



# Code Of Conduct

*December 2015*

RHA Health Services, LLC.  
17 Church Street  
Asheville, NC 28801.

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## **INTRODUCTION**

### **OUR VISION**

RHA's vision – Setting the Pace for Excellence in Supporting People – defines the organization's fundamental reason for existence; it presents a "big picture" aspiration for RHA's future. Shared Vision defines why we exist, and where we are going.

### **OUR VALUES**

RHA's Values – Passion, Accountability, Communication and Ethics (PACE) – define *how* RHA does business as it strives to reach its vision. Shared Values serve as a framework to guide the daily actions and decisions of Company employees and represents the *standards* that are to be used to measure all individual and collective actions.

The success of RHA's vision requires that all employees have **PASSION** about providing the best possible service for the people we support; **PASSION** about providing opportunities for people to learn and grow; and **PASSION** about creating opportunities for people to experience their own personal outcomes.

The vision requires that people be held **ACCOUNTABLE** for following Company policy, state and federal regulations and best practices, and **ACCOUNTABLE** for the development of accurate and outcome-based Person Centered Plans and the interventions necessary for accomplishing peoples goals.

**COMMUNICATION** must be open, meaningful and frequent. Employees should request information they don't have, provide information that others need and clarify what is not understood. Communication requires listening and willingness to accept feedback.

**ETHICS** establishes trust and confidence. When trust prevails, people are more willing to go through difficult processes. Ethics is prevalent when leadership shares both risk and reward with all employees.

### **OUR MISSION**

Each of the RHA organizations defines its own mission based on the types of services provided and the people supported. The mission defines how each organization will show how the RHA Shared Vision is going to become a reality. The mission statement represents the broadest perspective of the organization's mission. In addition to each Mission Statement, each organization also defines Behavioral Anchors for their Mission. Behavioral Anchors supplement the PACE shared values by specifying demonstrated actions, activities, deliverables, results, etc. that employees are required to display in order to match the PACE shared values, contribute to the business line's mission and support RHA's Shared Vision.

### **THE COMPLIANCE OFFICE MISSION**

To create and sustain a culture at RHA that promotes ethics and integrity as the foundation for all that we do.

### **THE COMPLIANCE OFFICE PACE ANCHORS**

- **Passion** for conducting ourselves with honesty and integrity in all that we do.

- **Accountability** for ensuring that quality services and supports and fair treatment of employees are provided within the scope of federal and state regulation, RHA policy and evidence based practices.
- Effective **Communication** that builds trust and respect for and between all employees.
- To demonstrate **ethics** that sustain RHA's reputation as an industry leader..

## **OUR CODE OF CONDUCT**

As RHA employees, we have a responsibility to display integrity in our actions. Integrity is the basis of our reputation as individuals, and it is the basis of RHA's reputation as a leader in the care and support for people with mental illness, developmental disabilities and substance abuse.

RHA's Code of Conduct is intended as a guide to our decisions and actions. But no set of standards or written rules can substitute for the good judgment, common sense and personal integrity required to meet the challenges of our daily work.

RHA's Code of Conduct must be observed by all RHA employees. No RHA employee, regardless of rank, may allow personal preferences, inconvenience or business workplace pressures to compromise adherence to this Code of Conduct.

This statement of RHA's Code of Conduct provides general information about RHA's stance on ethics. It does not replace RHA's policies, procedures or practices. More importantly, it cannot take the place of honest and open discussion.

Violating RHA's Code of Conduct is a serious matter that may lead to disciplinary action up to and including termination.

## **ETHICS HELPLINE**

1-866-742-2428

Monday through Friday, 10:00 AM – 3:00 PM

RHA has established a dedicated, toll free Ethics Helpline available to all members of the RHA team. Any person receiving services, employee, family member, community member, contractor or agent may call the Ethics Helpline to ask questions concerning ethical or legal conduct or to report any potentially improper action. The Ethics Helpline allows callers to report concerns anonymously. All reports are confidential to the extent allowed by law, and the staff of the Ethics Helpline will address all questions and concerns. Calls to the Ethics Helpline are not traced or recorded (unless the caller chooses to leave a message outside of regular Helpline hours) and retaliation or retribution for expressing concerns will not be tolerated.

The Ethics Helpline does not replace the established communication channels, such as talking with your supervisor, Administrator or Director. Rather, it is an additional method of communicating when a member of the RHA team is uncomfortable using other channels or needs additional assistance.

The Ethics and Integrity Office will look into matters reported to the Ethics Helpline that cannot be otherwise resolved.

## **DECISION PROCESS FOR ADDRESSING ISSUES AND CONCERNS**

When a person receiving services, employee, family member, community member, contractor or agent identifies an issue or concern, the person should consider the following Decision Process steps:

- I. Does the act or issue comply with policies, procedures, the Code of Conduct or the law? If you think its wrong, don't do it, find someone who can help, or report your concerns to appropriate leadership.
- II. If you're in doubt, ask! Keep asking until you get an answer that makes sense. How would you feel if you did it? How would it look to family, friends, people supported and served, or the general public?
- III. Discuss the issue with your immediate supervisor. If you do not feel comfortable bringing the concern to your supervisor, go to the next step.
- IV. Discuss the issue with your supervisor's superior or another manager. It is the policy of RHA to ensure you are not punished for raising legitimate concerns.
- V. If necessary, use other company resources to get an answer, such as (but not limited to): Human Resources, Quality Assurance, Financial Services, Administration or the Ethics and Compliance Office.
- VI. Call the Ethics Helpline 1-866-742-2428  
Monday through Friday, 10:00 AM – 3:00 PM

**You may always call the Ethics Helpline whenever you have a question or concern about an ethics or compliance issue.**

## CODE OF CONDUCT STANDARD: QUALITY SERVICE

We will deliver appropriate, effective, quality supports and services to the people we support and serve.

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### Guiding Principles

Supports and services must be appropriate and designed to meet the intended outcomes of each person's treatment plan (Person Centered Plan, Crisis Plan, My Life Plan, etc.). Treatment plans are developed based on each person's definition of quality of life and desired personal outcomes as well as the Service Definition for each type of service. Services must always be provided with sensitivity, respect and professionalism. People's rights must be recognized and protected.

We are committed to seeking new and evidence based approaches to supports and services while ensuring that services are delivered in a cost-effective manner.

We are required to observe all applicable standards of professional practice in all RHA programs.

### Questions and Answers

*Q: I am a Direct Support Associate in an ICF Home, and have been employed by RHA for 2 weeks. I have not yet been "medication certified," although I think I know how to do it. We are short-staffed this weekend, and my Home Manager directed me to go ahead and pass out medications to the residents. What should I do?*

**A:** The professional standards in an RHA Home require that staff not assist people with their medications until they have received their medication certification, which usually takes place within six months of hire. Tell the Home Manager you cannot do as she asked. If the manager insists you pass out the medications, use the Decision Process on page 4 to report the incident to the appropriate RHA authority.

*Q: I am a Community Support Specialist and I witnessed a QP dealing with a person who was being verbally assaultive toward the QP. This QP raised her fist at the individual, and then pushed him away so hard that he fell down. What should I do?*

A: The individual should be assisted immediately, and the QP should be removed from the situation to protect the individual from further harm. The incident must be reported to another QP or administrator-on-call according to RHA policy. Individuals must be treated with professionalism at all times, even when they are abusive to staff.

*Q: I write Person Centered Plans for the people I support. In evaluating one individual's mobility needs, it became evident that an electric wheelchair would greatly increase independence. However, I know that these wheelchairs are very expensive and must be paid for by RHA. Last week the facility administrator sent a memo reminding us we need to reduce expenses. If I keep the individual on the current plan (even though it will restrict the level of independence), I will be helping the company. Is there a problem with this?*

A: Yes. The services an individual receives must be determined by his or her specific needs. If needs change, we must also update the Person Centered Plan accordingly. The company will work to ensure that the plan gets implemented. The Person Centered Plan must never be falsified in order to "help the company," or for any other reason.

*Q: I am a Licensed clinician who serves as the Team Leader for Community Support Team (CST) service. My current team case load is 20, with the max case load size being 45. I have five individuals that are ready to be stepped down into a lower level of care. However, last week I was informed by management that we need to focus on increasing our case load size to help improve revenue. At this time there are no pending referrals to our CST team. If I keep the individuals services through the CST team (even though the individuals have made significant progress), I will be helping the company. Is there a problem with this?*

A: Yes. The services an individual receives must be determined by their needs and medical necessity. If needs change, we must also ensure the services they receive met those needs. The company will work to ensure that the services that are medically necessary are provided to the individual. The Person Centered Plan must never be falsified in order to "help the company," or for any other reason.

## CODE OF CONDUCT STANDARD: FAIR TREATMENT OF EMPLOYEES

All members of the RHA team should treat one another with respect, dignity and fairness.

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### Guiding Principles

It is everyone's responsibility to create and maintain a work environment in which employees are treated with respect, diversity is valued and opportunities for development are provided. Harassment or abuse of any kind is prohibited in the workplace. RHA also prohibits discrimination in any work-related decision on the basis of race, color, religion, gender, age, nationality, or any other illegal basis.

If an RHA employee perceives that inequitable or unfair conduct is occurring in their workplace, the employee should utilize existing problem resolution and appeal processes available in the organization. If the employee feels that this does not resolve the matter, the employee should follow the Decision Process on page 4.

### Questions and Answers

*Q: I recently observed our contract psychiatrist where I work doing something I believe to be improper. I think I should tell someone about this, but I don't want to be considered a snitch or get in trouble. Besides, everyone says the psychiatrist works a lot more hours than the contract requires. How should I proceed?*

**A:** Even if the psychiatrist works more hours than the contract requires, you should address concerns about any potential misconduct by a member of the RHA team through appropriate channels. In this case you may wish to talk to the psychiatrist directly or to your supervisor or Director. If you do not feel comfortable with either of these approaches, use the Decision Process.

RHA is committed to fair resolution of allegations against any member of the RHA team.

*Q: I know an employee who is occasionally offended by the language and inappropriate humor a manager uses when speaking with employees. How should I advise the employee?*

**A:** Advise the employee to tell the manager that the employee finds the language and humor offensive. If the employee is not satisfied with the results (or is uncomfortable speaking directly with the manager), the employee should follow the Decision Process.



## **CODE OF CONDUCT STANDARD: CONFIDENTIAL AND PROPRIETARY INFORMATION, HIPAA AND HITECH RULES**

We must protect RHA confidential and proprietary (company owned) information, including information about the people we support.

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### **Guiding Principles**

We should never disclose confidential information to any unauthorized person. To ensure compliance with HIPAA Privacy Rule requirements, the Company will implement policies and procedures to ensure that Protected Health Information is not used or disclosed for purposes other than treatment, payment, or certain health care operations, unless the use or disclosure is authorized by the person receiving services, or his or her legal representative, or is specifically required or permitted under the Privacy Rule, The Confidentiality of Alcohol and Drug Abuse Patient Records Regulation (42 CFR, Part 2) and applicable state law. To ensure compliance with the “breach notification” regulations of the Health Information Technology for Economic and Clinical Health (HITECH) Act, the Company will implement policies and procedures to notify individuals of a breach of their unsecured Protected Health Information as required.

RHA will take reasonable steps to prevent copying or unauthorized use of copyrighted, trademarked or licensed materials (such as software, manuals, books etc.) and safeguards all information belonging to RHA and to those with whom we do business.

Information obtained, developed or produced by RHA and its employees, information supplied by outside consultants or vendors for the benefit of RHA and information about RHA business operations is confidential. This information should not be disclosed to anyone outside the organization — including friends, family, relatives, business or social acquaintances, customers, suppliers or others. Unless you have specific authorization, do not disclose this information to other RHA employees except on a “need to know” basis and with agreement from the recipient to treat the information as confidential.

### **Questions and Answers**

*Q: A company executive who developed training materials for RHA is marketing these materials on his own time to other companies. He intends to keep the proceeds for his own use. Is this ethical?*

**A:** Generally RHA retains the right to all proprietary (company-owned) materials (training materials, computer programs, business processes, marketing strategies) created by employees while on the job or while using RHA resources. This is a complex area and you should raise this issue with your supervisor or the Ethics and Compliance Office. Information owned by RHA may not be used for personal gain.

*Q: I received a call from a former RHA employee's new employer asking questions about the employee's performance while at RHA. Should I give out this information?*

A: Information concerning employee performance is confidential. Refer all such calls to the Administrator/Director or to Human Resources.

*Q: I just sent an email containing the names and diagnoses of five of the people I serve to the wrong email address. What should I do?*

A: Immediately attempt to retrieve the emails, then notify your Administrator or Director and the Compliance Officer. The Compliance Officer will send you a Breach Investigation Protocol which you will complete and return. The Compliance Officer will determine the level of risk to the people whose PHI was breached and give further instruction at that point.

*Q: A legal representative has requested a complete copy of their son's record. What should I do?*

A: Notify your Administrator or Director and the Compliance Officer for detailed instructions. Review the Privacy Policy Manual, Policy 600, Rights, and Procedure 3 – Viewing or Copying a Record. The Legal Representative has the right to receive a copy, but policy states that the request must be in writing, that RHA can provide a summary in lieu of the complete record if the person agrees in advance and that RHA has the ability to deny access in whole or in part.

*Q: I have received a subpoena to provide a consumer's record and testify in court. The subpoena is signed by an attorney. What should I do?*

A: Notify your Administrator or Director and the Compliance Officer for detailed instructions. The Compliance Officer will send you a Subpoena Process Worksheet that will guide you through a series of questions that will direct you towards the appropriate steps to take.

## CODE OF CONDUCT STANDARD: PROTECTING PROPERTY AND ASSETS

We should safeguard the personal property of persons supported, visitors, employees and property owned by the company. Company property and other RHA assets should be used for business purposes only.

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### Guiding Principles

RHA will make every effort to protect personal possessions belonging to the people receiving services, visitors and employees from theft, damage, destruction, loss and misplacement. For people receiving residential services, an inventory will be maintained of clothing and personal possessions; individual storage places will be provided for clothing and personal possessions. Employees and visitors are encouraged, and in some instances, required to leave money, medications and other personal possessions in their car or at home while working or visiting on RHA property. People receiving residential services have the right to purchase insurance covering damage or loss of personal possessions at their own expense.

Company property is made available to RHA employees only for authorized RHA business purposes and should not be used for personal reasons. This applies to physical assets such as office equipment, computers, software and supplies or medical supplies, as well as other types of property such as company records, personal information and customer lists. RHA property must not be removed from company premises, unless it is necessary to do so to perform your job. If removed from company premises, you must obtain written permission to do so and return the property when it is no longer needed off-site for business purposes.

All RHA employees are expected to maintain and properly care for company property.

### Questions and Answers

*Q: If I see an employee intentionally misusing or damaging company property, what should I do?*

*A: We all have an obligation to treat company property and equipment with care and respect. This includes reporting any damage or malfunction of company property to appropriate company personnel. If you are aware of anyone intentionally or negligently damaging RHA property or equipment, report your observations to your supervisor, another company manager or the Administrator or Director. The company will investigate the matter and take appropriate action.*

*Q: I witnessed a coworker borrowing several DVDs from a person we support. Is it OK for the staff to do that?*

A: No. Staff are not allowed to borrow, steal or purchase personal possessions from anyone receiving services from RHA. You should report this to the Qualified Professional or a supervisor.

## **OPERATIONAL ISSUES**

### **CODE OF CONDUCT STANDARD: CONFLICT OF INTERESTS**

We should avoid both the conflict of interests and the appearance of a conflict of interests.

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#### **Guiding Principles**

A conflict of interests occurs if an outside interest or activity may influence or appear to influence your ability to exercise objectivity or meet your job responsibilities for RHA. Participation in activities that conflict with your employment responsibilities at RHA is not acceptable.

A good rule of thumb is that a potential conflict of interests exists anytime an objective observer might wonder if your actions are motivated solely by your responsibilities to RHA.

RHA employees and their families are prohibited from soliciting or receiving gifts, loans, entertainment or any other consideration of value from a person or organization that does business or may want to do business with RHA. If an RHA employee receives any substantial gift or favor, it must be returned and the employee's supervisor notified. The only exception is a gift having a value of \$50 or less extended as business courtesy, such as sales promotion items or occasional business-related meals or entertainment of modest value.

RHA employees should not accept a gift or consideration of more than nominal value, or a cash payment (or its equivalent) of any amount from a person whose is supported by RHA or their family. If employees receive a gift of nominal value from a person supported or his/her family member, they should notify the supervisor.

In no case should an RHA employee offer or give any gift or any consideration of value that may appear to be intended to influence the objective judgment of anyone outside of RHA. If you could not accept a gift or consideration within RHA guidelines, you should not offer one.

#### **Questions and Answers**

*Q: I have an outside business selling fitness products. Can I use company bulletin boards or interoffice mail to advertise these products to other RHA employees?*

A: No. Products and services not offered by RHA can not be promoted during working hours or on company property. Neither should you use RHA's name, its properties, or resources (e.g., telephones or your work time) to sell non-RHA services or products. However, you are free to engage in an outside business which does not pose a conflict of interests with RHA on your own time and off company premises.

Q: *RHA is about to contract with a vendor for a new coffee service. My wife owns a coffee service business. Would it be a problem if I recommended my wife's company?*

A: Generally, RHA avoids contracting goods or services with family members of employees. Do not take any action that may create the impression that you are attempting to influence an RHA purchasing decision in favor of a family member. As long as you and your wife stay out of the purchasing decision and disclose the relationship, the company will be able to reach an objective decision.

Q: *In appreciation for our business, suppliers to RHA occasionally invite me out to dinner or a sports event. Is it acceptable for me to go?*

A: You may accept these types of invitations if they are consistent with RHA gift policy and if they are within the bounds of the law, good taste, moderation and common sense. Your activities must not only be acceptable according to company policy but must also avoid creating an appearance of impropriety

Q: *My job is to audit expense reports. I received a report covering the purchase of gifts totaling several hundred dollars bought for one of our consultants. Is that acceptable?*

A: No. While such gift giving may have been common in our industry at one time, any gift or consideration of value that may appear to be an inducement for referrals is prohibited by RHA. Use the Decision Process to address your concern.

Q: *If I have been asked to speak at a conference and an honorarium is given to me for my effort, is that honorarium mine or does it belong to RHA?*

A: The right action is to seek a proper determination *in advance* of the speaking engagement. Generally, if you are being asked to speak in your role as an employee of RHA, and if your trip or other arrangements are sponsored by RHA, then the honorarium should be paid to RHA. On the other hand, if your speaking engagement is unrelated to your employment or roles (past or present) with RHA, you are preparing and presenting without use of RHA resources, and you are using vacation or leave time to make the arrangements, prepare and give the presentation, then the honorarium is most likely your personal property. There is always judgment involved in such a situation. You should ask your supervisor or the Ethics and Compliance Office beforehand to determine who should receive the honorarium.

## CODE OF CONDUCT STANDARD: ETHICAL BUSINESS PRACTICES

We should display good judgment and high ethical standards in our business decision making.

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### Guiding Principles

We are required to conduct business with honesty, fairness and integrity. These qualities are demonstrated through truthfulness, the absence of deception or fraud and respect for the laws which apply to our business. Acting with integrity is the responsibility of every member of the RHA team regardless of their work location or job. To ensure compliance with Federal and State False Claims Acts and to prevent and monitor for fraud, waste and abuse of Federal and State funds, RHA routinely audits all services for regulatory compliance as well as quality services.

### Questions and Answers

*Q: I have found that our competitors are providing illegal payments to their consultants and medical directors and affecting our ability to compete. What should I do?*

**A:** Improper behavior by a competitor does not justify similar behavior on our part. Notify your supervisor of this situation providing any facts available to you. If you are not comfortable with this approach, you may use the Decision Process to address your concern.

*Q: My supervisor directed me to do something that I believe is against RHA policy and maybe the law. I don't want to do something improper, but I'm afraid if I don't do as I am told, I may lose my job. What should I do?*

**A:** Consider discussing the request with your supervisor to be sure you understand the facts and that he or she is aware of your concern. If you cannot comfortably discuss the situation with your supervisor or cannot resolve your concern at this level, approach a more senior manager, following the Decision Process. Do not risk your job or the organization's future by taking part in an improper activity. RHA strictly prohibits retaliation against employees who raise such concerns honestly and forthrightly.

*Q: One of the state surveyors is an old friend of mine from our days in the military. During the survey of one of our units, I invited my friend (the surveyor) to have dinner with me later that evening. We both avoided discussing the survey. Is this acceptable?*

A: Our ethical standards require that we avoid even the appearance of impropriety. Discuss the situation with your friend and avoid socializing until well after the survey has been completed and the survey recommendations submitted.

*Q: A record in the office that I am responsible for was audited by the Quality Assurance team. They found that a consumer was provided with services for a 30-day period without a valid Service Order. I am being told that we will have to refund the money we billed for this consumer during this time. Is that correct?*

A: Yes. If a service is provided without a valid Service Order, it is not a valid service and any money paid to RHA for those services will be refunded.



## CODE OF CONDUCT STANDARD: BILLING PRACTICES

RHA employees are responsible for ensuring that bills are accurate and honest at all times

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### Guiding Principles

RHA will bill only for services actually rendered. Services rendered must be accurately and completely documented to ensure both proper billing and integrity of the database, and they must be based on an accurate and appropriate assessment of the person's needs. Billing must comply with the requirements of state and federal payers and conform to all third party payer contracts and agreements.

Documentation must be provided for all services rendered. Always follow the principle that if the appropriate documentation has not been provided then the service has not been rendered. Records may be amended to correct an error or complete documentation only in accordance with established procedures – and not for the purpose of covering up errors or obtaining any payment to which we are not entitled.

Billing and cost report data must be retained for periods prescribed by law and by RHA policies. Clinical, administrative or clerical staff involved in the preparation and/or submission of billing or cost report data must be trained in documentation practices. Billing policies and procedures must be written, approved by management, and appropriately updated. These policies and procedures must be available to all employees involved in the creation of charges or billing data.

Employees who suspect that improper billing or documentation is occurring are required to immediately alert their supervisor or a higher level manager. Additionally, any employee may call the RHA Ethics Helpline if the issue remains of concern.

### Questions and Answers

*Q: An RHA employee who works in the community confided in me that many of the services we are billing for under a new program are not actually being delivered. What should I do?*

**A:** You should encourage the employee to bring this issue to the attention of her supervisor. If the employee is unwilling, you should bring it to the attention of your supervisor, and follow the Decision Process until you are satisfied that the situation is being addressed even though you may not know about the final outcome.

*Q: I am a clerical worker who assists with collecting information which is sent to financial services. Some of the information does not appear accurate to me. We've been really busy lately, and I don't want to make a big deal about it. And besides, the information is due in a few days and my supervisor has been emphasizing the importance of meeting deadlines. What should I do?*

**A:** You should bring your concern about the inaccurate information to the attention of your supervisor. It is essential that the information for financial reports be accurate, even if it means a deadline has to be missed. If an official document includes incorrect information, there can be serious consequences for the company and for those in charge of preparing the document. If your supervisor directs you to send the information to financial services anyway (despite your concerns about its accuracy), use the Decision Process until you get an answer that makes sense to you.

## CODE OF CONDUCT STANDARD: ACCURACY OF RECORDS

We are required to prepare and maintain all records accurately and retain such records for periods prescribed by law and RHA policies.

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### Guiding Principles

We must ensure that all our program records, medical records and business records are accurate and complete.

Program and medical records must meet accepted standards for the maintenance of such records and shall not contain false or misleading information.

Company books and records must not contain false or misleading information. Financial transactions should be recorded in accordance with generally accepted accounting principles and RHA policies and standards.

### Questions and Answers

*Q: I have been asked to witness an advanced directive for a person I support. Is it within my job responsibilities to do so?*

*A: No, most likely not. It is a violation of North Carolina Statute for an employee to witness certain non-RHA legal documents, such as advanced directives, assignment of legal representation, or power of attorney. Certain RHA documents, such as consent forms, may require an RHA witness, in which case this responsibility falls to the Qualified Professional. If you are uncertain whether you are allowed to witness a document, contact the Administrator/Director or the Compliance Helpline.*

*Q: I work in the business office, and a manager tells me how to record a transaction. Her instructions are not in compliance with generally accepted accounting principles or RHA guidelines. What should I do?*

*A: Try to explain to the manager the accounting requirements and the reason the transaction cannot be recorded as instructed. If you are unable to resolve the situation with this manager, follow the Decision Process until your concerns are addressed.*

*Q: I'm a new RN at RHA. A fellow RN called me from home after she completed her shift. She told me that she forgot to enter an order for a change in medication for a person that had been phoned in at 9:00 a.m. by the person's physician. The RN asked me to log the change into the medical record at the appropriate time, 9:00 a.m., and to use her initials. She said charts are often updated in this way and no harm is done. Is this okay?*

A: While the RN did the right thing by calling to note the chart error, the error should be promptly reported to your supervisor. You should never record an order you did not hear and never sign someone else's signature or initials. Even if no harm occurred in this case, the error needs to be reported. If you fear retaliation from other employees, bring your concern to the attention of your supervisor. RHA does not tolerate retribution against employees who promptly report errors.

## CODE OF CONDUCT STANDARD: MARKETING

We should represent RHA services and products fairly and honestly, stressing their value and our capabilities.

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### Guiding Principles

RHA will advertise to inform the community of the availability and value of our services and products; to provide educational information about mental health, developmental disabilities and substance abuse; and to inform the public of RHA views on relevant public policy issues.

RHA is perceived as a reliable, authoritative source of information about services provided to people with mental health, developmental disabilities and substance needs in the state of North Carolina, Georgia and Tennessee. We should remain mindful of the trust the public places in us to provide accurate, balanced information.

Advertising should be honest and accurate and, when presenting views on issues, clearly distinguish opinion from factual data. Advertising should not disparage or caricature competitors or other groups.

### Questions and Answers

*Q: A recent report ranked organizations which provide services to people with mental health, developmental disabilities and substance abuse needs. RHA ranked high and our competitor ranked low. Should we inform the public of this information?*

*A: We may certainly include reference to a good rating of our performance when discussing RHA and its services in advertising and informational materials. In doing so, we should evaluate whether we consider the agency that did the ranking reporting a reliable source. Direct comparisons of our ranking with competitors should not be the focus of our advertising. We should discuss our success without reference to the performance of other organizations, letting the public seek that information from other sources.*

*Q: At RHA we have developed certain programmatic policies that have achieved very positive outcomes. Shouldn't we promote that as widely as possible?*

A: While we should be proud of the positive outcomes we have achieved, we must use caution when promoting these capabilities. In designing advertising and other public information, we should make certain that we have the kind of data or track record that truly substantiates why we've had such success.

We have a responsibility to assist others with techniques found to be helpful. However, we must also make every effort to help the public evaluate all treatment options, through the availability of our education programs and services.

## **CODE OF CONDUCT STANDARD: GOVERNMENT INVESTIGATIONS**

RHA cooperates with legitimate government investigations. Government investigations are a fact of life in today's healthcare environment and procedures for cooperating with these investigations may be complex.

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### **Guiding Principles**

If an RHA employee is approached by any person who identifies him or herself as a government investigator, the employee is encouraged to contact the Administrator/Director or the Ethics and Compliance Office immediately. When calling the Ethics and Compliance Office, notify the person taking the call that you are calling concerning a potential government investigation. The Ethics and Compliance Office will assist you in verifying the credentials of the investigator, determining the legitimacy of the investigation, and following proper procedures for cooperating with the investigation. For the purposes of this Code of Conduct, regulatory surveys and audits by state agencies such as the MCO, DHSR, DIDD or DBHDD are not considered investigations.

In some cases, government investigators, or persons presenting themselves as government investigators, may contact employees outside of the workplace, during non-work hours, or at home. Do not feel pressured to talk with the person under such circumstances without first contacting your facility administrator or the Ethics and Compliance Office. It is the legal right of employees to contact legal counsel before responding to questions by an investigator.

RHA employees must never:

- destroy or alter any company document or record in anticipation or as a result of a request for the document or record by a government agency, outside agency or court;
- lie or make false or misleading statements to any government investigator;
- attempt to persuade any other company employee, or any other person, to provide false or misleading information to a government investigator or to fail to cooperate with a government investigation.

Should an RHA employee receive a subpoena or other written request for information (such as a Civil Investigative Demand), the employee should contact the Ethics and Compliance Office immediately and before responding.

## Questions & Answers

*Q: The local district attorney calls and asks me to give a statement regarding RHA treatment of a particular person we support. Should I respond?*

*A: We have a responsibility to protect people's confidentiality. Do not provide confidential information to a person who identifies him or herself over the telephone as a district attorney until you have spoken with the Administrator/Director or the Ethics and Compliance Office.*

*Q: What should I do if an FBI agent comes to my home and asks to talk to me about the activities of my unit?*

*A: RHA cannot prohibit you from talking to a government investigator if you wish to do so. However, you may consult with the Ethics and Compliance Office before answering any questions. Asking to speak with the Ethics and Compliance Office before answering questions is your right and in no way indicates that you are not cooperating fully.*



## CODE OF CONDUCT STANDARD: IMPROPER USE OF FUNDS

We may not use RHA funds for improper or illegal activities such as payments to “induce” referrals or for political payments.

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### Guiding Principles

RHA prohibits any payment that may be viewed as a bribe, kickback or inducement. A “bribe” or “kickback” is any payment or gift of value offered with the intent to influence a decision on grounds not directly related to its business merits. Payments or gifts of value given to or received from physicians or other parties to influence the flow of referrals to RHA are inducements and are prohibited.

You may not use company funds, materials or property to contribute to or to assist a political party, committee, organization or candidate in connection with an election campaign. You may not pressure employees of RHA to contribute to a candidate or campaign. You may, of course, make personal contributions of your own funds to the campaigns of candidates of your own choice within the limits allowed by law.

### Questions and Answers

*Q: What should I do if a case manager at the Managed Care Organization asks me to provide payment or compensation in exchange for referrals to my program?*

**A:** Such a request is against our principles and may be illegal. Discuss the situation with your supervisor, a higher level manager or call the Ethics Helpline. Any supervisor or manager in receipt of such a report should notify their Administrator/Director or the RHA Ethics and Compliance Office immediately.

*Q: I work in the payroll/accounts payable section and every month I process a check for a medical director. Recently I learned from a friend that the physician does not perform his contractual duties as a medical director. What should I do?*

**A:** When encountering questionable circumstances such as this, bring specific and pertinent information to the attention of your supervisor. If you are not comfortable with this approach, use the Decision Process. Payments made to physicians or any other consultants/contractors where they do not provide services in return may pose significant risk for RHA.

## CODE OF CONDUCT STANDARD: HEALTH, SAFETY AND ENVIRONMENTAL CONCERNS

We are required to provide a safe and healthy workplace by observing applicable health and safety laws and regulations.

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### Guiding Principles

RHA policy is to comply with all applicable workplace health, safety and environmental laws and regulations. On occasion RHA employees may handle hazardous chemicals, infectious agents, and other potentially hazardous materials at various locations. All employees are expected to handle materials according to established control, storage and disposal procedures. If you do not know the correct procedure for handling or disposing of any material, promptly ask your supervisor or another RHA resource such as the Administrator/Director.

### Questions and Answers

*Q: With all the rules and regulations about disposal of chemical waste, I am not entirely sure what I can pour down the drain. How can I find out what is acceptable?*

*A: Most chemicals used at RHA are not classified as hazardous waste. Information regarding the hazards, proper handling, and disposal of chemicals is contained in the Material Safety Data Sheet (MSDS) supplied to us by the manufacturer. These are located in a binder available in areas where hazardous materials are used. If you are not sure, ask your supervisor or the Administrator/Director before disposing of any chemical waste. Facility safety plans and manuals provide additional guidance.*

## **CODE OF CONDUCT STANDARD: PERSONAL FUND RAISING**

We will avoid personal fund raising for the benefit of employees or on behalf of the organization, except when such fundraising is for the purpose of providing supports to the people receiving services.

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### **Guiding Principles**

Employees will not be allowed to solicit funds on behalf of a personal cause, such as selling cookies for a daughter in the Girl Scouts or selling candy or wrapping paper for a child's school during working time or on company premises. People supported will not be allowed to sell items on behalf of the organization, except as part of a job for which they are paid, such as sale of items produced in a company operated workshop. People supported will not be allowed to raise funds by appeals to employees or other persons supported.

Employees and people supported will be allowed to have fund raising events, such as, but not limited to, bake sales, yard sales, or collection drives, if the purpose of the fund raising is to fund services and supports, such as, but not limited to, vacations and special projects supporting the local community, such as, but not limited to, book bag and school supply collection for schools, adopting a family for Thanksgiving or Christmas, or in times of natural disaster, or collecting food or clothing for a homeless shelter.

### **Questions and Answers**

**Q:** Can I have a cosmetics business where I sell cosmetic products out of my home and still work for RHA?

**A:** Yes, as long as you are not soliciting those products during work hours or on RHA property.

**Q:** I know that RHA sponsors fund raising events in which employees and the general public may be invited. Isn't this fund raising on behalf of the company?

**A:** No. The proceeds from these fund raising events is used for the development of services, activities or events specifically for the people supported.

## RHA's POLICY FOR PREVENTION OF FRAUD, WASTE AND ABUSE

The following Ethics and Compliance Program Policies relate to Medicaid fraud prevention at RHA:

### Reporting of Potential Issues or Areas of Noncompliance

Strict adherence to the Code of Conduct, Corporate Compliance Policies and Procedures by all employees of RHA and Affiliates is vital to our compliance commitment. Managers are responsible for ensuring that employees are aware of and adhere to the provisions of the Code of Conduct and Corporate Compliance Policies and Procedures. For clarification or guidance on any point in the Code of Conduct or Corporate Compliance Policies and Procedures, please consult the Compliance Officer.

Employees are expected to report any suspected violations of the Code of Conduct, Corporate Compliance Policies and Procedures or other irregularities to their Supervisor, Administrator or the Compliance Officer. If the employee wishes to remain completely anonymous, that employee may submit his/her report through the toll-free Ethics Help Line. This number shall be posted on company bulletin boards. All reports must contain sufficient information for the Compliance Officer to investigate the concerns raised. *RHA will take no adverse action or retribution of any kind against an employee because he or she reports in good faith a suspected violation of the Code of Conduct, Corporate Compliance Policies and Procedures or other irregularity by any person other than the reporting employee.* RHA will treat such reports confidentially and protect the identity of the employee who has made a report to the maximum extent of the law and consistent with fair and rigorous enforcement of the Code of Conduct.

Upon receipt of a report, the Compliance Officer will document the nature of the compliance issue and whether the alleged complaint is a violation of state or federal law, RHA's Code of Conduct, or if it puts RHA at risk for financial injury or injury to its reputation. The Compliance Officer, or designee, will conduct a complete investigation to determine the validity of the accusation, and then recommend any remedial actions, if warranted. Investigation results, recommendations and remedial actions will be documented by the Compliance Office.

The Compliance Officer, in conjunction with the Compliance Committee, must investigate every report of possible non-compliance and record the findings. If there is any evidence that the entity or any of its officers, directors or employees may have violated the applicable statutes and regulations triggering possible criminal or civil liability, RHA's legal counsel will be notified.

### Reimbursement and Billing Procedures

RHA Health Services, LLC is committed to ensuring that its billing practices comply with all Federal and state laws, regulations, guidelines and policies. RHA also strives for accurate billing and submission of claims only for services that are actually rendered and medically necessary. In addition, it is RHA's policy that cost reports accurately reflect costs incurred for furnishing healthcare services. Furthermore, RHA shall, when applicable, update policies and procedures to ensure that they reflect current changes in payment methodologies for particular services.

### Billing and/or Reimbursement Issues.

RHA Health Services, LLC strives to adhere to the highest standards. Any Billing Personnel, who identifies any potential billing or reimbursement discrepancies with respect to claims already submitted to the government or private payers, is required to report those discrepancies immediately. The report can be made to the immediate supervisor, Administrator or Director, Vice President, Controller, or to the Corporate Compliance Office.

Reports of discrepancies with respect to past claims or reimbursement shall be brought to the attention of the Administrator, Director, Regional Vice President, Compliance Officer or Chief Financial Officer promptly. The Corporate Compliance Officer shall obtain full information from any Billing Personnel or others known to be involved in making the report and will evaluate the report with input from Legal Counsel as needed, and a determination made as to whether program repayment is warranted.

Billing Personnel may encounter uncertainties as to whether particular healthcare services are covered, or the appropriate manner in which to claim reimbursement for services. In such circumstances, Billing Personnel shall first bring the issue to the attention of their supervisor, who if uncertainty still exists, shall discuss the issue with the Manager – Accounts Receivable, Controller, Chief Financial Officer, or the Corporate Compliance Officer. If uncertainty still exists, the Corporate Compliance Officer will determine if the payer, Medicaid, Medicare or intermediary should be contacted in an attempt to resolve the issue. Only the Chief Financial Officer, or the Corporate Compliance Officer, after consultation with outside legal counsel if necessary, shall initiate such contact.

Billing Personnel shall report immediately to their supervisors any billing instruction received from payers, either verbally or in writing, which is inconsistent with current RHA billing policy or procedures. Billing supervisors, in turn, shall bring such reports promptly to the attention of the Controller for immediate resolution.

## HOW TO ASK QUESTIONS OR REPORT CONCERNS

If you have a question or concern about this Code of Conduct, your supervisor, home manager, or the Administrator/Director are often closest to the situation and best able to help you. However, RHA recognizes that there may be times when you are uncomfortable raising certain questions with your supervisor or manager. You are encouraged to call RHA's Ethics Helpline at 866-742-2428 (Monday through Friday, 10:00 – 3:00) which is answered by the RHA's Ethics and Compliance Office.

The staff of the Ethics and Compliance Office may not be able to answer every question or address every concern. Normally, the Office can identify the correct source for additional information, advise you on procedures to follow, and assist as appropriate. To protect the privacy of others not all RHA decisions or solutions can be disclosed to the caller. You may call the Office anonymously. Inquiries are handled confidentially, up to the limits imposed by law.

RHA recognizes that its employees may not want to report concerns if they believe they may be subject to retaliation or retribution. ***No RHA employee, supervisor or manager is permitted to engage in any form of retaliation or retribution against anyone who reports a concern.*** Any RHA employee who engages in or threatens retaliation or retribution is subject to discipline, up to and including termination of employment on first offense.

Although RHA employees are encouraged and expected to report potential concerns, this does not mean they will be excused from the consequences of their own actions. However, RHA views prompt and full disclosure of any concern to be a positive action by the employee.

RHA supervisors and managers have a special obligation to be open to employee concerns. Even if an employee raises an uncomfortable question or criticizes the supervisor or manager, the supervisor or manager should welcome the employee's questions or concerns and, as appropriate, seek assistance in addressing them. If the supervisor or manager does not know how to answer a question or address a concern, the Administrator/Director or the RHA Ethics and Compliance Office will assist the supervisor or manager.

Questions or suggestions about anything in this Code of Conduct, or reports of potential misconduct in violation of these Guidelines, can be directed to the RHA Ethics and Compliance Office as follows:

**TELEPHONE:** 828-232-6844  
Monday through Friday, 9:00 AM – 5:00 PM

**ADDRESS:** Ethics and Compliance Office  
RHA Health Services, LLC  
17 Church St.  
Asheville, NC 28801

## Policy on Disciplinary Guidelines

All RHA employees will be trained on the importance of adhering to the Corporate Compliance Plan and Code of Conduct. Any disciplinary action, up to and including termination will be determined based on the nature and severity of non-compliance. RHA prohibits the disciplinary action of any employee for reporting, in good faith, an alleged act of non-compliance or a violation of the Company's standard of conduct. Should an employee misuse the reporting mechanism to share frivolous allegations, RHA may consider progressive discipline up to and including termination.

The following are examples of possible employee infractions and violations of the Corporate Compliance Plan:

- Negligently providing incorrect information to RHA, or to a government agency, resident or person receiving supports, parent, legal representative, insurer, or the like.
- Willfully providing materially false information to RHA or a governmental agency, resident, person supported, insurer, or the like.
- Violation of any state or federal statute.
- Failure to report to RHA conduct by an RHA employee that a reasonable person should know is criminal.
- Intentional misuse of the Help Line by knowingly and willfully providing false information to the Corporate Compliance Officer.
- Engaging in any conduct prohibited in the employee handbook, Personnel Policy Manual, Clinical Manuals and Procedures, or that is considered unbecoming to an RHA employee.

The Compliance Officer with the support of Human Resources Department will determine the level of disciplinary action, up to and including termination, of any employee who discloses an act of misconduct, which contains their admission of personal non-compliance,

- a) Whether he or she promptly reported his/her own violation,
- b) Whether the report constitutes the company's first awareness of the violation and the employee's involvement, and
- c) Whether the employee cooperates fully in investigating and/or correcting the violation.

Whether RHA eventually imposes a punishment less stringent than termination will be left to the sole discretion of RHA.