

Stark County Board of Developmental Disabilities

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CORPORATE COMPLIANCE PROGRAM

POLICY

The Stark County Board of Developmental Disabilities is dedicated to the delivery of quality education, service and support coordination, and habilitation characterized by strict conformance with the highest standards of accountability for administration, clinical, business, marketing and financial management. The Stark County Board of Developmental Disabilities' leadership is fully committed to the need to prevent and detect fraud, fiscal mismanagement and misappropriation of funds, and therefore to the development of a formal corporate compliance program to ensure ongoing monitoring and conformance with all legal and regulatory requirements. Further, the organization is committed to the establishment, implementation, and maintenance of a corporate compliance program that emphasizes:

- 1) Prevention of wrong doing – whether intentional or unintentional;
- 2) Immediate reporting and investigation of questionable activities and practices without consequences to the reporting party and;
- 3) Timely correction of any situation which puts the organization, or its leadership or staff, funding sources or consumers at risk.

The Board has delegated overall responsibility for corporate compliance to the Superintendent. The Superintendent will formally designate a Corporate Compliance Officer. The Corporate Compliance Officer shall have direct and unimpeded access to the Superintendent, Board, financial information and/or legal counsel for matters pertaining to corporate compliance.

The Superintendent shall develop procedures to implement this policy.

Historical Resolution Information		Reviewer(s): Superintendent
Date	Resolution Number	
6/24/2011	06-53-11	
10/20/12	10-86-12	
10/24/15	10-58-15	

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PROCEDURES

The following procedures have been developed in order to ensure that the Board makes reasonable efforts to prevent fraud, waste, and abuse and thereby reduce the prospect of criminal conduct by its employees.

- I. Board employees shall not knowingly and willfully make or cause to be made any false statement or representation of material fact in any claim or application for benefits under any federal health care program or health care benefit program. In addition, Board employees shall not, with knowledge and fraudulent intent, retain federal health care program or health care benefit program funds, which have not been properly paid. Examples of prohibited conduct include, but are not limited to, misrepresenting services that were provided, billing for services not actually provided, and making false statements to governmental agencies about the Board's compliance with any state or federal rules/laws.
- II. Board employees shall not knowingly and willfully make or use any false, fictitious, or fraudulent statements, representations, writings or documents, regarding a material fact in connection with the delivery of, or payment for, health care benefits, items or services. Board employees shall not knowingly and willfully falsify, conceal or cover up a material fact by any trick, scheme, or device.
- III. The Board completes internal audits and oversight of a number of areas including but not limited to mileage reports, cell phones, credit card charges, cash funds, travel reimbursement and family home services funds.
- IV. The Director of Human Resources serves as the Corporate Compliance Officer for the Board. The appointment is made by the Superintendent.
- V. Corporate compliance is implemented under the guidance and supervision of the Management Team, which meets at least twice a month, or as needed to coordinate compliance efforts for the Board.
- VI. Audits and monitoring reviews are conducted to ensure that corporate compliance, and the policies and procedures defined therein, are being consistently followed, and beyond that, to provide a reasonable degree of assurance to leadership that the organization is, indeed, taking "reasonable" steps to prevent fraud, waste, and abuse. Ultimately, audits and monitoring reviews, among other things, are designed to detect criminal conduct by employees. The Board participates in both internal

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and external audits. Internal audits are conducted by the Chief Financial Officer/Business Manager.

- VII. It is the belief of the Board that no employee shall be punished solely on the basis that he/she reported what was reasonably believed to be an act of wrongdoing or a violation of corporate compliance or code of conduct. However, an employee will be subject to disciplinary action if the Board reasonably concludes that the report of wrongdoing was knowingly fabricated by the employee or was knowingly distorted, exaggerated or minimized to either injure someone else or to protect the reporting party or others. An employee whose report of misconduct contains admissions of personal wrongdoing will not; however, be guaranteed protection from disciplinary action.
- VIII. The Board will make every reasonable attempt to protect the confidentiality of employees who submit reports of wrongdoing or suspected wrongdoing; however, the Board should also make it clear to its employees that complete and total protection of confidentiality will not always be possible.
- IX. Once a report is filed and the report is completed the Corporate Compliance Officer typically must investigate and/or process the complaint/allegation within ten (10) business days; however, depending on the nature of the complaint/allegation, the time may be extended with approval from the Management Team to thirty (30) business days.
- X. If the Compliance Officer determines, after investigation, that the misconduct occurred as a result of negligence or inadvertence, the matter shall be forwarded to the employee's department head for corrective action internally and/or referred externally to the appropriate oversight agency and/or law enforcement.
- XI. After an alleged offense has been detected, the Board must take all reasonable steps to respond appropriately to the offense and to prevent further similar offenses, including any necessary modifications to corporate compliance to prevent and detect violations of law.