's compliance functions.

CNY Quest's Fraud, Waste and Abuse has written policies that address its compliance with all applicable Federal and State laws pertaining to fraud, waste, and abuse in Federal

health care programs. These policies include sections of the Deficit Reduction Act which requires CNY Quest to establish written policies that provide detailed information about fraud, waste, and abuse in Federal health care programs. These policies must be distributed to all employees, contractors, independent contractors, agents, and board of directors. CNY Quest's agents and contractors must adopt and abide by the policies.

Policies and procedures are reviewed at least annually and reviewed during the calendar year in response to changes in regulatory requirements. CNY Quest may develop new policies or review existing policies in response to identified risks or areas for improvement which occur in the general course operations or through monitoring. CNY Quest, Inc will review written policies, procedures, and standards of conduct annually to determine whether:

- The policies, procedures, and standards have been implemented,
- All affected individuals are following the policies, procedures, and standards,
- The policies, procedures, and standards are effective,
- Any updates required.

Sometimes, the Corporate Compliance Officer will work with other departments to develop and revise policies and procedures to reflect new legal requirements and concerns that may arise.

B. Conflict of Interest Policy and Disclosure Statement

CNY Quest must ensure it adheres to high standards of ethical conduct by identifying instances in which there is a potential conflict of interest. CNY Quest has a conflict-of-interest policy based on full disclosure and appropriate management of any conflict of interest. CNY Quest requires employees, board members, contractors, subcontractors, and independent contractors to declare any known conflicts or potential conflicts of interest at the time of hire, receiving services, or board membership, and to sign a Potential Conflict of Interest Disclosure Statement upon commencement of term of office, employment, or relationship with CNY Quest and thereafter at least annually.

C. Standards of Conduct

Standards of Conduct:

Central New York Quest, Inc. (CNY Quest) is committed to operating in a manner that demonstrates strong ethics and accountability. CNY Quest has adopted these Standards of Conduct to protect and promote honesty and to improve CNY Quest's ability to achieve its mission.

As part of this commitment, CNY Quest has a Corporate Compliance Program. An important part of the program is CNY Quest's Compliance Standards of Conduct, which apply to all CNY Quest employees, volunteers, Chief Executive Officer (CEO), contractors, agents, subcontractors, independent contractors, and Board of Director members (collectively "personnel").

The Standards of Conduct cannot include all legal and ethical standards, and it is not a substitute for using good judgment and a sense of honesty and fairness.

We pledge to abide by the laws and regulations and CNY Quest Policies and procedures including but not limited to those related to Central New York Quest, Inc's Corporate Compliance Plan. Activity contrary to these standards of conduct is a violation of the compliance program and related policies and procedures. All personnel must follow the below Standards of Conduct:

1. Personnel will work in accordance with applicable laws, regulations, and agency policies.
2. Personnel will place the interest of clients they serve and their family members first and foremost in all respects of what they do.
3. Personnel will work cooperatively and respectfully with CNY Quest, employees, Board members and agents to provide the highest quality services.
4. Personnel will not cover up a deficiency or error.
5. Personnel involved in billing and/or coding of claims will take every reasonable precaution to make sure their work is accurate, timely, and in compliance with federal and state laws and regulations and CNY Quest policies. Thorough billing records must be maintained. Personnel responsible for billing will only bill for services provided and fully documented in the client's service records. If the service must be coded, only billing codes describing the services provided will be used
6. Personnel will not falsify records, including credentials, timesheets, reimbursement forms, and training forms. No claim for payment or reimbursement of any kind that is false, fraudulent, inaccurate, or fictitious may be submitted. Falsification of medical, time or other records that are used as the basis for submitting claims will not be tolerated.
7. Personnel understand that falsification of hours worked may constitute Medicaid fraud and that submitting false time could result in civil and criminal penalties, payroll deductions and court proceedings.
8. Personnel will be responsible for avoiding any activities that may be interpreted as waste, fraud, or abuse.
9. Personnel must make sure that all records and other personal information regarding clients and employees are treated as confidential and used professionally, regardless of the way the information is received or stored.
10. Personnel will not use confidential information related to the agency, clients, or employees for personal gain or to cause harm to the person.
11. Upon termination of employment with CNY Quest, all employees will maintain all confidential information gained while employed at CNY Quest
12. Personnel must avoid conflict of interest, including the acceptance of gifts or giving gifts.
13. Personnel must be completely honest in all interactions with government agencies and representatives.
14. Personnel may not alter, destroy, conceal, cover-up, falsify, or make false entries in any record with the intent to impede, obstruct, or influence any governmental department or agency's investigation.

15. Personnel must not have any financial or other personal interest in a transaction between CNY Quest and a vendor, supplier, provider, or customer.
16. Personnel must not engage in financial, business, or other activity which competes with CNY Quest's business or interferes with the performance of the personnel's job duties.
17. Personnel must notify the Corporate Compliance Office of any contracts or agreements with physicians, health care businesses, patients, providers, third party payors, vendors, or suppliers to CNY Quest
18. Personnel must follow all antitrust laws and may not engage in discussions or agreements with competitors regarding pricing, prices paid to suppliers or providers, or joint actions or boycotts.
19. Personnel are responsible for following safe work practices and complying with all applicable safety standards and health regulations.
20. Personnel will report any unethical or illegal conduct to the Corporate Compliance Officer.
21. Personnel will seek training and assistance in areas that would strengthen the ability to fulfill their responsibilities to the clients and to the agency.

The Standards of Conduct shall be supplemented by this Compliance Plan and applicable policies and procedures. The Standards of Conduct is made available to the Board of Director and every employee and contractor at the time of employment and annually thereafter.

All new employees will receive orientation and training in compliance policies and procedure. Participation in required training is a condition of employment. Failure to participate in required training may result in disciplinary actions, including employment termination.

Every employee is asked to sign a statement certifying they have received, read, and understood the contents of the Compliance Standards of Conduct and Compliance plan at orientation and annually.

Every employee will receive an initial compliance orientation and periodic training updates in compliance protocols as they relate to the employee's individual duties.

All candidates for employment shall undergo a reasonable and prudent background investigation, including a reference and criminal background check. Due diligence will be used in the recruitment and hiring process to prevent the appointment to positions with substantial discretionary authority, persons whose record (professional licensure, credentials, prior employment, criminal record, or specific "exclusion" from Medicaid funded programs) gives reasonable cause to believe the individual has a propensity to fail to adhere to applicable standards of conduct.

Non-compliance with the plan or violations will result in sanctioning of the involved employee(s) up to, and including, termination of employment.

D. Non-Intimidation and Non-Retaliation

CNY Quest has a non-intimidation and non-retaliation policy and a whistleblower policy for good faith participation in the Compliance Program and for disclosing or threatening to disclose any actual or potential violation of this Compliance Plan, Standards of Conduct, CNY Quest's policies and procedures, and/or any federal or state statute or regulation based on reasonable belief or otherwise in good faith. Any individual who reports or threatens to report a compliance concern based on a reasonable belief and otherwise in good faith will be protected against retaliation and intimidation in accordance with sections 740 and 742 of the New York State Labor Law. In such an instance, retaliation is itself a violation and is unlawful. If the individual who reports a compliance issue has themselves participation in a violation of law, the Standards of Conduct, agency policy, and the agency retains the right to take appropriate disciplinary action including termination of employment or relations with the agency service on the Board of Directors, or in the case of a contractor, termination of the applicable contract.

E. Annual Work Plan

Every Year, the Corporate Compliance Officer will prepare a Work Plan after reviewing the latest New York State Office of the Medicaid Inspector General priorities, recent enforcement activities, recent internal and external audit findings. The Corporate Compliance officer will receive input from the CEO and Compliance Committee and various departments through interviews and reviewing the specific program audits to determine the impact of potential compliance issues. The Work Plan will include the top five areas of concern.

The Work Plan will include a list of areas that the Corporate Compliance Officer and Program Directors will audit and monitor. The Compliance Officer, Compliance Committee and Program Directors will review the audit findings and develop audit responses to address findings. A remediation plan and associated timelines will also be included.

VII. Compliance Officer and Compliance Committee

A. Corporate Compliance Officer

OMIG requires CNY Quest to designate a compliance officer to carry out and enforce compliance activities. The Corporate Compliance Officer works to ensure CNY Quest has the appropriate policies, procedures and processes in place to minimize risks and further the agencies' mission and vision for services. The compliance officer is responsible for the daily operation of the compliance program.

The Corporate Compliance Officer reports directly to the Chief Executive Officer and to the Compliance Committee on the activities and status of the compliance program. The Compliance Officer provides reports no less than on a quarterly basis and has the authority to report matters to the Board of Directors at any time. The Compliance Officer oversees that CNY Quest meets all state and federal regulatory and contractual requirements.

CNY Quest designates the Clinical Director to serve as the Corporate Compliance Officer and coordinator of all compliance activities. The Board of Directors appoints the Compliance Officer, and such appointments are documented in the Board of Directors meeting minutes. The Compliance Officer also has a signed letter of appointment and job description which evidences compliance responsibilities.

The responsibilities of the Corporate Compliance Officer include:

- Chair the Compliance Committee and serve as a spokesperson for the Committee.
- Oversee and monitor the implementation of the compliance program.
- Report periodically to the Compliance Committee, the Chief Executive Officer, and the Board of Directors on the progress of implementation of compliance initiatives, corrective actions, and recommendations to reduce the vulnerability to allegations of fraud, waste, and abuse.
- Develop and distribute all written compliance policies and procedures to all affected employees.
- Periodically revise the program considering changes in the needs of CNY Quest and in the law, and changes in policies and procedures of government.
- Develop, coordinate, and participate in a multifaceted educational and training program that focuses on the elements of the compliance program and seeks to ensure that all employees are knowledgeable of, and comply with, pertinent federal, state, and private payer standards.
- Ensure that employees, vendors, and Board of Directors do not appear on any of the Federal or State “excluded, debarred or suspended” listings published by Medicare and Medicaid.
- Ensure that all staff are informed of compliance program standards regarding coding, billing, documentation, and marketing, etc.
- Assist in coordinating internal compliance review and monitoring activities, including annual or whenever necessary reviews of policies.
- Review the results of compliance audits, including internal reviews of compliance, independent reviews, and external compliance audits.
- Independently investigate and act on matters related to compliance, including the flexibility to design and coordinate internal investigations.
- Develop policies and programs that encourage managers and employees to report suspected fraud and other improprieties without fear of retaliation. (See Whistleblower Policy)
- Interact with external legal counsel to discuss CNY Quest, Inc’s. initiatives on regulatory compliance.
- Handle inquiries by employees, volunteers, affiliates, consumers, and family members regarding compliance issues.
- Develops an annual compliance workplan that outlines the strategy for meeting compliance program requirements and addresses all elements.

The Corporate Compliance Officer has the authority to review all documents and other information relative to compliance activities, including, but not limited to HR/Personnel records, requisition forms, billing information, claims information, and records concerning marketing efforts and arrangements with clients.

B. Compliance Committee

CNY Quest will designate a Compliance Committee to advise the Corporate Compliance Officer and assist in implementing the compliance program as needed. The Compliance Committee will consist of senior managers. The Corporate Compliance Officer will also select committee members to represent Human Resources and other Departments/Divisions as needed. The Chair of the Compliance Committee will report periodically to the Board of Directors. The Compliance Committee has a charter which outlines the duties, responsibilities, membership designation of a chair, and frequency of meetings. The Compliance Committee Charter is reviewed annually and will be dated with the date of review and a description of any updates.

The functions of the Compliance Committee are to:

- Work with the Compliance Officer to ensure that CNY Quest has, and maintains, an effective Compliance Program.
- Analyze the regulatory environment where CNY Quest does business, including legal requirements with which it must comply.
- Review and assess existing policies and procedures that address risk areas for incorporation into the Compliance Program.
- Review and monitor Compliance Program training and education to ensure they are effective and completed promptly.
- Ensure that CNY Quest has effective systems and processes in place to identify Compliance Program risks, overpayments, and other issues and has effective policies and procedures for correcting and reporting such issues.
- Work with departments to develop standards, policies, and procedures that address specific risk areas and to encourage compliance according to legal and ethical requirements.
- Coordinate with the Compliance Officer to ensure that the written policies and procedures, and Standards of Conduct are current, accurate, and complete.
- Develop internal systems and controls to carry out compliance standards, Standards of Conduct, and policies and procedures.
- Coordinate with the Compliance Officer to ensure communication and cooperation by Affected Individuals on compliance-related issues, internal or external audits, or any other function or activity.
- Develop a process to solicit, evaluate, and respond to complaints and problems.
- Monitor internal and external audits to identify issues related to non-compliance.
- Implement corrective and preventative action plans and follow-up to determine effectiveness.
- Ensuring the development and implementation of an annual Corporate Compliance Work Plan.
- Advocate for sufficient funding, staff, and resources to be allocated to the Compliance Officer to carry out duties related to the Compliance Program.
- Ensure that CNY Quest has appropriate systems and policies in place that effectively identify risks, overpayments, and other areas of concern including fraud, waste, and abuse.

- Monitor and evaluate CNY Quest’s Compliance Program for effectiveness and make recommendations for necessary modifications to the Compliance Program as applicable.
- Conduct an annual evaluation of the effectiveness of the Compliance Program.
- Review and reassess its Charter at least annually and submit any recommended changes to the Chief Executive for consideration.

VIII. Compliance Program Training & Education

An effective Compliance Program is embedded in a thorough education and training program. Education and training are designed to teach each person how to carry out their responsibilities effectively, efficiently and in compliance with statutory and regulatory compliance requirements. Education and training are designed to be responsive to the educational needs of CNY Quest’s workforce identified through internal and/or external reviews, audits, or compliance assessments or by government notices, alerts, and/or other advisory statements.

Inadequate training significantly increases the risks of compliance issues and violations of the applicable statutes and regulations. CNY Quest requires all employees, contractors, and volunteers to attend specific training within 90 days (about 3 months) of hire and on an annual and as needed basis thereafter. This will include training in federal and state statutes, regulations, program requirements, policies of private payers, and corporate ethics. The training emphasizes CNY Quest’s commitment to compliance with these legal requirements and policies.

The Corporate Compliance Officer or other designated staff member will document the attendees, the subjects covered, and any materials distributed at the training sessions. The Corporate Compliance Officer or designated staff member for the training will track attendance by using a sign-off sheet after completion. CNY Quest will look at the effectiveness of the compliance training program using post-tests.

Basic training will include:

- Overview of the Organization’s regulatory environment
- Examples of fraud, waste, and abuse.
- The Organization’s compliance structure
- The seven elements of compliance
- Where to find the compliance plan and policies and procedures on the Organization’s Paylocity Website.
- Key laws and regulations to be aware of
- The Organization’s commitment to non-retaliation
- Duty to report misconduct.

IX. Developing Effective and Open Lines of Communication

Open lines of communication encourage everyone to express their compliance, quality, and other concerns and/or suggestions for improvement without fear of retaliation. Open communication is essential to maintaining an effective Compliance Program.

Person's including Medicaid recipients of service, who report compliance issues should have reasonable expectation that their communication will be kept confidential, whether read CNY Quest, Inc or not.

All parties are protected under CNY Quest's non-intimidation, non-retaliation policies. CNY Quest has implemented and enforces a non-retaliation policy to protect individuals who report suspected or actual non-compliance issues in good faith. CNY Quest will protect whistle-blowers from retaliation. CNY Quest will not retaliate against employees who, in good faith, have raised a complaint against some practice of CNY Quest, or of another individual or entity with whom CNY Quest has a business relationship, based on a reasonable belief that the practice is in violation of law, or a clear mandate of public policy.

Staff, vendors, interns, contractors, and Board Members are obligated to report to the Corporate Compliance Officer any activity he or she believes to be inconsistent with CNY Quest's policies or state and federal law. CNY Quest has a Whistleblower policy which is intended to encourage and enable employees and others to raise serious concerns within CNY Quest or to seek resolution outside of the agency. The policy protects employees who in good faith report ethics violations from harassment, retaliation, or adverse employment consequences. Any employee who retaliates against someone who has reported a violation in good faith is subject to discipline up to and including termination of employment.

Reports of violations or suspected violations will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation. The Corporate Compliance Officer will notify the sender and acknowledge receipt of the reported violation or suspected violation within five business days. All reports will be promptly investigated, and appropriate corrective action will be taken if warranted by the investigation.

Any potential problem or practice which is, or is reasonably likely to be, in violation of, or inconsistent with, federal or state laws, rules, regulations, or directives or CNY Quest's rules or policies relative to the delivery of healthcare services, or the billing and collection of revenue derived from such services, and any associated requirements regarding documentation, coding, supervision, and other professional or business practices must be reported to the Corporate Compliance Officer.

Any person who has reason to believe that a potential problem or practice is or may be in existence should report the circumstance to the Corporate Compliance Officer. Such reports may be made verbally or in writing and made anonymously. To make an anonymous complaint use the mailing address, fax or phone number below. All parties (including but not limited affected individuals and Medicaid recipient of services) may

consult with the Corporate Compliance Officer with CNY Quest or report violations through the following mediums:

1. Open Communication with the CCO. Personnel may contact CNY Quest's CCO directly either in person or by telephone at (315) 732-3435 ext. 236. Please note that open communication with the CCO is not an anonymous form of communication.
2. E-mail. Personnel may also e-mail the CCO at jenny.dempsey@cnyquest.com. Please note that e-mail is not an anonymous form of communication.
3. Anonymous Hotline. CNY Quest maintains a 24-hour, anonymous hotline for reporting complaints or asking CNY Questions about compliance issue(s). The anonymous hotline number is (315) 732-3435 ext. 255. The hotline is accessible only by the CCO.
4. Anonymous Mail. Personnel may submit anonymous complaints to CNY Quest in writing by mailing a letter to the CCO: CNY Quest, Attn: Jennifer Culver, 4713 Crossroads Park Drive, Suite 501 Liverpool, NY 13088.

In addition to reporting to the CCO, Personnel may also report violations or suspected violations to their supervisor directly.

Suspected Fraud or Abuse in connection with Federal health care programs may be confidentially reported to HHS-OIG Fraud Hotline: 1 (800) HHS-TIPS.

The Corporate Compliance Officer will maintain open lines of communication with the CEO, Board of Directors, and Compliance Committee including but not limited to Compliance Committee meeting minutes, Compliance Work Plan, auditing results, and compliance issues.

The Corporate Compliance Officer will promptly document and investigate reported matters that suggest substantial violations of policies, regulations, statutes, or program requirements to determine their accuracy.

The Corporate Compliance Officer will work closely with legal counsel who can provide guidance regarding complex legal and management issues.

As a further reflection of CNY Quest's efforts to nurture an ethical culture, exit interviews with the Compliance Director are available to any employee or Board member leaving CNY Quest

X. Disciplinary Standards

All members of CNY Quest will be accountable for failing to comply with applicable standards, laws, and procedures.

The Supervisor or Manager will be responsible for taking appropriate disciplinary action if an employee fails to comply with applicable regulations or policies. The disciplinary

process for violations of compliance programs will be administered according to CNY Quest's protocols depending upon the seriousness of the violation. The Corporate Compliance Officer is to be consulted and may consult legal counsel in determining the seriousness of the violation.

If the deviation occurred due to legitimate, explainable reasons, the Corporate Compliance Officer and supervisor/manager may want to limit disciplinary action or take no action. If the deviation occurred because of improper procedures, misunderstanding of rules, including systemic problems, CNY Quest will take immediate action to correct the problem.

When disciplinary action is warranted, it should be prompt and imposed according to written standards of disciplinary action in the CNY Quest Employee Handbook. These written policies are contained within the CNY Quest Employee Handbook and are available to all affected individuals through Paylocity.

Examples of types of infractions and violations for which disciplinary or corrective action will be taken include but is not limited to:

- Noncompliance with laws, regulations, policies, or procedures;
- Failure to report noncompliance;
- Knowingly submitting a false, malicious report of noncompliance against another employee;
- Failure to complete the compliance training program;
- Encouraging or assisting another to engage in noncompliance;
- Retaliation against an employee or contractor who reports in good faith a concern regarding noncompliance.

This list is designed to give examples of compliance violations and is not an exhaustive list of all types of conduct that may constitute grounds for disciplinary action, including termination of employment.

XI. Auditing & Monitoring

CNY Quest's compliance program includes regular auditing and monitoring of compliance risks including internal and external audits. Program Directors will complete Quality Assurance Reports for their respective programs quarterly. These are shared with the compliance committee, CEO, and Board of Directors.

The Corporate Compliance Officer will also conduct ongoing evaluations of compliance processes involving thorough monitoring and regular reporting to the Board of Directors, Chief Executive Officer, Compliance Committee and Program Directors. The Corporate Compliance Officer will develop an annual audit plan designed to address CNY Quest's key compliance risk areas. The audit work program steps will inquire into compliance with specific rules and policies that have been the focus of Medicaid as evidenced by OIG audits and work plans, OMIG audits and work plans and evaluations and officially announced law enforcement initiatives. Audits will reflect areas of concern that are specific to CNY Quest

The Corporate Compliance Officer will also complete an Annual Compliance Program review shared with the CEO, senior management, compliance committee and Board of Directors. This report will review whether the Medicaid Compliance Program requirements are being met, determine the effectiveness of the compliance program, and whether any revision or corrective action is required.

The Corporate Compliance Officer should be aware of patterns and trends in deviations identified by the audit that may indicate a systemic problem.

The Compliance Officer will review the Medicaid/Medicare Fraud Alerts. OIG and OMIG Fraud Checks are completed at least every 30 days by the Corporate Compliance Officer. All employee names as well as contractors, agents, subcontractors, and independent contractors are entered into the OIG and OMIG databases to ensure they are not on the exclusion lists.

The Compliance Officer will ensure that any conduct disparaged by the Fraud Alert is immediately ceased, implement corrective actions, and take reasonable actions to ensure that future violations do not occur.

XII. Responding To Compliance Issues

Violations of CNY Quest's compliance program, failure to comply with applicable state or federal law and other types of misconduct may threaten CNY Quest's status as a reliable, honest, and trustworthy provider, capable of participating in Medicaid programs. Detected, but uncorrected, misconduct may seriously endanger the mission, reputation, and legal status of CNY Quest. Consequently, upon reports or reasonable indications of suspected noncompliance, the Corporate Compliance Officer must initiate an investigation to determine whether a violation of applicable laws or requirements has occurred.

Based upon initial indication of the scope and seriousness of the suspected violation, a determination regarding the speed, intensity, and priority of an investigation shall be made by the Compliance Officer using guidance parameters predetermined by the Board of Directors and CEO. The Board of Directors and CEO will determine appropriate management to assist in the investigation.

The Corporate Compliance Officer will maintain a log of reported or suspected material violations, which identifies, but is not limited to the date of receipt, assignment of priority, and resources. The Compliance Officer will maintain records of the investigation including documentation of the alleged violation, description of the investigation, investigation notes, key records/documents, a log of witnesses and related documentation, and the results. These records will be maintained for a minimum of seven years but will be maintained longer if active follow-up investigations continue, problems re-occur, or organizational policy or laws and regulations require longer periods of retention.

If the original report or initial assessment suggests a broad scope, serious issue, or possible criminal behavior, the Corporate Compliance Officer will consult with Legal Counsel and initiate a diligent investigation within a reasonable timeframe.

If severe and/or pervasive violations or when criminal behavior appear evident, the Corporate Compliance Officer will inform the Board of Directors, Chief Executive Officer, and Legal Counsel, and initiate corrective action and referral to appropriate law enforcement authorities.

The Corporate Compliance Officer and appropriate management will take other action if necessary to ensure the integrity of the investigation including recommending the temporary removal of workforce who may be under suspicion or securing records to prevent their alteration or destruction.

If a conflict of interest may exist, the Corporate Compliance Officer, Chief Executive Officer or Board of Directors may request and designate another person to assume the Compliance Officer's role for that investigation if needed to ensure an adequate and timely investigation.

The Corporate Compliance Officer can enlist the Board of Directors members when necessary or may engage in additional outside assistance such as counsel or auditor, to ensure an adequate and timely investigation. If a work product is produced and prepared under the direction of or by legal counsel for the purpose of providing legal advice, those materials will be appropriately labeled, and access restricted accordingly.

The Corporate Compliance Officer and appropriate management will maintain the security and confidentiality of these records restricting access to those with a legitimate need to know and by virtue of their job responsibilities.

If the deviation occurred due to legitimate, explainable reasons, the Corporate Compliance Officer and supervisor/manager may want to limit disciplinary action or take no action. If the deviation occurred because of improper procedures, misunderstanding of rules, including systemic problems, CNY Quest should take immediate action to correct the problem.

The Compliance Officer, Chief Executive Officer, and appropriate management will assess the results of the investigation and take direct action as warranted by the findings if a violation of law, regulation or policy has occurred. Such steps may include referral to law enforcement authorities, or a corrective action plan, a report to the Government, or refund of overpayment as warranted by the findings.

Follow-up action should be timely-within sixty (60) days from the time the investigation is completed.

When a corrective plan is established, it will outline the specific action to be taken, the person(s) delegated to implement the action, follow-up reviews scheduled by those persons. Timely reporting of the follow-up reviews and

proof that the corrective action has been effective will be provided to the Corporate Compliance Officer and Chief Executive Officer.

****If disciplinary action is warranted, it should be prompt and implemented in accordance with CNY Quest's written standards of disciplinary action. ****

When making a repayment for an overpayment, CNY Quest should inform the payer of the following: (1) the refund is being made pursuant to a voluntary compliance program; (2) a description of the complete circumstances prompting the overpayment; (3) the methodology by which the overpayment was determined; (4) any claim-specific information used to determine the overpayment; and (5) the amount of the overpayment.

The CEO of CNY Quest has the authority and responsibility to direct repayment to payers and the reporting of misconduct to enforcement authorities as is determined, in consultation with legal counsel, to be appropriate or required by applicable laws and rules.

If the CEO of CNY Quest has credible evidence of misconduct and has reason to believe that the misconduct may violate criminal, civil, or administrative law, then the Corporate Compliance Officer will promptly report the matter to the appropriate government authority within a reasonable time frame, but not more than 60 business days after determining that there is credible evidence of a violation.

When reporting misconduct to the government, the Corporate Compliance Officer should provide all evidence relevant to the potential violation of applicable federal or state laws and the potential cost impact.

XIII. Self-Disclosure Program

OMIG has enacted a Self-Disclosure process to allow providers a mechanism to report, return, and explain overpayments from the Medicaid program. The process covers all Medicaid program providers. Anyone who has received an overpayment under the program directly or indirectly shall report, return, and explain it by a Self-Disclosure Statement to OMIG's Self-Disclosure Program.

Timeline:

The person shall report and report the overpayment and interest if applicable to the department and explain the reasons for the overpayment to OMIG within 60 days of identification, or by the date of any corresponding cost report was due, if applicable.

A person has identified an overpayment when that person has or should have through reasonable due diligence, determined that they have received an overpayment and quantified the amount of overpayment. Where a person fails to exercise reasonable due diligence, and that person received an overpayment, they shall be subject to any enforcement action authorized by section 521-3.7 of this subpart of the Social Services Law and any applicable provisions of federal and state law including but not limited to Article XIII of the NYS (New York State) Finance Law.

When making a repayment for an overpayment, CNY Quest will follow the direction of OMIG following the self-disclosure to inform the payor of the following: 1.) the refund is being made pursuant to a voluntary compliance program 2.) a description of the complete circumstances prompting the overpayment 3.) the methodology by which the overpayment was determined 4.) any claim specific information used to determine the overpayment and 5.) the amount of the overpayment

The CEO of CNY Quest shall of the authority and responsibility to direct repayment to payers and the reporting of misconduct to enforcement authorities as determined, in consultation with legal counsel, to be appropriate or required by applicable laws and rules.

If the CEO discovers credible evidence of misconduct and has reason to believe the misconduct may violate criminal, civil, or administrative law, then the CEO will promptly report the matter to the appropriate government authority within no more than 60 days after determining there is credible evidence of a violation.

IX. Laws Regarding the Prevention of Fraud, Waste, and Abuse

The following represent brief summaries of laws. CNY Quest's Compliance Officer can provide more information about these laws and their applications to specific situations.

A. Federal Laws

1. *The Federal False Claims Act (FCA)*: The Federal False Claims Act prohibits a person from submitting a claim to the federal government that he/she knows (or should know) is false. The False Claims Act also imposes liability on an individual who knowingly submits a false record or document to the government to receive reimbursement or obtains money from the federal government to which he or she may not be entitled, and then uses false statements or records to retain the money.

Examples include but are not limited to:

- a. billing for services that were not actually rendered,
- b. billing for a more highly reimbursed serve or product then the one provided,
- c. falsely certifying that services were medically necessary,
- d. double billing,
- e. failing to refund overpayments made by a federal health care program

Individuals may be entitled to bring an action under the FCA and share in a percentage of any recovery. However, if the action has no merit and/or is primarily the purpose of harassing the agency, the individual may have to pay the agency for the agency's legal fees and costs.

Proof of specific intent to defraud is not required. However, honest mistakes and more negligence are not the basis for false claims. The FCA provides civil penalties per false claim plus three times the amount of damages that the government sustains.

2. *Federal Anti-Kickback Law*: Individuals/entities may not knowingly offer, pay, solicit or receive remuneration in exchange for referring, furnishing, purchasing, leasing, or ordering a service or item paid for by Medicaid, Medicare, or other federal health care program unless the transaction fits within a safe harbor. This applies to any form of remuneration to induce or reward referrals for federal health care program business (money, free, or discounted items or services, overpayments or underpayments, waivers of co-payments or deductibles, low interest loans or subsidies, or business opportunities that are not commercial reasonable. Criminal or civil penalties include repayment of damages, fines, imprisonment, and exclusion from participation in federal programs.
3. *Civil Monetary Penalties Law*: Individuals are prohibited from specified conduct including submitting false or fraudulent claims or misrepresenting facts, kickbacks, offering inducements to Medicare/Medicaid beneficiaries, offering inducements to physicians to limit services, submitting claims for services ordered by, or contracting with, and excluded entity, failing to report or repay an overpayment, failing to grant government timely access. Penalties include fines, treble damages, denial of payment repayment of amounts improperly paid, and exclusion from participating in the Medicare/Medicaid programs.

B. State Laws

1. *False Claims Act*: The New York False Claims Act prohibits a person from submitting a claim to the state or local government that the person knows is false. Violators are subject to civil penalties. Individuals may be entitled to bring an action under the False Claims Act and share in a percentage of any recovery. However, if the action has no merit and/or is primarily for the purpose of harassing the agency, the individual may have to pay the agency for the agency's legal fees and costs.
2. *Criminal Health Care Laws*: New York has many criminal laws designed to prevent health care fraud. They include: 1) presenting a false or fraudulent claim for services, submitting false information to obtain greater Medicaid reimbursement, or submitting false information in order to obtain authorization; 2) falsifying or altering business records 3) filing false claims for insurance payments. Violators are subject to criminal prosecution, fines, and imprisonment.
3. *Anti-Kickback Law*: Medicaid providers are prohibited from offering, paying, soliciting, receiving, or giving anything in exchange for the referral of Medicaid services. Violators are subject to civil and criminal enforcement. CNY Quest will not participate in nor condone the provision of inducements or receipt of kickbacks to gain business or influence referrals. Federal and state laws prohibit any form of kickback, bribe, or rebate, either directly or indirectly, in cash or in kind, to induce the purchase or referral of goods, services or items paid for by Medicaid. Since violations of these laws may subject both CNY Quest and the individual involved to civil and criminal

penalties and exclusion from government-funded healthcare programs, all proposed transactions with healthcare providers must be reviewed with legal counsel. Any employee involved in promoting or accepting kickbacks or offering inducements may be terminated immediately.

C. Whistleblower Protections

1. *Federal Whistleblower Protection:* An employee who is discharged, demoted, suspended, threatened, harassed, or discriminated against because of the employee's lawful acts conducted in furtherance of a False Claim Act action is protected from retaliation by the agency. Remedies include reinstatement, two times back pay plus interest, litigation costs, and attorney fees. However, if the employee's action has no basis in law or fact or is primarily for harassment, the employee may have to pay the agency's legal fees and costs.
2. *New York State Whistleblower Protection:* Employees who report a false claim in good faith are protected against discharge, demotion, suspension, threats, harassment, and other discrimination by the agency. Remedies include reinstatement, two times back pay plus interest, and litigation costs and attorney fees. However, if the employee's action has no basis in law and fact or is primarily for harassment, the employee may have to pay the agency's legal fees and costs.

X. Additional Compliance Program Elements:

A. Client Rights

We treat our clients with respect and dignity and provide care that is both necessary and appropriate. No distinction is made in the admission, transfer, discharge or care of individuals based on race, creed, religion, national origin, gender, gender expression, sexual orientation, source of payment or disability. Clients are provided with a written statement of rights which conforms to all applicable laws, and their autonomy and privacy are respected.

Employees involved in client care are expected to know and comply with all applicable laws and regulations and our policies and procedures governing their particular program.

B. Personal Health Information/HIPAA Compliance/Security Training

CNY Quest collects personal health information about our clients to provide the best possible care. We realize the sensitive nature of this information and are committed to safeguarding clients' privacy.

The Corporate Compliance Officer is responsible for development and implementation of policies, procedures and educational programs that will ensure that CNY Quest will continue to be compliant with the Privacy regulations and will also ensure that protected health information is secure.

To ensure that confidentiality is maintained, employees and their representatives must adhere to the following rules:

- Do not discuss protected health information (PHI)/ client information in public areas.
- Limit release of PHI/client information to the minimum necessary for the disclosure.
- Do not disclose PHI without an appropriate consent signed by the client or their legal guardian.
- Honor any restrictions on the use or disclosure of information placed by the client.
- Make sure PHI/client information stored in the computer system is properly secured.
- Be familiar with and comply with special confidentiality rules governing the disclosure of HIV/AIDS, alcohol, substance abuse and mental health treatment.

C. Billing

CNY Quest will bill only for services rendered and fully documented in a person's service records.

No claim for payment or reimbursement of any kind that is false, fraudulent, inaccurate, or fictitious may be submitted. No falsification of medical, time or other records that are used as the basis for submitting claims will be tolerated.

CNY Quest shall act promptly to investigate and correct the problem if errors in claims are discovered.

CNY Quest shall maintain complete and thorough service and billing records.

All individuals who provide billing information and billing department employees who prepare or submit billing statements must comply with all applicable laws, rules and regulations and CNY Quest policies.

Immediate disciplinary action, up to and including termination will be implemented for instances of intentional misrepresentation of any service provided that results in over billing.

CNY Quest will promptly return to payers any payments which we determine do not conform to our policies and applicable laws.

D. Relationships with Vendors and Suppliers

CNY Quest is committed to employing the highest ethical standards in its relationships with vendors and suppliers regarding source selection, negotiation, determination of contract awards, and administration of purchasing activities. Any business dealings with outside companies, vendors, services, providers, etc. shall not offer any substantial gain

for CNY Quest Board Members, Employees, or Independent Contractors. Substantial would be considered money, gifts, bribes, product discounts not normally offered, hidden benefits, sales commissions, and any other financial benefit or gratuity meant to influence CNY Quest, or any associated person.

CNY Quest does not knowingly contract or do business with a vendor that has been excluded from a government-funded healthcare program. Any vendor or supplier who has access to CNY Quest's PHI and is not a covered entity, will be required to enter into a Business Associate Agreement to comply with applicable federal and state confidentiality and data protections rules, including HIPAA (Health Insurance Portability and Accountability).

E. Retention of Records/Documentation/Destruction

CNY Quest will ensure that all records required by federal and/or state law are created and maintained. All records will be maintained for at least ten years.

Documentation of compliance efforts will include staff meeting and committee minutes, audit reports, memoranda concerning compliance protocols, problems identified, and corrective actions taken.

F. Service Documentation

Timely, accurate and complete documentation is important to client care. This documentation facilitates high quality patient care and verifies that billing is accurate as submitted.

CNY Quest requires that employees follow these documentation guidelines:

- The client record is complete and organized.
- Documentation is timely and contemporaneous (within 48 hours from the provision of service.)

CNY Quest will maintain a process for identifying and reviewing its billing and coding to ensure compliance with applicable state and federal requirements.

Approved by Central New York CNY Quest Board of Directors, April 16, 2024