



THE SHIELD INSTITUTE CODE OF CONDUCT

Table of Contents

<u>#</u>	<u>Title</u>
1	Strive to deliver quality services.
2	Comply with all applicable laws and regulations.
3	Do not engage in unethical business relationships.
4	Avoid actual conflicts of interest as well as the appearance of impropriety.
5	Protect the Agency' property and respect the property rights of others with whom the Agency does business.
6	Respect others.
7	Exercise concern for the health and safety of everyone, and respect the environment.
8	Report Suspected Violations of the Code.
9	Promise of no retaliation for good faith reporting.

IN FURTHERANCE OF ITS MISSION, TO WORK IN PARTNERSHIP WITH FAMILIES AND COMMUNITIES TO ENABLE CHILDREN AND ADULTS WITH DEVELOPMENTAL DISABILITIES TO LEAD MEANINGFUL LIVES, IN FULL COMPLIANCE WITH ALL APPLICABLE LAWS AND REGULATIONS, THE BOARD OF DIRECTORS HAS PROMULGATED THIS CODE OF CONDUCT, SETTING FORTH THE GENERAL PRINCIPLES TO WHICH THE AGENCY SUBSCRIBES AND TO WHICH THE AGENCY EXPECTS EVERY MEMBER (meaning EVERY DIRECTOR, OFFICER, EMPLOYEE [FULL-TIME, PART-TIME, AND PER-DIEM], INTERN, AND VOLUNTEER) OF THE SHIELD INSTITUTE TO ADHERE.

ADDITIONALLY, AS AN EXPRESS CONDITION OF DOING BUSINESS WITH THE SHIELD INSTITUTE, THE AGENCY (meaning THE SHIELD INSTITUTE) REQUIRES EVERY VENDOR, CONTRACTOR, CONSULTANT, OR OTHER AGENT TO COMPLY WITH THE SUBSTANTIVE REQUIREMENTS OF THIS CODE OF CONDUCT.



CODE OF CONDUCT NUMBER 1

STRIVE TO DELIVER QUALITY SERVICES.

- **Treat every individual who receives services with respect**--Every member of the Agency shall treat every adult and child who receives services with consideration, courtesy, dignity, and respect.
- **Adhere to the highest professional and ethical standards**--It is the responsibility of every member to maintain the Agency's integrity and reputation by that member's commitment to conducting himself or herself in accordance with the highest professional and community ethical standards, regardless of the source or amount of payment.
- **Retain well qualified personnel**--The Agency shall only employ or retain the services of persons and companies that possess the proper credentials, experience, and expertise required to perform their respective functions.
- **Individuals who receive services have a right to know**--Individuals receiving services have the right to know what they need to know to make good, sound decisions. That includes receiving information about the Agency and its policies, procedures and charges, and who will provide services on behalf of the Agency.
- **Subordinates deserve clear instructions**--Supervisors shall strive to provide members under their direction and supervision with clear instructions about what is expected of them.
- **Protect the private information of every individual receiving services**--All personal identifiable information (e.g., health, financial, home address and telephone number, etc.) belonging to individuals whom the Agency serves and their families is confidential. (Members *should refer to the Shield Institute's HIPAA policy and procedures for specific instructions in how to best ensure confidentiality of protected health information.*)

CODE OF CONDUCT NUMBER 2

COMPLY WITH ALL APPLICABLE LAWS AND REGULATIONS.

- **Obey laws and regulations**--Every member of the Agency shall comply with all applicable laws, regulations, standards and other requirements imposed by any level of government. Without limiting the generality of the prior statement, every member shall strictly comply with all requirements of the Medicare and Medicaid programs.
- **Submit required governmental information**--All reports or other information required to be provided to any federal, state or local government agency shall be accurate, complete, and filed on time.
- **No payment for Referrals**--Neither the Agency nor any of its members shall pay any employee, volunteer, physician, or other health care professional, directly or indirectly, in cash or by any other



means, for the referral of any adult or child to receive services. Every payment made by or on behalf of the Agency to a health care professional or other service provider shall be supported by proper documentation that the services contracted for were in fact rendered.

- No member is authorized to enter into any joint venture, partnership or other risk sharing arrangement with any entity that is a potential or actual referral source unless the arrangement has been reviewed and approved by the Agency's legal counsel.
- **Accurate and Well-Documented Billing**-- The Agency shall create and maintain detailed program and billing records that adequately document the services rendered and billed. The Agency will bill only for services actually rendered and that are fully documented in the records of adults and children receiving services. If the services must be coded, then only billing codes that accurately describe the services provided will be used. If a suspected error in any claim is discovered, the Agency shall promptly investigate and make any corrective adjustments and refunds that may be appropriate.
 - Every member who performs billing and/or coding of claims on behalf of the Agency shall take every reasonable precaution to ensure that his or her work is accurate, timely, and in strict compliance with federal, state, and local laws and regulations and the Agency's policies.
 - Every member is expressly prohibited from submitting any claim on behalf of The Shield for payment or reimbursement of any kind that is false, fraudulent, inaccurate or fictitious. No falsification of program, service, time, or other records that are used for the basis of submitting claims will be tolerated.
- **Maintain records**--Every member shall protect the confidentiality of the records of every individual receiving services and other personal information, as well as Agency staff records and maintain these records in accordance with applicable federal, state, and local laws and regulations and the Agency's retention and destruction schedules. No member may use or disclose any confidential Agency information to anyone, except when required to accomplish a legitimate Agency business purpose. Proprietary Information belonging to the Agency may not be removed from the Agency premises without permission of the member's supervisor or other Agency manager who possesses the requisite authority over the information.

CODE OF CONDUCT NUMBER 3

DO NOT ENGAGE IN UNETHICAL BUSINESS RELATIONSHIPS.

- **No unethical dealings**-- The Agency seeks positive relationships with government programs and third party payers. Positive relationships require ongoing communication about the progress of individuals being served and billing for services rendered. The Agency will not pursue any business opportunity that requires engaging in unethical activity.
- **No misuse of proprietary or confidential information**--No member shall improperly use or reveal any proprietary or confidential information belonging to the Agency or improperly use or reveal, for personal gain or otherwise, proprietary or confidential information belonging to another party that was obtained as a consequence of any business relationship with that other party..



- **No subordination of professional judgment**--No member shall subordinate his or her professional standards, judgment, or objectivity to any individual. Whenever significant differences of opinion in professional judgment arise, the issue should be referred to the cognizant supervisor for resolution. If the dispute is between a member and his or her supervisor, the matter shall be referred to the Compliance Officer and/or Director of Human Resources for investigation and resolution.
- **Make honest representations**--Every member is expected to be honest and forthright in any representations he or she makes to any individual receiving services, vendor, payer, other member or agents and the community.
- **Promote the public's trust**--Every member shall perform his or her duties in a way that promotes the public's trust in the Agency.

CODE OF CONDUCT NUMBER 4

AVOID ACTUAL CONFLICTS OF INTEREST AS WELL AS THE APPEARANCE OF IMPROPRIETY.

- **Avoid conflicts and the appearance of impropriety**-- Every member should avoid any activity that conflicts with the interests of the Agency or that of any individual receiving services from the Agency.
 - No member should undertake a paid or unpaid position with another entity if that member has reason to believe that such position is likely to interfere with his or her ability to perform his or her duties at the Agency.
 - In order to preserve and protect both the Agency's and the member's reputation for integrity, every member should conduct himself or herself so as to avoid the appearance of an impropriety (even when, in the strictest sense, no actual conflict exists).
- **Promptly seek advice if a potential conflict arises**-- If a member suspects that a potential conflict may exist or be created concerning himself, herself, or a member of his or her family, then he or she should promptly consult with their supervisor, the Director of Human Resources, or the Compliance Officer before undertaking that activity.
- **Exercise care in placing business with family ties to Agency personnel**--Placing any business of the Agency with any firm in which it is known that an owner, Director, Officer, or employee is related by blood or marriage to a Director, Officer, or employee of the Agency, may constitute a conflict of interest. Advance disclosure to and written approval by the Executive Director or his or her designee are required in such a situation.
- **Avoid entanglements with Agency competitors, customers, or suppliers**--No member should knowingly become involved, directly or indirectly, in outside commercial activities that could improperly influence his or her actions. For example, a member should not be an officer, director, manager, or consultant of a potential competitor, customer, or supplier of the Agency without first



disclosing that relationship to and obtaining the prior written approval of the Director of Human Resources and the Executive Director.

- **Occasional business courtesies to potential referral sources**--Gifts and benefits to potential referral sources are not appropriate. Occasional business courtesies (i.e., non-cash gifts such as modest meal expenditures, entertainment or agency-sponsored or -hosted social events), although not expressly prohibited, are discouraged. Before being extended, however, a member shall seek the prior written approval of the Executive Director and the Compliance Officer. (Refer to The Shield Institute's "*Business Courtesies and Referrals*" Policy.
- **Solicitation and acceptance of gifts**--No member shall accept or provide benefits that could be seen as creating conflict between his or her personal interests and the Agency's legitimate business interests. This includes soliciting meals, gifts, refreshments, transportation, or entertainment provided or received in connection with the job.
 - No member may accept a gift of any kind from any individual or business entity who or that is in the process of competitive bidding for a contract with the Agency
 - Under no circumstances may a member ever accept a cash gift from any Agency vendor or potential vendor. A member may, however, accept a non-cash gift of nominal value (e.g., retail value estimated at \$10 or less) from a vendor. Additionally, a member may accept a box or basket of fruit, cookies, chocolates, etc. of greater value from a vendor, provided that the member shares the contents of the box or basket openly with other members of his or her department. All other gifts in excess of nominal value shall be refused, and the offer of the gift as well as the vendor's name shall be promptly reported to the Compliance Officer.

CODE OF CONDUCT NUMBER 5

PROTECT THE AGENCY¹ PROPERTY AND RESPECT THE PROPERTY RIGHTS OF OTHERS WITH WHOM THE AGENCY DOES BUSINESS.

- **Authorization and expenditure of funds; use of property**-- Every member shall obtain appropriate authorization prior to committing or spending the Agency's funds. Every member is personally accountable for his or her proper expenditure of the Agency funds and for the proper use of any Agency property that may be entrusted to that member.
 - No member may use the Agency's resources or the resources of any individual receiving services for the member's personal gain or any other improper purpose, or permit others to do so.
 - Any improper financial gain by any member (including, but not limited to the outright theft of property or embezzlement of money resulting, in whole or in part, from the use of the Agency's property or the property of any individual receiving services) is expressly prohibited,
- **Surplus property**--Surplus, obsolete or junked property shall be disposed of in accordance with the Agency's procedures. Unauthorized disposal of property is a misuse of assets.



- **Duty of productivity**—Every employee’s salary or wage is predicated on the Agency receiving a fair day’s work for a fair day’s pay. Consequently, every employee has a duty to be productive during the time for which he or she is paid by the Agency.
- **Use of Agency computer systems**--A member may only use the Agency’s computer systems, networks, and software in a manner that is consistent with the Agency’s license(s) and/or rights and the Agency’s information technology policies and procedures. Each member shall take all reasonable steps to protect the Agency’s computer systems and software from unauthorized access or intrusion.
- **Protect proprietary and confidential business information belonging to the Agency and others**--Every member who (by virtue of his or her position or need to perform his or her work) is given access to any proprietary or confidential information belonging to either the Agency or any person or organization with which the Agency does business, is required to protect such information from unauthorized use or exploitation. Every member is also expressly prohibited from violating the intellectual property rights (such as copyrights and patents) of others with whom the Agency does business.

CODE OF CONDUCT NUMBER 6

RESPECT OTHERS.

- **Treat everyone with respect**--Every member shall treat everyone with whom he or she interfaces (i.e., adults and children receiving services and their families and guardians, other members, government representatives, vendors, contractors, visitors, etc.) with dignity, courtesy, respect and consideration, regardless of position or station. No member is permitted to:
 - Physically assault anyone;
 - Verbally abuse anyone;
 - Deprive anyone of that person’s rights in his or her physical or intellectual property; or
 - Sexually harass or intimidate anyone. (By way of example, unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature are serious violations of the Agency’s standards of conduct.)
- **Resolve differences in professional judgment**--Every member is expected to conform to the ethical and professional standards of his or her respective profession and to exercise sound judgment in the performance of his or her duties. Any differences of opinion in professional judgment between two members that they are unable to resolve amicably within a reasonable time shall be referred to the cognizant manager(s), who will then become responsible for prompt resolution in accordance with the applicable grievance procedures.
- **Equal opportunity employer**--The Agency is an Equal Opportunity employer and is committed to affording all applicants and all employees equal employment and advancement opportunities respectively, consistent with applicable laws, regulations, and the Agency’s policies. The Agency shall not permit discrimination on the basis of race, color, religion, sex, sexual orientation, marital or parental



status, national origin, citizenship status, age, handicap, or military service. The Agency will also attempt to provide reasonable accommodations to facilitate the employment of persons with disabilities who request such consideration.

- **When to contact the Agency's Director of Human Resources**—(Separate and apart from any report(s) that may be made to a member's supervisor, an Agency manager, or the Compliance Officer) every request for a reasonable accommodation to facilitate employment and every allegation of a possible human rights allegation (e.g., sexual harassment, unlawful discrimination, etc.) shall be promptly reported to the Agency's Director of Human Resources.

CODE OF CONDUCT NUMBER 7
EXERCISE CONCERN FOR THE HEALTH AND SAFETY OF EVERYONE,
AND RESPECT THE ENVIRONMENT.

- **Health and Safety are top priorities**--Every member of the Agency shall, in the performance of his or her duties, comply with all occupational health and safety laws and regulations, and all Agency work and safety rules, and make every reasonable effort to ensure that adults and children receiving services, members, and visitors are protected from undue health risks and unsafe conditions.
- **Safe handling of drugs**--Every member who (by virtue of his or her position or need to perform his or her work), is given access to drugs and other pharmaceuticals is required to ensure that they be safely stored, secured, inventoried, and dispensed in accordance with the applicable clinical orders.
- **Respect the environment**--Every member of the Agency shall, in the performance of his or her duties, comply with all applicable environmental laws and regulations, ensure that the Agency has obtained all necessary licenses, permits, and governmental approvals; and employ proper procedures and controls in the storage, handling, and disposition of hazardous wastes.

CODE OF CONDUCT NUMBER 8
REPORT SUSPECTED VIOLATIONS OF THE CODE.

- **The Code is part of a hierarchy of Agency policies**--The **Code of Conduct** is supplementary to and is not intended to supersede the specific policies, procedures, and rules that the Agency has enacted and may, in the future, enact to govern the agency's operations and the conduct of its members.
- **Suspected violations must be reported**--Each member is required to report suspected violations of the Code, applicable law or regulations, The Shield's policies or procedures, or any other apparent regularities (e.g., errors or omissions in billing, failure to render quality care; missing or improperly handled drugs, misuse of property, etc.) to his or her supervisor, the Director of Human Resources, the Assistant Executive Director, the Associate Executive Director, the Executive Director, the Compliance Officer, or **THE SHIELD INSTITUTE TOLL-FREE NO CALLER ID COMPLIANCE HELPLINE**. If a member prefers, he or she may make the report anonymously (by



mail or by Helpline). The Agency shall, if requested, make every reasonable effort to keep confidential the identity of anyone reporting a suspected violation, to the extent permitted by law, and except if doing so would effectively prevent the Agency from conducting a full and fair investigation of the allegations.

- **Suspected violations must be investigated**--The **Code of Conduct** shall be enforced. Authorized Agency personnel shall investigate reports of suspected violations.
- **Management has a special responsibility**--Managers and supervisors have a special duty to adhere to the principles of the Code, to encourage their subordinates to do so, and to recognize and report suspected violations.
- **Corrective and disciplinary actions and disclosure**--If it is determined that a violation has occurred, The Shield reserves the right to take corrective and disciplinary action against any person who was involved in the violation or who allowed it to occur or persist due to a failure to exercise reasonable diligence. Additionally, The Shield may make an appropriate disclosure to governmental agencies (including law enforcement authorities). Disciplinary actions will be determined on a case-by-case basis and in accordance with any applicable labor union contracts.

CODE OF CONDUCT NUMBER 9

PROMISE OF NO RETALIATION FOR GOOD FAITH REPORTING.

The Agency promises that there shall be no adverse action, retribution, or other reprisal taken against any individual for his or her good faith reporting of a suspected violation of this Code, even if the allegations ultimately prove to be without merit. The Agency shall, however, pursue disciplinary action against any member who is shown to have knowingly filed a false report with the intention to injure another person.

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The Agency reserves the right, at any time, to amend this **Code of Conduct** in its sole, good faith, discretion.