

1.A.9. CORPORATE COMPLIANCE

Effective Date: 2/18/2025	Approval Date: 2/18/2025
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POLICY

Minute Man Arc is committed to ensuring compliance with all applicable laws, regulations, standards, and ethical practices. This includes, but is not limited to:

- Federal and State Disability Laws: Including the Americans with Disabilities Act (ADA), Individuals with Disabilities Education Act (IDEA), and state-specific disability services laws.
- Health and Safety Standards: Compliance with OSHA regulations, HIPAA for privacy and security of medical records, and applicable state health department regulations.
- Regulatory Standards set forth by state and federal funding and governing bodies
- Billing and Medicaid Fraud Prevention: Adherence to all laws governing billing for services, including Medicaid and Medicare billing, and the prevention of fraud, waste, and abuse.

This policy document, in conjunction with our organization's Code of Ethics and Conflict of Interest policies, makes up our Corporate Compliance program.

PURPOSE

The purpose of this Corporate Compliance policy is to establish internal controls that promote adherence to applicable laws, regulations, standards, and ethical practices. Minute Man Arc's Corporate Compliance policy is a proactive approach in assisting in the prevention and detection of violations.

PROCEDURE

Ethical Standards and Code of Conduct

All personnel must adhere to the highest ethical standards when providing services, interacting with individuals, and conducting business. Specific ethical obligations include:

- Respect for Persons Served: Treating all individuals with dignity and respect, honoring their autonomy and right to make informed decisions.

- Confidentiality: Protecting the confidentiality of personal and medical information in compliance with HIPAA and agency policy.
- Non-Discrimination: Providing services without discrimination based on race, ethnicity, gender, sexual orientation, religion, or disability status.
- Integrity: Acting with honesty and fairness in all dealings, avoiding conflicts of interest, and promptly addressing any situation that could compromise personal or organizational integrity.

Compliance Structure

Minute Man Arc's Corporate Compliance Program structure is comprised of our governing body, our designated compliance officer, and committee members.

Governing Body

- MMA's Board of Directors is the organization's governing body. The Board of Directors is responsible for the overall compliance of the organization. The CEO reports compliance and ethics matters to the Board of Directors on an as-needed basis but at least annually.

Corporate Compliance Officer (CCO)

- MMA has an appointed Corporate Compliance Officer (CCO). The CCO is responsible for the Corporate Compliance Program. The CCO reports to the CEO. The CCO also has direct access to the Board of Directors.

Corporate Compliance Committee

- MMA's Corporate Compliance Committee, which includes the Chief Financial Officer, Director of Human Resources, Director of Facilities, and Director of Training and Quality Improvement, meets with the CCO quarterly to discuss the organization's corporate compliance and ethics program. Meeting topics include but are not limited to:
 - policy and procedure review
 - law and regulation updates
 - compliance and ethics education and training
 - risk assessments
 - audits and detecting risks and violations

Written Policies and Procedures

To ensure compliance with the applicable laws, regulations, standards, and ethical practices, Minute Man Arc develops and implements policies and procedures. MMA's policies and procedures are reviewed at least annually and revised on an as-needed basis by the CCO and

the corporate compliance committee. Applicable policies and procedures are made available to MMA stakeholders.

Gifts and Gratuities

It is the general policy of Minute Man Arc to prohibit the solicitation or receipt of anything of value in exchange for favorable treatment in connection with any agency transaction. MMA's policy for gift giving and receiving is found in the Code of Ethics policy in the Employee Handbook.

Exclusion of Individuals from Federally Funded Healthcare Programs

Minute Man Arc has written procedures to exclude the hiring or employment of individuals and entities prohibited by the Office of the Inspector General. These procedures address the organization's process and timeframe for verifying that personnel are not on the "List of Excluded Individuals/Entities" (LEIE) and actions to be taken in response to the information received. See: Abuser Registry policy in MMA Employee Handbook.

Risk Assessment through Monitoring & Auditing

The CCO and the Corporate Compliance Committee identify and assess potential organizational risks and oversee auditing and monitoring activities to ensure compliance. These potential risks are areas that may occur throughout our course of business. This list below are examples of potential risk areas:

- Resident/client rights
- Quality of care
- Privacy and confidentiality of records
- Exclusion screening and human resource issues
- Contract compliance
- Financial – billing and kickbacks

Minute Man Arc's Risk Assessment is done in coordination with our Quality, Risk and Safety Committee (QRSC). Specific audits, monitoring, and education may be delegated and investigated through the QRSC. See: Risk Management policy in MMA's Policies and Procedures Manual.

Education and Training

- Corporate compliance and ethics training is provided to board members at the time of inception and annually.
- Staff and volunteers receive training at orientation, on an as-needed basis, and at least annually.

- Outside parties (i.e., vendors, contractors) are educated on the organization's compliance matters through signed contract negotiations and on-site orientation.
- Compliance and ethics training is focused on federal and state regulations, best practices, and our organization's policies and procedures. Topic-specific training may also be identified by the CCO and committee or per management request.
- Education and Training may be conducted through a variety of different platforms including but not limited to: Relias LMS training platform, individual face-to-face, company-wide meetings, department meetings, and email memos.
- MMA provides additional education and training on Medicaid billing, documentation, and record retention practices and coding to department-specific employees upon hire and as needed.

Reporting

In order to promote and further this practice, it is the policy of Minute Man Arc that every employee, volunteer, or representative of the organization be encouraged and able to report, on an anonymous and confidential basis if they prefer, any conduct believed to be illegal or unethical (herein collectively referred to as "concerns") such as:

- Questionable or improper accounting or auditing matters
- Inappropriate use of MMA assets
- Violations of written company policy
- Other illegal practices

Note: Employees should be aware that an anonymous report may be difficult to investigate. Therefore, we encourage, but do not require, identification of the employee reporting concerns.

Reporting Procedure:

- If any employee, volunteer, or representative of MMA wishes to report a concern, he or she may do so verbally or in writing to the Director of Human Resources, Chief Financial Officer, Chief Executive Officer, or the Corporate Compliance Officer.
- An individual may choose to file a concern by mail or by email. Mail should be sent to the appropriate individual at: 35 Forest Ridge Road, Concord, MA 01742.

Reporting Abuse

Minute Man Arc provides training and support to staff who provide care to individuals served to report suspected abuse to the appropriate authority. For suspicions of abuse involving an individual aged birth through 21 years, the Department of Children and Family Services (DCF)

should be contacted. For individuals aged 22 and over, the Disabled Persons Protection Commission (DPPC) should be contacted. **All Employees of Minute Man Arc are mandated reporters of suspected abuse.**

Enforcement of Standards

It is the responsibility of all board members, officers, employees and volunteers to report concerns of corporate compliance violations. Any employee found in violation of or not following the policy may be subject to disciplinary action, up to and including termination of employment.

No Retaliation

It is contrary to the values of Minute Man Arc for anyone to retaliate against any person who in good faith reports a corporate compliance concern. An employee who retaliates against someone who has reported a violation in good faith is subject to discipline up to and including termination of employment.

CONCLUSION

All employees, contractors, volunteers, and agents of Minute Man Arc must act in accordance with this Corporate Compliance policy to ensure that we fulfill our mission to provide high-quality, ethical, and legally compliant services to individuals with developmental disabilities. Adherence to this policy helps us maintain the trust of those we serve and their families, while also safeguarding the reputation and integrity of Minute Man Arc.

REFERENCES:

MMA Employee Handbook (found at: <https://minutemanarc.org/for-employees/>)

- MMA Workplace Policy: Code of Ethics
- MMA Workplace Policy: Conflict of Interest Policy
- MMA Standards: Abuser Registry

MMA Policies and Procedure Manual

- 1.A.5. Risk Management policy