



For Behavioral & Developmental Growth

# **Corporate Compliance & Professional Ethics**

**Annual Communication and Employee Acknowledgement**

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## **MISSION STATEMENT**

Pathways Center for Behavioral and Developmental Growth provides services that are family centered, culturally and consumer responsive, and that lead to empowerment, self sufficiency, and an improved quality of life for persons affected by serious and persistent mental, developmental, or behavioral challenges.

## **VISION STATEMENT**

We are a team of unique individuals caring deeply about each other and those we serve. Integrity and respect for the individual are our highest values. We empower our consumers to take charge of their lives and accomplish their dreams. We spearhead a powerful community partnership to continuously improve health, quality of life, and satisfaction. We love what we do and we're getting better everyday.

## **PURPOSE**

The purpose of our Compliance and Ethics Program is to ensure that our business is conducted in a compliant and ethical manner and to prevent and detect violations of law or company policy. To accomplish these important objectives, this document:

- (1) Sets forth the manner in which Pathways Center for Behavioral and Developmental Growth and its employees must conduct business;
- (2) Establishes a compliance and ethics-training program to ensure a high level of employee awareness and understanding of applicable law and regulations and the Program requirements
- (3) Establishes a process for reporting and investigating concerns or potential violations;
- (4) Discusses corrective and disciplinary measures to address violations;
- (5) Creates an auditing and monitoring process to ensure compliance. All Pathways Center for Behavioral and Developmental Growth personnel who interact or communicate with U.S. healthcare professionals and/or other healthcare providers, patients/consumers, government personnel, and the media must read, fully understand, and comply with this Corporate Compliance and Professional Ethics Program.

Each employee will be required on an annual basis to certify that he or she has read, understands, and will abide by the Corporate Compliance and Professional Ethics Program by signing the Acknowledgment of Understanding located on the last page of this packet.

This Corporate Compliance and Professional Ethics Program must be read in conjunction with other applicable Pathways Center for Behavioral and Developmental Growth guidance documents, policies, and procedures, including Policy 02-L Code of Organizational Ethics, Policy 03-L Investigations and Acting on Code of Ethics/Corporate Compliance, Policy 04-L Code of Personal and Professional Ethics, and Policy 05-L Contractual Relationships.

As part of its commitment to healthcare law compliance and to ensure the effectiveness of its policies and procedures, the Pathways Center Compliance and Ethics Committee regularly and periodically reviews the Compliance and Ethics Program and other internal compliance policies and procedures to determine whether any of the organization's materials should be revised, enhanced, supplemented, or otherwise updated.

The guidelines set forth in this document may be modified as needed, as determined and approved by the Compliance and Ethics Committee and designated Company personnel.

This program is a living, dynamic entity, constantly developing and changing to meet the evolving needs and demands of the compliance environment and Pathways Center's business needs.

Pathways Center for Behavioral and Developmental Growth continuously reviews and enhances its compliance program, and reserves the right to continue to do so at any time in the future without notice.

## **WHO MUST COMPLY?**

This Code applies to all employees, including the Senior Executive team, members of our Board of Directors, temporary agencies, and contractor personnel working for Pathways Center for Behavioral and Developmental Growth.

Each employee and affiliate of Pathways Center for Behavioral and Developmental Growth must recognize that he or she has assumed a number of professional and ethical responsibilities by affiliating with Pathways Center for Behavioral and Developmental Growth, including compliance with the Corporate Compliance and Professional Ethics Program and all other Pathways Center policies and procedures.

Therefore, it is critical that you read this Corporate Compliance and Professional Ethics Program information carefully.

### **ACTION REQUIRED**

We ask that each of you make a personal commitment to comply with the principles and policies set forth or referred to in this Corporate Compliance and Professional Ethics Program.

We also ask that you observe your commitment to compliance by signing the Acknowledgment of Understanding annually.

# COMPLIANCE WITH THE LAW

Pathways Center for Behavioral and Developmental Growth is committed to refraining from activities that violate or appear to violate any laws that include but not limited to the following.

- **Sarbanes-Oxley:** The Public Company Accounting Oversight Board was created under this Act to oversee the audit of public companies. This board sets standards and rules for audit reports. All accounting firms that audit public companies must register with the Oversight Board. It also inspects, investigates, and enforces compliance from these registered firms.
- **HIPAA (Health Insurance Portability and Accountability Act):** The U.S. Department of Health and Human Services (“HHS”) issued the Privacy Rule to implement the requirement of the Health Insurance Portability and Accountability Act of 1996 (“HIPAA”). 1 The Privacy Rule standards address the use and disclosure of individuals’ health information—called “protected health information” by organizations subject to the Privacy Rule — called “covered entities,” as well as standards for individuals’ privacy rights to understand and control how their health information is used.
- **Employment such as**
  - The Civil Rights Act of 1964, Title VII
  - Americans with Disabilities Act (ADA),
  - Age Discrimination in Employment Act (ADEA)
  - Immigration Reform and Control Act (IRCA)
  - Federal Insurance Contribution Act (FICA)
  - Federal Unemployment Tax Act (FUTA)
  - Family Medical Leave Act (FMLA)
  - Occupational Safety and Health Act (OSHA)
  - Fair Labor Standards Act (FLSA)
  - Equal Pay Act (EPA)
- **Federal False Claims Act:** Imposes liability on anyone who knowingly makes, uses, or causes to be made or used, a false record or statement to get a false or fraudulent claim paid or approved by the government. Federal False Claims Act (FCA) authorizes qui tam actions to be brought on behalf of the federal government by a private party having direct knowledge of the fraud: “Relator receives: 15-25% of proceeds if government intervenes; 25-30% if it does not; attorneys’ fees also covered.

It is the responsibility of all Pathways Center for Behavioral and Developmental Growth employees and affiliates doing business with Pathways Center for Behavioral and Developmental Growth to be diligent to avoid any violations of laws.

## **RESPECT FOR ALL PEOPLE**

It is Pathways Center's intention to promote an organizational culture that encourages ethical conduct which includes respect for all people.

Pathways Center for Behavioral Health and Developmental Growth requires its Executive Director, Senior Executive team, and all managers/supervisors to provide ethical leadership to employees and business partners of the agency and to insure that adequate systems are in place to facilitate ethical and legal conduct and business practices.

The words and actions of all Pathways Center's employees will be a measure of the agency's commitment to high professional ethical standards.

Employees can demonstrate respect with simple, yet powerful actions. The actions listed below will help to avoid needless, insensitive, unmeant disrespect.

- Treat all employees, regardless of position, with courtesy, politeness, and kindness.
- Encourage employees to express opinions and ideas.
- Listen to what other employees have to say before expressing your viewpoint. Never speak over or interrupt another person.
- Never insult people, name call, disparage or put down people or their ideas.

- Do not constantly criticize over little things, belittle, judge, demean or patronize. A series of seemingly trivial actions, added up over time, constitutes bullying.
- Do not gossip about employees. This creates an uncomfortable and unproductive work environment for all employees.
- Do not disrupt the work environment by actions that could be disruptive to others and distract them from their work. Examples include but are not limited to...loud conversations, confrontations, inappropriate language, etc.
- Never invade an employee's work space unless you have proper authorization from a member of the leadership team to do so.
- Treat employees the same no matter their race, religion, gender, size, age, or country of origin. Treating people differently can constitute harassment or a hostile work environment.
- Include all coworkers in meetings, discussions, training, and events. While not every person can participate in every activity, do not marginalize, exclude or leave any one person out. Provide an equal opportunity for employees to participate in committees, task forces, or continuous improvement teams. Solicit volunteers and try to involve every volunteer.
- Praise much more frequently than you criticize. Encourage praise and recognition from employee to employee as well as from the supervisor.
- "Treat others as you wish to be treated"

Following these simple guidelines will help ensure a professional, courteous, considerate, and respectful workplace.

## **CORPORATE RESPONSIBILITY**

Pathways Center for Behavioral and Developmental Growth recognizes its responsibility to conduct its business in an ethical and legal manner and has written standards of conduct as well as policies and procedures that promote the organization's commitment to compliance.

Pathways Center has delegated oversight to employees in the organization that report directly to the Executive Director.

Communication of compliance rules and procedures to all employees and agents is a priority. In order to insure a confidential reporting system, employees will be given direct access to the Corporate Compliance Officer.

As a provider of care, the agency's compliance efforts are designed to establish a culture that promotes prevention, detection, and resolution of instances of conduct that do not conform to Federal and State law; or Federal, State, and private payor behavioral health care program requirements.

Pathways will act in a timely manner in response to any allegation of an offense. Pathways' Center for Behavioral and Developmental Growth is committed to incorporating the disciplinary consequences of noncompliance to all employees.

Pathways Center has exercised due care not to delegate managerial authority or oversight to individuals who have a propensity to engage in criminal conduct.

The culture of the agency is evaluated regularly, and Pathways Center is committed to treating every consumer with the same quality of care regardless of payor source, and in accordance with applicable law.

We are committed to deliver medically and clinically necessary services in the most efficient and prudent manner. We are intolerant of any fraud, waste, and abuse throughout the programs and service units of the healthcare agency.

We encourage reporting of any activities that do not adhere to with our corporate compliance standards. We strive to hold those with whom we conduct business to these same standards.

The Ethics and Corporate Compliance Program of Pathways sets forth policies and procedures that are to be followed by anyone affiliated with Pathways Center for Behavioral and Developmental Growth. This includes board members, staff, volunteers, students and trainees, contract staff, and all other employees, contractors, and vendors.

The ethics and corporate compliance program incorporates the agency's Professional Code of Ethics.

## **CODE OF ETHICS**

***Pathways Center holds its staff accountable to an exacting code of ethics. These ethics guide the organization and its employees in the conduct of professional behavior, human resource activities, business and marketing practices, service delivery, and conflicts of interest.***

### **Professional Responsibilities:**

Staff will be held accountable to an exacting code of professional ethics. Staff is to conduct themselves in compliance with the State of Georgia Code for Government Service, Rules of the State Personnel Board, Pathways Center policies defining standards of conduct, as well as expectations defined in this Corporate Compliance and Professional Ethics document.

### **Human Resources:**

In general, the organization is not concerned with non-work time of employees. Off-duty conduct becomes a legitimate concern when it effects the employee's ability to perform and fulfill their job responsibilities, when it negatively effects the organization's operations, or when it reflects unfavorably on the organization.

### **Business Practices:**

Pathways Center will conduct its business operations using generally accepted business practices and procedures. The organization will follow all mandated practices outlined in any contractual arrangements agreed to in the provision of services.

Board members and staff will refrain from participating in activities that are in conflict with or give the appearance of being in conflict with their affiliation with Pathways Center services.

Collection of fees and revenues will be done according to generally accepted business practices. Persons served are to be charged only for the billable services that are actually received. Persons served are also entitled to an itemized statement of all such charges incurred.

**Marketing Practices:**

The organization will conduct its marketing practices in accordance with truthful advertising of services and with the intent to portray the agency in an honest, accurate manner.

The agency will attempt to promote access to services for consumers by publicizing the locations and services available to the citizens that it serves. Pathways Center will be factual in its description of its programs, outcomes, staff credentials, and accreditation status in advertising of its services.

**Service Delivery:**

It is the intent of Pathways Center to conduct its clinical practices in line with those treatments considered “best practices”. Pathways Center does not allow clinicians to perform treatments unless they are trained and thoroughly experienced in those techniques. Pathways Center does primary source verification of all educational degrees and licenses of its medical and professional clinical staff. The National Practitioner Data Bank for physicians and professional clinical staff is queried to determine if there are adverse actions reported concerning candidates for employment.

As covered employees of the Georgia State Personnel Administration all employees are subjected to a pre-employment drug test and a criminal records check as a condition of employment. These actions are designed to prevent the delegation of substantial discretionary authority to individuals who have a propensity to engage in illegal activities.

Clinical practices are conducted with a commitment to serving the best interest of each individual who presents themselves for treatment, and take seriously every tenet of the professional obligation to serve those in need.

**Conflict of Interest:**

Employees will not engage in outside activities which may enhance themselves financially as a result of knowledge, information, or action taken in their official capacity as an employee of Pathways Center.

***Any accusation of violation of the organization's code of ethics can be handled by contacting the Executive Director at 706-845-4045. The Executive Director will assure that a timely, thorough investigation of the allegation occurs in accordance with Pathways Center Policy.***

## **CORPORATE COMPLIANCE OFFICER AND COMPLIANCE AND ETHICS COMMITTEE**

The Corporate Compliance Officer is a member of management who oversees all compliance activities, including the implementation of this Compliance and Ethics Program and other Company compliance policies and procedures. The Corporate Compliance Officer is responsible for developing and implementing policies, procedures, and practices designed to ensure compliance with federal and state healthcare programs.

The Corporate Compliance Officer makes periodic reports regarding compliance activities directly to the CEO and Board of Directors.

The Corporate Compliance Officer is ***Stephanie Ellis***.

The Corporate Compliance Officer heads the Compliance and Ethics Committee, which is comprised of senior managers from various departments, such as Finance, Medical and Clinical Affairs, Office Administration, Human Resources, Information Management and Internal Audit.

The Compliance and Ethics Committee supports the Corporate Compliance Officer in all activities of the Compliance and Ethics Program. The Committee meets on at least a quarterly basis to discuss compliance and policy issues confronting the organization.

The Compliance Office is key to the effective implementation of the Pathways Center for Behavioral and Developmental Growth Compliance Program. In addition to implementing and administering this Compliance and Ethics Program, the Corporate Compliance Officer duties include:

Implementation of an Investigative Protocol

The Corporate Compliance Officer is responsible for reviewing, assessing, and, as appropriate, investigating reports of possible misconduct from Company employees, independent contractors or anyone contacting the Compliance Hotline (the Compliance Hotline is discussed in further detail below under “Reporting and Investigating Compliance Issues”).

Due Diligence Oversight of Employee and Contractor Selection

The Corporate Compliance Officer is responsible for ensuring that Pathways Center for Behavioral and Developmental Growth does not employ or contract with any individual or entity that has been excluded from participation in the federal health care programs. Pathways Center for Behavioral and Developmental Growth also will conduct appropriate additional background checks on potential employees, agents, contractors, and affiliates on a case-by-case basis as it determines is appropriate.

## **COMPANY POLICIES AND PROCEDURES**

Pathways Center for Behavioral and Developmental Growth has developed and implemented written compliance policies and procedures designed to ensure consistency with applicable law and regulations and the highest standards of business integrity.

The Corporate Compliance Officer, Compliance and Ethics Committee, and other designated personnel are charged with developing, implementing, communicating, and updating the Company's compliance policies and procedures.

To support its objectives under the Compliance and Ethics Program, Pathways Center for Behavioral and Developmental Growth has implemented the Code of Ethics (the "Code").

The Code summarizes the compliance and ethics standards that govern all Pathways Center for Behavioral and Developmental Growth operations. These standards are further addressed and explained in other Pathways Center for Behavioral and Developmental Growth policies and procedures designed to ensure the business operates in a compliant and ethical manner.

## **TRAINING PROGRAMS**

A critical component to the success of the Compliance and Ethics Program is effective compliance and ethics education and training programs. Therefore, Pathways Center for Behavioral and Developmental Growth is committed to effectively educating and training all Pathways Center for Behavioral and Developmental Growth personnel on healthcare law compliance, including compliance with

- (1) applicable law and regulations,
- (2) Pathways Center for Behavioral and Developmental Growth policies and procedures, and
- (3) ethical issues.

All Pathways Center for Behavioral and Developmental Growth compliance and ethics training programs are rendered under the general direction of the Corporate Compliance Officer.

The Pathways Center for Behavioral and Developmental Growth compliance training programs are designed and implemented in a manner to promote

- (1) awareness and understanding of applicable law and the Company compliance and ethics policies and procedures, including, but not limited to, the mechanisms available to report known or suspected violations, and
- (2) a spirit of compliant and ethical behavior within the Company.

To achieve these goals, all relevant new employees receive thorough compliance and ethics training within thirty [30] days after the start of their employment. Moreover, relevant employees and other personnel (e.g., personnel who interact with healthcare professionals, patients, government entities, etc.) must complete one [1] hour of compliance and ethics training or education per calendar year. All participants are required to sign an attendance sheet at each internal training session attended and certify attendance at any external training sessions.

# **REPORTING AND INVESTIGATING**

## **Internal Lines of Communication**

Pathways Center for Behavioral and Developmental Growth is committed to fostering dialog and maintaining open lines of communication among compliance personnel, management, and employees.

Our goal is that all employees know from whom they can seek answers to questions regarding the Compliance and Ethics Program and report suspected compliance violations.

Pathways Center for Behavioral and Developmental Growth is committed to ensuring that employees can discuss such matters with the appropriate personnel without fear of retribution or retaliation.

Toward that end, Pathways Center for Behavioral and Developmental Growth has instituted open-door and confidentiality policies with respect to compliance matters.

Additionally, Pathways Center for Behavioral and Developmental Growth has established a compliance hotline for employees who wish to report potential compliance violations anonymously.

## **Reporting Suspected Violations**

All Pathways Center for Behavioral and Developmental Growth personnel, regardless of position, are responsible for reporting to the Company any suspected or actual

violation of law, regulation, policy or procedure by another employee or agent.

Accordingly, if you become aware of or reasonably believe that there may have been an actual or potential violation of a law, regulation, policy or procedure, you must report the violation or your concerns to Pathways Center for Behavioral and Developmental Growth by contacting the Corporate Compliance Officer or the Compliance Hotline at 706-298-7854.

It is also appropriate to discuss compliance concerns or potential violations with your supervisor, a member of the Senior Executive team, or Human Resources.

Reports made through the Compliance Hotline may be made anonymously. To the extent possible and consistent with the law and the Pathways Center for Behavioral and Developmental Growth need to investigate the report, any reported information shall remain confidential if requested by the individual making the report.

Pathways Center for Behavioral and Developmental Growth will not retaliate or otherwise take adverse action against an employee who makes a good-faith report of any known or suspected violations or seeks assistance to address a compliance concern.

### Investigation Procedures

Pathways Center for Behavioral and Developmental Growth is committed to conducting its business consistent with applicable laws and regulations and Pathways Center policies and procedures.

It is our policy to respond promptly to potential violations of law or Company policy or procedure and to take appropriate disciplinary or corrective action to address inappropriate conduct and deter potential future violations.

Each potential violation will be considered on a case-by-case basis in accordance with Pathways Center for Behavioral and Developmental Growth procedures. The exact nature of any investigation shall be tailored to suit the circumstances presented. The Corporate Compliance Officer, in consultation with the Compliance and Ethics Committee as appropriate, shall determine the proper course and resolution of such investigations.

### Disciplinary Actions

Pathways Center for Behavioral and Developmental Growth believes it is important to take reasonable and consistent corrective action to address compliance violations and deter potential future misconduct.

Disciplinary action for noncompliance may include a broad range of disciplinary measures, including oral or written warnings, remedial compliance training, suspension, termination, or other sanctions, as appropriate.

Furthermore, compliance with Pathways Center for Behavioral and Developmental Growth policies and procedures will be a factor in all applicable employee performance reviews.

## **AUDITING AND MONITORING**

Pathways Center for Behavioral and Developmental Growth commits to regularly audits and monitors its compliance policies and procedures to ensure the effectiveness of this Corporate Compliance and Professional Ethics Program and other Pathways Center for Behavioral and Developmental Growth compliance guidelines.

Auditing and monitoring activities are designed to identify matters and potential or emerging risk areas which require further investigation and opportunities for additional compliance training.

Auditing and monitoring results may be used to make changes in business practices or Pathways Center for Behavioral and Developmental Growth policies or procedures.

Some audits will be conducted using internal resources whereas others will involve the outside state agencies, consultants, or attorneys.

Pathways Center for Behavioral and Developmental Growth considers a number of factors in connection with the nature, frequency, and extent of such reviews, including changes in applicable law and regulation or areas of particular concern or interest.

## **REVISIONS**

As part of its commitment to healthcare law compliance and the highest standards of business integrity and to ensure the effectiveness of its policies and procedures, Pathways Center for Behavioral and Developmental Growth requires the Compliance and Ethics Committee to review, on at least an annual basis, the Compliance and Ethics Program and other internal compliance policies and procedures to determine whether any of the organization's materials should be revised, supplemented, or otherwise updated.

The guidelines set forth in this document may be modified as needed, as determined and approved by the Corporate Compliance and Professional Ethics Committee, in consultation with the Corporate Compliance Officer and other appropriate Company personnel.

# Acknowledgement of Understanding



## **PATHWAYS CENTER FOR BEHAVIORAL AND DEVELOPMENTAL GROWTH COMPLIANCE & PROFESSIONAL CODE OF BUSINESS CONDUCT**

### **Acknowledgement and Certification of Receipt, Understanding and Compliance**

I, \_\_\_\_\_, an employee, officer, director, contractor, sub-contractor, agent or independent distributor of, or temporary agency or contract personnel assigned to, Pathways Center for Behavioral and Developmental Growth, Inc., or one of its affiliated entities, have received, read and understand the requirements that apply to me and that are included in this Corporate Compliance and Professional Ethics Code of Business Conduct. By my signature, I agree to follow and support these requirements.

I acknowledge that I have received this Compliance and Ethics Program from Pathways Center for Behavioral and Developmental Growth. I have read and understand, and will abide by the terms of, the Compliance and Ethics Program and any future amendments, modifications, or changes that may be made to it (which are deemed automatically incorporated into this Compliance and Ethics Program).

If there is any provision that I do not understand, it is my responsibility to seek clarification prior to signing this Acknowledgment.

I understand that any violation of the Compliance and Ethics Program and related policies and procedures may subject me to adverse consequences, including termination of my relationship with Pathways Center for Behavioral and Developmental Growth, as well as other penalties.

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Position: \_\_\_\_\_

Date: \_\_\_\_\_

Supervisor Name: \_\_\_\_\_