

**Cerebral Palsy Associations
of New York State**



CORPORATE COMPLIANCE PROGRAM

ADOPTED BY THE BOARD OF DIRECTORS

DECEMBER 2, 2004

Amended February 9, 2006

Amended September 24, 2009

CEREBRAL PALSY ASSOCIATIONS OF NEW YORK STATE

Corporate Compliance Program

OVERVIEW

Our Commitment to Ethics and Integrity in Business

Cerebral Palsy Associations of New York State, (“CP of NYS”) prides itself in its over 60 year history of upholding the highest standards of quality in its programs and services on behalf of our consumers and their families. We strive to develop and maintain best practices in all areas of service. Consistent with this commitment to quality, CP of NYS established this Corporate Compliance Program on Dec. 2, 2004 (amended on Feb. 9, 2006 and Sept. 24, 2009) to demonstrate and document our commitment to the highest level of professional integrity and ethics in the agency’s business dealings with consumers, contractors, vendors, employees, funding agencies and the general public.

This Corporate Compliance Program is established for the entire CP of NYS community, including its employees, contractors, agents, vendors, members and officers of the Board of Directors, volunteers, and employees and others working on behalf of other agencies and businesses doing business with CP of NYS and its related corporations. This Corporate Compliance Program is intended to benefit not only the members of the CP of NYS community, but those governmental and private agencies doing business with the agency, as well as the general public.

CP of NYS’s Corporate Compliance Officer and the Committee will work closely with CP of NYS’s employees, and other members of the CP of NYS community, to make every effort to establish and implement systems which enhance each employee’s ability to understand and adhere to the complex laws and regulations that govern our business. In doing so, the Corporate Compliance Officer and Committee will regularly report their activities directly to CP of NYS’s Executive Director at least quarterly, who will, in turn, make reports to the Board of Directors. In addition, the Corporate Compliance Officer and Committee members will report directly to the Board of Directors at least annually to ensure compliance.

This Corporate Compliance Program, updated periodically to reflect the mandated elements set forth from the Office of the Medicaid Inspector General, demonstrates CP of NYS’s commitment to the highest standards of business integrity. This program is in full compliance with the law as evidenced by the following eight elements:

Element 1:

Statement of CP of NYS's Commitment to Business Integrity

CEREBRAL PALSY ASSOCIATIONS OF NEW YORK STATE

BOARD OF DIRECTORS RESOLUTION

At a regular meeting of the Board of Directors of Cerebral Palsy Associations of New York State, on September 24, 2009 after proper notice and upon motion duly made and seconded, and passed, the following Resolution was enacted:

WHEREAS Cerebral Palsy Associations of New York State, ("CP of NYS") is committed to adherence to the highest standards of ethics and integrity in all of the business dealings of the agency, and

WHEREAS the Board of Directors of CP of NYS seeks to demonstrate, document and reinforce those high standards to the entire CP of NYS community, including its employees, contractors, agents, vendors, members of the Board of Directors, volunteers, and employees and others working on behalf of other governmental and private agencies and businesses doing business with CP of NYS and its related corporations, as well as to the general public,

IT IS HEREBY RESOLVED, the Board of Directors hereby establishes a Corporate Compliance Program to encompass all of the business dealings of CP of NYS, and

IT IS FURTHER RESOLVED, that the Corporate Compliance Program include items such as the following:

1. (A) Adoption of a Board Resolution reinforcing the corporation's commitment to the principles of corporate compliance.
- (B) Promulgation of a Code of Business Conduct for the CP of NYS community, upholding the agency's commitment to ethics and integrity in all of its business dealings. Included in the program will be establishment and / or compilation of standards and procedures for business integrity, including promulgation of standards, and references to detailed procedures for business transactions.

(C) Compilation and Dissemination of Policies and Procedures addressing principles of business integrity and addressing compliance with applicable laws, regulations, and standards.

2. Designation of a Corporate Compliance Officer vested with responsibility of day-to-day operations, to develop and implement the Program. The Corporate Compliance Office, together with the Corporate Compliance Committee, may designate subcommittees and work groups for aspects on development and ongoing monitoring of this Corporate Compliance Program.

3. Reinforcement of Compliance Principles through an Effective Training and Education Program for CP of NYS employees and other agents, to be accomplished by:

(A) Initial and ongoing training on the Code of Business Conduct and Compliance Guidelines, as well as other aspects of the Corporate Compliance Program and policies, procedures, and standards for business integrity.

(B) Communication and publication of the Code of Business Conduct and Compliance Guidelines, as well as other aspects of the Corporate Compliance Program, and policies, procedures and standards, to all members of the CP of NYS community.

4. Ongoing monitoring and detection of violations of CP of NYS's adherence to the commitment to business integrity, including a reporting system with a "hotline", and mandatory reporting for identifying and reporting of violations of standards, policies and procedures for business operations.

5. Procedures for Audits of Operations and Business Transactions, to monitor compliance, identify problem areas, and assist in the reduction of identified problems.

6. Enforcement of Corporate Compliance Program, including identification of violations of standards, policies, procedures, notification and disciplinary actions, to be accomplished by:

(A) Consistent enforcement of disciplinary policies that clearly set forth the consequences of violation of the code of conduct, or policies and procedures.

(B) Delegation of authority to individuals who are appropriately trained.

7. Prompt and Appropriate Response to Identified Violations to be accomplished by:

(A) Internal investigation procedures.

(B) Prompt and appropriate responses to identified violations.

(C) Voluntary disclosure of noncompliance where appropriate, and

8. Policy for Non-Intimidation and Non-Retaliation for Good Faith Participation to be accomplished by:

(A) Formal training and/or education for all employees and service partners on CP of NYS's Whistleblower Policy Statement.

(B) Creating a culture at CP of NYS that promotes prevention, detection, and resolution of instances of conduct that do not conform to federal, state, and private payer health care program requirements, as well as CP of NYS's ethical and business practices.

IT IS FURTHER RESOLVED, that the Board of Directors delegates to the Executive Director the responsibility for establishment of appropriate committees to develop, implement, review and monitor the Corporate Compliance Program on an ongoing basis, and that the Executive Director allocate appropriate funds for purposes of implementing this Corporate Compliance Program.

Adopted: December 2, 2004

Amended: February 9, 2006

Amended: September 24, 2009

Secretary

CODE OF BUSINESS CONDUCT

CP of NYS requires all members of the CP of NYS community, including its employees, contractors, agents, vendors, members of the Board of Directors, volunteers, and employees and others working on behalf of other governmental and private agencies and businesses doing business with CP of NYS and its related corporations, to conform to the highest ethical standards and to meet or exceed legal obligations in the performance of their efforts on behalf of CP of NYS. To this end, we have developed a Code of Business Conduct for the entire CP of NYS community. The appointment and retention of all members of the CP of NYS community is contingent upon acceptance and compliance with this Code of Business Conduct.

Cerebral Palsy Associations of New York State enjoys a reputation of integrity and excellence in its programs and services. This reputation is one of our strongest assets. It is expected that all members of the CP of NYS community whose actions could be attributed to the work of CP of NYS will adhere to the Code of Business Conduct and to the policies, standards and procedures outlined in this program.

The Cerebral Palsy Associations of New York State Code of Business Conduct encompasses commitments by CP of NYS, coupled with related commitments by each member of the CP of NYS community to uphold the highest standards of ethical behavior and practices on behalf of CP of NYS.

1. Our commitment to compliance with the law.

Cerebral Palsy Associations of New York State is committed to conducting its programs and services in a lawful and ethical manner, in full compliance with all federal, state and local laws and regulations. All members of the CP of NYS community will adhere to the highest standards of conduct through strict observation of all applicable legal and regulatory requirements.

CP of NYS will only employ or contract with individuals or entities with proper credentials, experience and expertise. All business communications on behalf of CP of NYS with outside individuals or entities, including claims for payment or reimbursement of any kind, will be truthful and, where appropriate, substantiated by accurate and complete records.

Neither CP of NYS, its employees or agents shall pay employees, physicians, or other health care professionals, directly or indirectly, in cash or by any other means, for referrals of patients. Every payment to a referral source must also be supported by proper documentation that the services contracted for were in fact provided.

Employees or agents who perform billing and/or coding of claims must take every reasonable precaution to ensure that their work is accurate, timely, and in compliance with federal and state laws and regulations and CP of NYS's policies.

No claims for payment or reimbursement of any kind that are false, fraudulent, inaccurate or fictitious may be submitted. No falsification of medical, time or other records that are used for the basis of submitting claims will be tolerated.

CP of NYS will bill only for services actually rendered and which are fully documented in patients' medical records/consumer's chart. If the services must be coded, then only billing codes that accurately describe the services provided will be used.

CP of NYS shall act promptly to investigate and correct the problem if errors in claims that have been submitted are discovered.

2. Our commitment to ethical behavior.

Cerebral Palsy Associations of New York State is committed to ethical business dealings. All members of the CP of NYS community will adhere to the highest ethical standards of behavior while performing CP of NYS business, including preparing and maintaining accurate and complete records, and truthful communications with other members of the CP of NYS community, and with government and private agencies and individuals doing business with CP of NYS.

CP of NYS seeks positive relationships with government programs and third party payers. Positive relationships require ongoing communication about patient progress and billing.

Employees or agents shall not use or reveal any confidential information concerning CP of NYS or use, for personal gain, confidential information obtained as an employee or agent of CP of NYS.

No employee or agent should subordinate his or her professional standards, judgment or objectivity to any individual. If significant differences of opinion in professional judgment occur, then they should be referred to management for resolution.

Employees and agents should be honest and forthright in any representations made to patients, vendors, payors, other employees or agents, and the community.

All reports or other information required to be provided to any federal, state or local government agency shall be accurate, legible, complete, and filed on time.

Employees and agents must perform their duties in a way that promotes the public's trust in CP of NYS.

Employees and agents shall be honest in doing their jobs.

3. Our commitment to continuous training and improvement.

Cerebral Palsy Associations of New York State is committed to the professional development of the entire CP of NYS community. All members of the CP of NYS community will have access to all applicable laws, rules, regulations policies and procedures necessary for them to perform on behalf of CP of NYS, and will be regularly trained on those laws, rules, regulations, policies and procedures, as well as this corporate compliance program.

4. Our commitment to continuous monitoring and enforcement.

Cerebral Palsy Associations of New York State is committed to full and ongoing enforcement of this Code of Business Conduct and of the standards contained in the corporate compliance program. As a condition of employment or appointment, all members of the CP of NYS community are expected to rigorously comply with all applicable laws, rules, regulations policies and procedures.

All members of the CP of NYS community will report suspected violations of these standards of conduct to their supervisor, an appropriate departmental head, an appropriate staff member of the Human Resources Department or to the Corporate Compliance Committee. CP of NYS assures the entire CP of NYS community that reports of suspected violations may be made without fear of reprisal or retaliation, and that confidentiality will be protected within the limits of the law.

All reports of suspected violations will be fairly, thoroughly and promptly investigated by appropriate individuals, and will be promptly resolved.

5. Our commitment to our ethical obligations, mission and purposes free of conflicts of interest.

Cerebral Palsy Associations of New York State is committed to clarity of our mission and purposes, free of any appearance of conflict or impropriety. CP of NYS itself will not pursue any business opportunity or take any other action that will require it to engage in illegal or unethical behavior, or is reasonably likely to fall outside of CP of NYS's mission, purposes or powers.

In all of their activities on behalf of CP of NYS, all members of the CP of NYS community will act in a manner consistent with the agency's mission, purposes, powers, and consistent with the agency's reputation for integrity and excellence. Each member of the CP of NYS community will ensure that no activity takes place that in any way jeopardizes the tax exemption, licenses, or governmental authorizations of CP of NYS.

All members of the CP of NYS community will accomplish their business on behalf of CP of NYS without engaging in any business, professional or personal activity that would create a conflict of interest, or an appearance of a conflict of interest, without appropriate disclosure and advance approval by the Board of Directors or the Executive Director or their / his / her designee.

Placing business with any firm in which there is a family relationship may constitute a conflict of interest. Advance disclosure and approval are required in such a situation.

Employees and agents should not become involved, directly or indirectly, in outside commercial activities that could improperly influence their actions. For example, an employee or agent should not be an officer, director, manager or consultant of a potential competitor, customer, or supplier of CP of NYS without first disclosing that relationship to management.

Employees and agents should not accept or provide benefits that could be seen as creating conflict between their personal interests and CP of NYS's legitimate business interests.

Employees and agents should report any potential conflicts of interest concerning themselves, co-workers or family members to management.

Program and other staff should not have direct contact with vendors unless their input is required in the process of determining choice of vendors. CP of NYS will notify vendors and employees of this policy.

Please refer to the Rules Relating to Gifts, and Conflict of Interest Policy, which appear on the following pages.

6. Our commitment to respecting property rights.

Cerebral Palsy Associations of New York State is committed to respecting the property rights of all those with which we do business, including consumers and outside businesses. In their actions on behalf of CP of NYS, all members of the CP of NYS community will act in a manner consistent with this respect of the property of others.

Each member of the CP of NYS community will ensure that all applicable laws, standards and policies regarding the confidentiality of agency records are upheld.

Each member of the CP of NYS community will ensure that all private information owned by others, but in the custody and possession of CP of NYS, be held in confidence and not utilized outside of the use contemplated by the owner of the information without the express permission of the owner. This includes prohibition against unauthorized use and / or copying of computer software not contained in the license granted to CP of NYS, and installation of unauthorized software on agency

computers. Employees shall take all reasonable steps to protect computer systems and software from unauthorized access or intrusion.

All employees and agents are personally responsible and accountable for the proper expenditure of CP of NYS's funds and for the proper use of company property.

All employees and agents must obtain authorization prior to committing or spending CP of NYS's funds.

Employees and agents may not use CP of NYS's or a patient's/consumer's resources for personal or improper purposes, or permit others to do so.

Surplus, obsolete or junked property shall be disposed of in accordance with CP of NYS's procedures. Unauthorized disposal of property is a misuse of assets.

Any improper financial gain to the employee, or agent, through misconduct involving misuse of CP of NYS's or a consumer's/patient's property is prohibited, including the outright theft of property or embezzlement of money.

CP of NYS's confidential and proprietary information is valuable, and should be protected from unauthorized use or exploitation. Employees and agents are expected to respect the intellectual property rights of others with whom we do business.

Employees and agents are expected to report any observed misuse of CP of NYS's property to management.

RULES RELATING TO GIFTS

The following rules apply to all employees and agents of Cerebral Palsy Associations of New York State:

1. Employees and agents may never accept gifts in the form of cash or cash equivalents from any individual or business entity that does business with CP of NYS.

2. Employees and agents may never accept gifts of any kind from individuals or business entities who are in the process of competitive bidding for a contract with CP of NYS, or whose contracts are under review as to whether the contract should be continued.

3. Employees or agents may accept a non-cash gift from a vendor not subject to paragraphs 1 or 2 above; however, any gift with a value in excess of \$50.00 must be reported to the President / CEO or Executive Vice President / CAO/CFO.

4. Outside vendors will be notified on an annual basis, in advance of the winter holiday season, of CP of NYS's policies with regard to gifts. In that notice, outside vendors will be requested to refrain from giving gifts to individual CP of NYS employees or agents. The notice will also suggest that if the vendor wishes to make a gift, it be

done to the agency's "holiday fund"; alternately, an in-kind gift can be made for a consumer or staff holiday party.

5. All CP of NYS staff will be notified on an annual basis, in advance of the winter holiday season, of CP of NYS's policies with regard to gifts.

CONFLICT OF INTEREST POLICY

1. No member of the Board of Directors of Cerebral Palsy Associations of New York State shall be employed by the State of New York in any capacity related to provision of services to individuals with disabilities, or public policy matters related to persons with disabilities, without first obtaining approval pursuant to paragraph 5 below.

2. No member of the Board of Directors of Cerebral Palsy Associations of New York State shall be a paid employee or consultant to an agency that primarily provides services to individuals with disabilities in programs or services or under license issued by New York Office of Mental Retardation and Developmental Disabilities or Office of Mental Health, or their successors, where the individual's work on behalf of the other agency involves formation or communication on issues of public policy, without first obtaining approval pursuant to paragraph 5 below.

3. No person who is an employee of Cerebral Palsy Associations of New York State shall serve as a Director or Officer of another agency that primarily provides service to individuals with disabilities in programs or services under license issued by New York Office of Mental Retardation and Developmental Disabilities or Office of Mental Health, or their successors, without first obtaining approval of the President / Chief Executive Officer.

4. No person who is an employee of Cerebral Palsy Associations of New York State shall also be a paid employee or consultant to an agency that primarily provides services to individuals with disabilities in programs or services or under license issued by New York Office of Mental Retardation and Developmental Disabilities or Office of Mental Health, or their successors, where the individual's work on behalf of the other agency involves formation or communication on issues of public policy, without first obtaining approval of the President / Chief Executive Officer.

5. Members of the Board of Directors may seek prior approval for paid employment or consultancy referenced in this policy by making a written request for approval to the Chairman. In the event that the member is dissatisfied with the decision of the Chairman, the member may seek approval from the entire Board of Directors.

6. All such employment listed in 1 and 2 above, regardless of capacity or title, shall require the individual Board member to recuse himself or herself on all votes of the Board involving their agency, and shall be responsible for disclosing any actual, possible or apparent conflicts of interest that may arise to both the CP of NYS Board and the board of the other organization, if appropriate.*

Note that compliance with this Code of Business Conduct, as well as other codes of conduct established by CP of NYS, is mandatory for all employees, volunteers and consultants of CP of NYS. However, these codes of conduct are not, and shall not be construed as, a contract of employment or any other type of contract. Unless specifically governed by a collective bargaining agreement that states otherwise, employment with Cerebral Palsy Associations of New York State is at all times strictly “at will”, as defined by New York law, and either the employee or CP of NYS has the right to terminate the employment relationship at any time for any reason or for no reason.

The Corporate Compliance Committee will ensure that this Code of Business Conduct is posted in appropriate locations, and that each member of the CP of NYS community is provided with a copy, and has certified that a copy has been received and read.

The Corporate Compliance Committee will periodically review this Code of Business Conduct and make appropriate modifications to reflect developments in applicable legal requirements.

THE FALSE CLAIMS ACT

Under the federal False Claims Act (the “FCA”), the government and private citizens are entitled to bring lawsuits against organizations or other individuals who defraud the government. The FCA applies when a company or person:

1. Knowingly presents to the federal government a false or fraudulent claim for payment;
2. Knowingly uses a false record or statement to get a claim paid by the federal government;
3. Conspires with others to get a false or fraudulent claim paid by the federal government; or
4. Knowingly uses a false record or statement to conceal, avoid or decrease an obligation to pay or transmit money or property to the federal government.

Persons or agencies found to have violated the FCA may be required to pay triple damages done to the government and a fine between \$5,000 and \$11,000 for every false claim. In addition, there can be criminal penalties of up to five years in prison and / or up to a \$10,000 fine.

A private citizen may institute an FCA claim. This type of case is called a “qui tam” action, and the citizen who initiates such a claim is called a “relator.” As part of the process in instituting an FCA claim, the relator must provide to the government all of the

information he or she has about the claim. The federal government then reviews all of the information and decides whether or not to join in the lawsuit against the individual or agency. Qui tam plaintiffs can pursue their claims with or without the participation of the government, but if the government intervenes in the case, the relator may be entitled to a share in the eventual recovery.

The FCA provides protection to shield relators from retaliation for starting a qui tam case in good faith. Relators who are employees are protected from discharge, demotion, suspension, threats, harassment or discrimination. Any violation of this protection entitles the employees to reinstatement, back pay with interest, and attorney's fees.

New York State has its own version of the FCA that punishes much of the same conduct as the federal law. However, there are no criminal penalties in the New York law. Rather, individuals or agencies that are found to have committed violations may face restrictions on participation in the Medicaid program.

If you suspect any activity that may be considered a violation of the federal or New York State law, you should report it immediately to your supervisor or another appropriate CP of NYS director, or to the Business Integrity Hotline at 212-947-5770, extension 777.

WHISTLEBLOWER POLICY STATEMENT

Cerebral Palsy Associations of New York State ("CP of NYS") encourages its employees, independent contractors and volunteers to disclose and report concerns regarding perceived violations of federal and state laws and regulations and/or financial irregularities. Reports may be made by any employee, volunteer or independent contractor openly, confidentially or anonymously, and may be made in writing (including e-mail), by telephone (to an individual or to the Business Integrity Hotline), or in person without fear of reprisal to any of the following persons: the president/CEO, any Executive Vice President or Vice President, the Director of Human Resources, the Corporate Compliance Committee, the Chief Legal Officer, any Department Director or appropriate Supervisor, the Director of Volunteers, or any member of the Board of Directors. Employees who wish to remain confidential or anonymous may do so in writing by sending their concerns by US Mail or by interoffice mail to the Chief Legal Officer marked "personal and confidential" or by leaving a message on the Business Integrity Hotline at (212) 947-5770, extension 777.

Employees, independent contractors and volunteers may also report their concerns about perceived violations of federal and state laws and regulations and/or financial irregularities of federal and state laws and regulations to appropriate governmental agencies without fear of reprisal or retaliation. CP of NYS may take appropriate action in the event that, after investigation, it is determined that a complaint was false and malicious. CP of NYS complies with all of the requirements of federal and state statutes and regulations concerning employee "whistleblower" activity.

Please refer to the Code of Business Conduct contained in the CP of NYS Corporate Compliance Program for additional guidance.

Element 2:

Designation of a Corporate Compliance Officer, Vested with the Responsibility for the Day-To-Day Operation

DESIGNATION OF A CORPORATE COMPLIANCE OFFICER

CP of NYS hereby designates a Corporate Compliance Officer with the responsibility to oversee the day-to-day operations of the Corporate Compliance Program. The Corporate Compliance Officer will monitor compliance activities with established standards. The Corporate Compliance Officer will function within the organizational structure reporting directly to the Chief Legal Officer. The Corporate Compliance Officer will report all required compliance activities to the Corporate Compliance Committee as needed and at least quarterly. In addition, the Corporate Compliance Officer will provide periodic reports, both oral and written, to the Board of Directors.

The Corporate Compliance Officer will chair the Corporate Compliance Committee meetings held at least quarterly. The Corporate Compliance Officer will ensure that all meeting minutes are documented, distributed to all committee members, and filed for review.

The Corporate Compliance Officer will work closely with the department leaders to foster and enhance compliance with all applicable laws and regulations, operational policies and procedures and billing requirements. The authority of the Corporate Compliance Officer shall extend to all program and business operations, whether on a fee-for-service basis or otherwise, provided by CP of NYS's employees.

The Corporate Compliance Officer will conduct formal corporate compliance training for all new employees upon hire. In addition, all current employees, vendors, contractors, volunteers and service partners will receive ongoing training and/or education at least annually.

The Corporate Compliance Officer will monitor the "Business Integrity Hotline" and investigate all reported concerns. The Corporate Compliance Officer will also investigate all other concerns when reported, discovered, or assigned by the Corporate Compliance Committee. A separate log will be maintained by the Corporate Compliance Officer. This log will document all reports, investigations and results.

The Corporate Compliance Officer will complete internal audits of both program and business operations. Reports of all internal audits will be written and generated to the appropriate department administrators. A plan of corrective action responding to all issues and recommendations will be obtained from the department administrators and forwarded to the corporate compliance committee for review.

The Corporate Compliance Officer will ensure enforcement of the Corporate Compliance Program. Upon verification that a violation has occurred, disciplinary action will take place, up to and including termination.

The Corporate Compliance Officer will complete a thorough investigation whenever non-compliance is identified. Written reports of all investigative findings and recommendations will be submitted to the Corporate Compliance Committee for review and further instructions.

CORPORATE COMPLIANCE COMMITTEE CHARGE

The Corporate Compliance Committee has been appointed by the Executive Director, Susan Constantino and includes representation from the Finance, Human Resources, Program and Clinical Services, Administrative, and Service Coordination departments. The committee members are as follows: Thomas Mandelkow, Executive Vice President, CFO and CAO; Joseph Pancari, Executive Vice President, COO; Duane Schielke, Executive Vice President, Health Management Projects; Michael Alvaro, Executive Vice President, Affiliate Services Office; J. David Seay, Executive Vice President & Chief Legal Officer; and the Director of Corporate Compliance, Ellen Gribbin. If any member of the CP of NYS Corporate Compliance Committee terminates their employment, their successor will assume the role as an active member of the Committee. The role of the Corporate Compliance Committee is to ensure the implementation and the overall effectiveness of the Corporate Compliance Program. The committee will also assist and advise the Corporate Compliance Officer as needed, to ensure compliance with Federal, State and local laws, rules and regulations. The Committee will meet at least quarterly, more often as needed.

Principle Responsibilities:

- Conduct regular and systemic reviews of the Corporate Compliance Program, including the Code of Business Conduct, for the purpose of modifications and updates when necessary.
- Ensure a record keeping system is in place to document the ongoing operation of the Corporate Compliance Program.
- Analyze specific risk areas and existing policies and procedures that address those risk areas for possible incorporation into the Corporate Compliance Program.

- Promote a culture at CP of NYS for all employees and service partners that insist on ethics and integrity while conducting business.
- Work with appropriate departments to develop standards of conduct and policies and procedures to promote compliance with legal and ethical requirements.
- Recommend the development of internal systems and controls to carry out the agency's standards, guidelines, policies and procedures.
- Assign the Corporate Compliance Officer to conduct specific internal investigations and audits when appropriate.
- Assist CP of NYS's supervisory staff in establishing and maintaining multi-level mechanisms to monitor compliance with the standards set forth in the Code of Business Conduct and compliance guidelines in their departments. Receive periodic reports documenting the implementation of such mechanisms and their results.
- Monitor external and internal audits for the purpose of identifying potential non-compliance issues, and review recommendations from the Corporate Compliance Officer for implementing corrective and preventative action.
- Make recommendations for the revision of the Corporate Compliance Program as needed.
- The Executive Director will allocate such funds to the Corporate Compliance Committee to ensure that it can successfully perform all of its functions under this Corporate Compliance Program.

Compilation of Legal Requirements and Policies and Procedures:

The Corporate Compliance Committee will oversee the establishment or compilation of policies and procedures governing business dealings of CP of NYS.

The Corporate Compliance Committee shall also oversee the compilation of all laws, regulations, rules, policies and procedures affecting the business of CP of NYS, and the distribution of appropriate relevant information to each members of the CP of NYS community. The Corporate Compliance Committee will oversee CP of NYS's commitment to ensure that each member of the CP of NYS community will have access to all relevant information necessary and appropriate for that individual to act on behalf of CP of NYS.

The Corporate Compliance Committee will establish a record-keeping system designed to document the ongoing operation of the Corporate Compliance Program, including documentation of annual certification of compliance by all employees. Such record keeping system will encompass the following:

1. Establish policies and procedures regarding the creation, distribution, retention and destruction of documents;
2. Ensure complete and accurate documentation of all business transactions;
3. Include all records and documentation required for participation in federal and state, and private health care financing programs, and all records and documentation, and audit data that support and explain cost reports and other financial activity;
4. Preserve all records necessary to demonstrate the integrity of CP of NYS's corporate compliance program and confirm the effectiveness of the program.

Element 3:

Reinforcement of Compliance Principles through an Effective Training and Education Program for CP of NYS Employees and Service Partners

As part of the Corporate Compliance Program, all members of the CP of NYS community will have unimpeded access to the corporate compliance program, and all appropriate laws, rules, regulations, policies and procedures that affect each member's actions on behalf of CP of NYS. Regular and ongoing training will be provided on this information, as well as new developments and information relevant to the members' actions on behalf of CP of NYS.

TRAINING POLICY

All staff will be trained in the contents of the corporate compliance program. Training will be tailored to the level of participation that staff have in the material to which the corporate compliance pertains.

The Board of Directors and the Executive Management team will receive annual updated corporate compliance training that will be conducted by CP of NYS's Executive Vice President, Chief Legal Officer / Corporate Compliance Officer during the Board of Directors meetings.

The Corporate Compliance Officer will provide corporate compliance training for all new employees as part of their new hire orientation. A quiz will be taken at the conclusion of each training session to ensure that all new employees are fully aware of the contents of the corporate compliance training program. All existing employees will receive ongoing updated training and education on corporate compliance related

issues, at least annually, to ensure knowledge and understanding of the current laws, rules and regulations.

Senior level managers will be trained in all aspects of the program, and will be given a copy of the corporate compliance program, together with relevant policies and procedures. Managers will also be directed to the location of appropriate laws, regulations and standards governing the materials to which they are being trained. Senior level management training and education will be completed by the Corporate Compliance Officer and updated annually for inclusion of new or revised material.

Senior managers will then train staff that report to them, tailoring the training to materials directly relevant to the staff being trained. Staff will be provided with relevant excerpts of the corporate compliance program, together with applicable policies and procedures. Staff will also be directed to the location of appropriate laws, regulation and standards governing the materials to which they are being trained. Such training will be updated periodically for new staff, and for inclusion of new or revised material.

Clinic Directors and the Director of Corporate Compliance, where appropriate, will ensure that new contractors are trained and educated on the contents of the corporate compliance program. Contractors will be provided with relevant excerpts of the corporate compliance program, together with applicable policies and procedures. Contractors will also be directed to the location of appropriate laws, regulations and standards governing the materials to which they are being trained. Such training and education will be updated annually.

The Director of Purchasing, or other senior managers, where appropriate, will provide relevant information on aspects of the corporate compliance program to appropriate vendors, to ensure that they are knowledgeable of relevant aspects of the corporate compliance program. Such training will be updated periodically for all vendors, if appropriate, and for inclusion of new or revised material.

Other members of the CP of NYS community, including volunteers, will be appropriately trained by senior staff, supervisors, or the Director of Corporate Compliance as appropriate, on aspects of the corporate compliance program relevant to their activities on behalf of CP of NYS.

Training and education will ensure that every employee, vendor, contractor, volunteer and service partner knows and understands the policies, procedures, laws and regulations that govern the agency's operations. Training will occur at the start of employment as part of Agency Orientation, and incorporated into employee Annual Training Reviews. Training will also occur upon changes in the program, and upon the request of a supervisor or the Corporate Compliance Officer.

The education provided will include but is not limited to:

Code of Business Conduct
Purpose of Compliance Guidelines
Agency Policies and Procedures
Ethical Standards
Federal and State laws, regulation and guidelines
Reporting System and Procedure
Consequences of non-compliance

Documentation of each employee's completion of the corporate compliance training will be maintained in the corporate compliance department.

HUMAN RESOURCES POLICIES AND PROCEDURES

The Corporate Compliance Committee will recommend modifications to other CP of NYS policies and procedures, including those contained in the Human Resources Department manuals and policies, including modifications of the employee evaluation procedures, to ensure compliance with this corporate compliance program.

LICENSING AND CREDENTIALLING

All employees who are in positions requiring professional licenses must provide the Human Resources department with proof of a current license upon hire and a renewed license prior to the expiration date. Verification of all employee licenses will be maintained in the Human Resources department for review.

All independent contractors/medical staff will provide the appropriate credentials to the Medical Director prior to the decision to hire. The Medical Director will review all applications and credentials, and document on a credentialing checklist. All Medical Staff must be re-credentialed every two years. The Clinic Director will ensure all necessary credentials are obtained and filed in the appropriate clinics for review.

MEDICAID EXCLUSION VERIFICATION PROCESS

All employees, contractors, vendors and volunteers will be screened through the following three (3) Federal fraud websites prior to being hired and/or utilizing their services or supplies:

1. <http://exclusions.oig.hhs.gov/>;
2. <http://www.omig.state.ny.us/data/component/option.com>
3. <http://www.epls.gov/>

All employees, contractors, vendors and volunteers will be re-screened through the three (3) fraud websites on a semi-annual basis.

If any employee, contractor, vendor or volunteer appears on any of the three websites, their services will be terminated immediately.

Element 4:

Ongoing Monitoring and Detection of Violations of CP of NYS's Adherence to the Commitment to Business Integrity.

CP of NYS has established a mandatory reporting policy which requires all members of the CP of NYS community to report any suspected violations of the Corporate Compliance Program, including the Code of Business Conduct, and appropriate laws, regulations, rules, policies and procedures.

Each employee has a responsibility for reporting any activity by a member of the CP of NYS community that appears to violate applicable laws, rules, regulations, professional standards or CP of NYS's Corporate Compliance Program. CP of NYS encourages employees to report behaviors or actions they believe should be reported. The effectiveness of the Corporate Compliance Program depends on the participation of all employees, at all levels, to bring forth in good faith, any corporate compliance concerns.

Reports can be made in writing (including e-mail), by telephone (to an individual or the Business Integrity Hotline), or in person without fear of reprisal to any of the following persons: the President/CEO, any Executive Vice President or Vice President, the Corporate Compliance Officer, a member of the Corporate Compliance Committee, the Chief Legal Officer, a Department Director or appropriate Supervisor, the Director of Human Resources, the Director of Volunteers, or any member of the Board of Directors.

To this end, a "Business Integrity Hotline" has been established through the agency's voice mail system to provide for anonymous, confidential reporting by any member of the CP of NYS community. The "Business Integrity Hotline" phone number is 212 947-5770 Ext. 777. All reports made to the "Business Integrity Hotline" will be thoroughly investigated by the Corporate Compliance Officer, or referred to an appropriate department director/supervisor, if necessary, for an investigation. All corporate compliance reports, investigations and recommendations will be documented by the Corporate Compliance Officer and filed in the compliance department for review.

The Corporate Compliance Officer will oversee CP of NYS's efforts to ensure that reports of suspected violations of the Corporate Compliance Program do not result in reprisal or retaliation, and that confidentiality will be protected within the limits of the law.

Element 5:

Procedures for Audits of Operations and Business Transactions, to Monitor Compliance, Identify Problem Areas, and Assist in the Reduction of Identified Problems.

CP of NYS has instituted a Business Quality Assurance and Compliance Audit protocol, under the oversight of the Corporate Compliance Committee. Pursuant to this protocol, a sample of business records will be periodically reviewed to assess compliance with applicable laws, regulations, rules policies and procedures. The Corporate Compliance Committee will review the results of these audits and take necessary action, if appropriate, including additional audits, training and / or disciplinary actions.

The Corporate Compliance Officer will conduct an annual risk assessment designed to identify potential liabilities for the organization. The risk assessment will take into consideration the annual work plan from the Office of the Medicaid Inspector General and the NYS Office of the Medicaid Inspector General; external audit results conducted by regulatory agencies; and internal audits conducted by both the compliance department and the quality management department. The risk assessment process has provided a significant building block to CP of NYS's Corporate Compliance Program. Results from the risk assessment process will also establish the Corporate Compliance Officer's work plan for the upcoming year. Both the risk assessment and the Corporate Compliance Officer's work plan will be reviewed and approved by both the Corporate Compliance Committee and the Board of Directors.

All internal audit results and recommendations will be documented and disseminated to the Corporate Compliance Committee and the department administrators. All reports will require a written plan of corrective action addressing the corporate compliance concerns and recommendations. All audit reports and plans of corrective action will be filed in the compliance department for review.

Auditing and compliance efforts will assess compliance with:

1. Federal and state health care statutes, regulations and program requirements, as well as private payor rules, with special attention paid to the risk areas identified by the Corporate Compliance Committee.
2. The process elements of CP of NYS's compliance program, including dissemination of the corporate compliance program, training efforts, and adequacy of investigations and resulting actions.

In addition to review of billing records to assess compliance, the Corporate Compliance Committee may direct assessment of compliance with other aspects of the corporate compliance program. Such auditing may consist of a variety of actions, including but not limited to:

1. On site visits;
2. Tests administered to the billing and claims reimbursement staff on knowledge of program requirements and claims and billing criteria;
3. Unannounced surveys;
4. Review of compliance logs and investigative files;
5. Review of contractual relationships with contractors, consultants and potential referral sources;
6. Personnel records to assess compliance with corporate compliance program requirements;
7. Trend analyses or other longitudinal studies to detect deviations over a specific period
8. Review of past surveys to detect patterns of deficiencies or to determine if proposed plans of action to correct past deficiencies have been implemented.

Element 6:

Enforcement of Corporate Compliance Program, Including Identification of Violations of Standards, Policies, Procedures, Notification and Disciplinary Actions.

Whenever non-compliance is identified by the Corporate Compliance Committee, corrective action will be taken in the form of an investigation.

The Corporate Compliance Committee will establish guidelines and procedures for investigation of complaints, and will oversee all investigations of alleged violations of the program.

Upon verification that a violation has occurred, the Corporate Compliance Committee will recommend findings and conclusions to the Executive Director, to be taken into consideration in determining a remedy for such violation, including appropriate discipline or other action.

DISCIPLINARY POLICY

All members of the CP of NYS community are expected to adhere to the Code of Business Conduct and Compliance Guidelines, in addition to all other policies, procedures and standards issued by CP of NYS, as well as all applicable laws, regulations, and rules. An employee who violates any work rule, or standard of performance outlined in the Corporate Compliance Program or otherwise issued by CP of NYS, or who fails to satisfactorily perform his/her job, is subject to discipline, up to and including discharge.

Relative to employees, CP of NYS may impose progressive discipline, including a verbal and written warning, corrective action plan, demotion, suspension, and termination. However, CP of NYS reserves the right to determine in its sole discretion and judgment, the nature and level of discipline, if any, depending on the circumstances. This policy is not a guarantee of progressive discipline, and CP of NYS reserves the right to terminate an employee at any time, for any lawful reason, with or without notice.

In addition to the general rules and regulations established by CP of NYS for employees, the following “zero tolerance policy” applies with respect to the Corporate Compliance Program:

1. Signing or submitting a report for a service not rendered is fraud and will result in immediate administrative response.
2. Falsifying, or altering or destroying agency records without authorization will result in immediate administrative response.
3. Omitting required documentation, including signature, failing to complete treatment records or other agency paperwork will result in immediate administrative response.
4. It is the manager's responsibility to ensure that employees and contractors complete paperwork in accordance with agency policies, and that excessive errors or omissions in paperwork by supervised employees or contractors may subject the manager to appropriate administrative response.
5. Misapplication of agency or consumer funds will result in immediate administrative response.

This policy amends the general rules and a regulation contained in the employee handbook and does not alter the at-will employment status of employees.

Element 7:

Prompt and Appropriate Response to Identified Violations

The Corporate Compliance Officer will ensure that, where indications of violations of the Corporate Compliance Program exist, an internal investigation is conducted promptly, and necessary actions are taken if the investigation reveals violations.

The Corporate Compliance Officer will conduct investigations of all corporate compliance concerns received in writing, in person, anonymously or on the "Business Integrity Hotline". There may be times when the investigations are referred to other departments for several reasons. These reasons include: the complaint was not a corporate compliance concern but a supervisory issue, program or clinical related concern, Human Resources area of investigation, conflict of interest, or a need for a broader scope. It is the responsibility of the Corporate Compliance Officer to determine the need for legal consultation, and to communicate this need directly with the Corporate Compliance Committee.

Investigations will be completed in a timely and efficient manner, following an identified process. If improper or wrongful practice is identified following an investigation, a plan of corrective action will be required. The purpose of the corrective action plan will be to immediately correct improper practice. In addition, steps may be identified to implement changes in agency systems, if indicated.

The plan of corrective action report will be reviewed with the appropriate department director and supervisor. Plans must address the immediate corrective action taken, steps to prevent recurrence, future monitoring requirements, and disciplinary action if necessary.

If appropriate, plans for correcting overpayments and/or a plan for legal consultation must be included. All plans must have a timeline for implementation and follow up. The department director will be responsible for implementing the plan of corrective action. When this is complete, a written report is submitted to the Corporate Compliance Officer. The Corporate Compliance Officer will report all investigative findings, recommendations and plans of corrective action to the Corporate Compliance Committee.

If appropriate, the Corporate Compliance Officer will develop, an Action Plan to address necessary new policies or procedures, or modifications to existing policies or procedures, to remedy the identified violation. The Corporate Compliance Committee will monitor implementation and adherence to the new or modified policies and procedures to ensure compliance.

The Corporate Compliance Committee will ensure that appropriate reporting of documented violations is made, including voluntary disclosure to governmental authorities, if appropriate.

Element 8:**Policy for Non-Intimidation and Non-Retaliation
for Good Faith Participation**

CP of NYS recognizes that a crucial aspect of the compliance program is a culture that promotes prevention, detection, and resolution of compliance related issues. Conduct that does not conform to federal, state, local and private payor health care program requirements, as well as CP of NYS's ethical and business practices, will not be tolerated. To promote this culture, CP of NYS established a strict non-retaliation policy (Whistleblower Protections) to ensure that employees and others who report problems and concerns in good faith are protected from retaliation. Any form of retaliation or retribution can undermine the effectiveness of the Corporate Compliance Program and is strictly prohibited, as indicated in the following CP of NYS Whistleblower Policy Statement.

Cerebral Palsy Associations of New York State "CP of NYS" encourages its employees, independent contractors, vendors and volunteers to disclose and report concerns regarding perceived violations of federal and state laws and regulations and/or financial irregularities. Reports may be made by an employee, vendor, volunteer or independent contractor openly, confidentially or anonymously, and may be made in writing (including e-mail), by telephone (to an individual or the Business Integrity Hotline), or in person without fear of reprisal to any of the following persons: the President/CEO, any Executive Vice President or Vice President, the Director of Corporate Compliance, the Director of Human Resources, the Chief Legal Officer, any Department Director or appropriate Supervisor, the Director of Volunteers, or any member of the Board of Directors. Employees who wish to remain confidential or anonymous may do so in writing by sending their concerns by US Mail or by interoffice mail to the Chief Legal Officer marked "personal and confidential" or by leaving a message on the Business Integrity Hotline at (212) 947-5770, Ext. 777.

Employees, independent contractors, vendors and volunteers may also report their concerns about perceived violations of federal and state laws and regulations and/or financial irregularities of federal and state laws and regulations to the appropriate governmental agencies without fear of reprisal or retaliation. CP of NYS may take appropriate action in the event that, after investigation, it is determined that a complaint was false and malicious. CP of NYS complies with all of the requirements of federal and state statutes and regulations concerning employee "whistleblower" activity.

Please refer to the Code of Business Conduct for additional information.