

# Lakeview



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Lakeview Mental Health Services, Inc.  
600 W Washington St  
Geneva, NY 14456

## **Corporate Compliance Handbook**

**June 2010**

**Compliance Line # 1-877-767-1900**

*A message from Mark:*

*I am proud to share with you Lakeview's Corporate Compliance Handbook. Compliance is a shared responsibility by all of us. We are interested not only in the well-being of people, but also that of our resources. Our use of these resources must be ethical and in pursuit of achievable outcomes at all times.*

*Our commitment to doing the right thing and defining expectations that set appropriate behaviors is steadfast. We must all be vigilant with Lakeview's resources and use them only to better the lives of those we serve.*

*Take a moment each day to reflect upon how you provided care and used the resources available to you.*

*Remember, we all have the right and responsibility to ask "Why" at any time. If someone asks you to do something that you know is outside the norm, question it. We must all work together to create a workplace where we feel free to discuss concerns about any issue.*

*Sincerely,  
Mark Wickham, CEO*

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## Our Mission

Lakeview Mental Health Services provides safe, affordable housing, support, and rehabilitative services to individuals recovering from mental illness. We are dedicated to helping individuals identify and achieve personally meaningful and measurable life goals, and to realize their full potential.

## Our Vision

Lakeview's programs and services will be evidence-based, fiscally responsible, and innovative. We will create a work environment that develops and retains highly skilled professionals who are passionate about serving those in need and improving the health of our communities.



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## Our Values

### Service:

Serving our communities and those who need assistance is our highest value.

### Competence:

We strive for excellence and effectiveness in all that we do.

### Dignity

We treat everyone we serve and each other with courtesy, compassion, and respect.

### Integrity

We hold ourselves to the highest standards of honest and ethical behavior.

### Family

We recognize the importance of family relations and commitments, both in the services we provide and in our human resource policies and procedures.

## ***Purpose***

Lakeview's Corporate Compliance, Ethical Standards and Code of Conduct is a framework that helps establish the organization's expected high standard of conduct for every employee, contractor, vendor and/or volunteer whenever he/she acts on behalf of Lakeview. As the Code of Conduct cannot address every possible situation that may arise, ultimately the responsibility for ethical behavior rests with each person's exercise of independent judgment.

The guidelines established in the Code of Conduct are designed to assist Lakeview employees, contractors, vendor and/or volunteers in making appropriate choices when confronted with difficult situations. The Code of Conduct establishes ethical requirements that are often more exacting than those mandated by law, reflecting Lakeview's values.

The willingness of each employee, contractor and/or volunteer of Lakeview to raise ethical and legal concerns is essential. Violations of legal or ethical requirements jeopardize the welfare of Lakeview, its employees, vendors, contractors and/or volunteers, its clients, and the communities it serves.

To this end, Lakeview will promote relationships based on mutual trust and respect, and provide an environment in which individuals may respectfully question a practice without fear of adverse consequences.

The appointment and retention of Lakeview employees, contractors, vendors and/or volunteers is contingent upon acceptance of and compliance with the Code of Conduct. The Code of Conduct is not intended to replace other compliance practices or rules and regulations as defined in Lakeview's policies and procedures manuals. It is intended to reflect Lakeview's expectation of compliance with federal and state laws and regulations as well as collective good judgment and common sense. Whenever a Lakeview employee, contractor and/or volunteer becomes aware of a situation that does not appear to comply with the Code of Conduct, the laws and regulations that apply to Lakeview, or Lakeview's policies and procedures, he/she has the responsibility to bring the concern to the attention of his/her supervisor, a member of the management team, or the Compliance Officer.

***This Handbook is intended to provide guidelines for the professional, ethical, legal, and socially responsible behavior Lakeview expects from its employees, contractors, vendors and/or volunteers.***

***It is impossible to cover every situation that may arise. When in doubt, ask your supervisor, a member of the management team, or the Compliance Officer. In circumstances where you are unable to consult with an appropriate person, use common sense and good judgment.***

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## ***Obey All Laws***

Employees will follow all applicable laws and regulations that pertain to Lakeview's operations, including but not limited to the following:

- State & Federal Labor laws
- Federal Anti-Kickback Statutes
- Medicaid and Medicare
- State and Federal Fraud and Abuse Laws
- Health Insurance Portability and Accountability Act of 1996 (HIPAA)
- Not-for-Profit Status
- Discrimination & Harassment
- NYS Office of Mental Health (OMH)
- NYS Dept. of Health (DOH)
- Dept. of Housing & Urban Development (HUD)
- Occupational Health & Safety Administration (OSHA)

Compliance with laws and regulations regarding fraud and abuse is extremely important to Lakeview. Non-compliance may result in disciplinary action, to include termination.

## ***Generate Accurate Billing***

Employees will submit for billing only those services which have been provided in accordance with a valid Service Plan, and for which exists appropriate documentation. Employees are expected to report any concerns about billing issues to their immediate supervisor or the Corporate Compliance Officer. In addition, employees are required to report to their immediate supervisor or the Compliance Officer any billing instruction received from a payer, either verbally or in writing, that varies from Lakeview's operational policies and procedures or billing practices.

If any employee, contractor, vendor or volunteer becomes aware of an apparent violation of any funding requirements or other laws or regulations by a Lakeview client, employee, contractor, vendor or volunteer, this matter must be immediately reported to their immediate supervisor or the Corporate Compliance Officer.

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### ***Conflict of Interest***

Choice of vendors for goods and services shall be determined in such a way as to avoid any potential conflict of interest or personal gain. It is the employee's responsibility to report any such possible conflict of interest to their immediate supervisor or the Corporate Compliance Officer. If a board member, employee, contractor or volunteer or his or her immediate family member is a director or manager level employee, consultant, owner, contractor, vendor or investor in any entity that (i) engages in any business or maintains any relationship with Lakeview; (ii) provides to, or receives from Lakeview client referrals; or (iii) provides services similar to Lakeview within Lakeview's service area, the board member, employee, contractor or volunteer must complete a disclosure form and submit it to the Compliance Officer (see Attachment #1). All board members, officers and director level employees, contractors, vendors and volunteers will be required to complete a Conflict of Interest Disclosure Form upon hire/engagement/appointment and annually.

### ***No Kickbacks***

Lakeview employees, contractors, vendors and volunteers may not offer to or accept anything of value from one another or Lakeview's clients for the sole purpose of receiving favorable treatment for themselves or Lakeview.

### ***Our Responsibility to Our Clients***

Clients are to be treated with courtesy, dignity, and respect. Employees, contractors and volunteers are to treat clients in a way that acknowledges and respects their race, cultural history, values, age, sex, sexual preference, creed, religion, national origin, and disability, without imposing their own personal values and beliefs upon the clients.

Clients have the right to the protection of all rights delineated in the ***Mental Hygiene Law*** as well as any other relevant State and Federal laws and regulations. Employees are to be familiar with all rights established for clients according to ***Part 595.10 of OMH Regulations*** (these are the Regulations for Licensed Residential Treatment Programs), and to assure that clients are treated according to those rights.

Clients are to be provided with rehabilitative services which are appropriate for assessed needs, and provided in accordance with a Service Plan, which is reviewed regularly for its effectiveness.

Employees, contractors and volunteers are to encourage client growth and rehabilitation through education and empowerment.

Employees, contractors and volunteers are to assure that clients are provided with a safe and secure living environment. This means that prompt and appropriate interventions will be made by employees, contractors and volunteers to assure that client safety is maintained. Any suspected instances of client abuse or neglect are to be reported immediately in accordance with Lakeview policy.

Employees, contractors and volunteers will refrain from abusing the staff/client relationship by not entering into any personal relationships or seeking financial gain from his or her relationship with the client in any manner.

### ***Our Responsibility to the Community***

Employees, contractors, vendors and volunteers should avail themselves of opportunities to advocate and educate the public concerning accurate information regarding mental health issues; and seek to address and to challenge speech that stigmatizes individuals with mental illness.

Employees, contractors, vendors and volunteers will represent themselves in public situations appropriately as to provide a positive image for Lakeview as a professional organization, and will act as an advocate of this organization.

Lakeview's marketing and advertising practices will be developed in a manner consistent with our Mission, Vision, and Values as a not-for-profit provider of Mental Health Services. Advertising and marketing will be practiced with honesty, integrity, and accountability.



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### ***Respect Lakeview Property***

Employees will use Lakeview assets as delineated in both Operational and Personnel Policies and Procedures. These assets include but are not limited to:

- Vehicles
- Food
- Petty cash
- Computers
- Telephones

Employees shall exercise reasonable judgment in utilizing corporate resources. Employees will not benefit from any dispersal of organizational property or other assets.

### ***Maintain Professionalism***

Employees, contractors, vendors and volunteers will:

- Work within their expected job roles and refrain from exceeding those roles.
- project a positive image of our organization and the clients we serve at all times, both in the workplace and in public settings.
- act, dress, and behave in a professional manner at all times
- refrain from giving and/or receiving gifts from clients.
- avoid any conflicts of interest, such as referring clients to certain landlords in return for personal gain from the receiving party.
- Set firm personal/professional boundaries in order to avoid potential harm to clients
- Not develop any personal relationships with current or former clients



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## ***PERSONAL OBLIGATION TO REPORT***

It is the obligation of all employees, contractors, vendors and volunteers of Lakeview to report any good faith suspicion of fraud or other areas of non-compliance with the Code of Conduct by fellow employees, contractors, vendors and volunteers. Failure to report such discoveries is in itself a violation of the Code of Conduct and will be addressed through the established disciplinary procedures.

### Methods to report:

1. Directly to your immediate supervisor
2. Report to any Administration personnel
3. Report directly to the Compliance Officer at 607-277-4768 ext 304
4. Through a designated toll free number: 1-877-767-1900
5. In writing to Anthony Lister, 600 W. Washington Street, Geneva, NY 14456

**All employees, contractors, vendors and volunteers are assured of a “non-retaliation” policy, in that employees, contractors, vendors and volunteers will be protected from any adverse consequences from making a good faith report.**

### Investigation:

All reports of non-compliance will be investigated by the Compliance Officer or designee, and reported to the Mission Excellence Advisory Group (MEAG) for review and any necessary actions stemming from the investigation. Sanctions will be imposed on employees, contractors, vendors or volunteers that: (1) fail to report suspected issues under the Compliance Program; (2) participate in non-compliant behavior; and/or (3) encourage, direct, facilitate or permit non-compliant behavior.

### ***Disciplinary Action for Non-Compliance***

Every Lakeview employee is required to review the Code of Conduct and comply with the Compliance Program. Lakeview will take disciplinary action for those who fail to report a suspected violation of the Compliance Program, participate in non-compliant behavior, and/or encourage, direct, facilitate or permit non-compliant behavior. Any employee who is excluded from or sanctioned by either the Medicare or Medicaid program must immediately report that fact to the Corporate Compliance Officer. Failure to comply will result in disciplinary action up to and including termination.

The Federal False Claims Act authorizes the use of civil penalties of between \$5,500 and \$11,000, plus three times the amount of damages the government sustains, where a person knowingly presents, or causes to be presented, a false or fraudulent claim; knowingly makes, uses or causes to be made or used, a false record or statement to get a false or fraudulent claim paid; or conspires to defraud the government in connection with the payment of a false or fraudulent claim. In addition, under New York State law, it is a crime to knowingly and willfully provide false information or omit material information when billing for services. Submitting or causing a false claim to be submitted is an unacceptable practice under the New York State Medicaid Program, which can lead to fines and exclusion from the Medicaid program. In addition, there are both Federal and State laws related to kickbacks and inappropriate referrals that impose criminal and civil penalties for violations.

Our Compliance Program was created to assist the organization in detecting fraud, waste and abuse so that appropriate measures may be taken. Employees who participate in the investigation of a possible False Claims Act violation may not be retaliated against.

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## ***What to Report***

*(This list is not all-inclusive)*

- ◆ Alterations to client or financial records
  - ◆ Suspected forgeries
- ◆ Authorizing or receiving payment for hours not worked
  - ◆ Client rights violations
- ◆ Violation of HIPAA and other applicable laws

## ***Ways to Report***

- ◆ Directly to your immediate supervisor
- ◆ Report to any Administration personnel
- ◆ Report directly to the Compliance Officer at 607-277-4768 ext 304
  - ◆ Through a designated toll free number:  
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- ◆ In writing to Anthony Lister, 600 W. Washington Street,  
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**Your reports will be kept confidential and can be anonymous**

*For more detailed information, please refer to Lakeview's Corporate Compliance Plan.*