



CORPORATE COMPLIANCE PLAN

January, 2007

ANDRUS CHILDREN’S CENTER CORPORATE COMPLIANCE PLAN

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SECTION 1 – INTRODUCTION

The Julia Dyckman Andrus Memorial (Andrus Children’s Center) seeks to conduct itself in accordance with the highest level of business and community ethics and in compliance with all applicable laws and regulations. Andrus Children’s Center is committed to preventing, detecting and correcting any unintentional or deliberate conduct that is inconsistent with these principles.

Andrus Children’s Center Compliance Plan (the "Plan") has been developed in accordance with applicable law, with guidance from state and federal authorities when available, including the Federal Sentencing Guidelines and model compliance programs issued by the U.S. Department of Health and Human Services Office of Inspector General (the “OIG”). While the Plan places a strong emphasis on the prevention of fraud, abuse and waste in federal, state and private health care plans, the scope of the Plan is not be limited to these issues and covers other areas of compliance to which Andrus Children’s Center is subject. With this Plan, Andrus Children’s Center will seek to promote full compliance with all legal duties applicable to it, foster and assure ethical conduct, and provide guidance to each employee and agent of Andrus Children’s Center for his/her conduct. The procedures and standards of conduct contained in this Plan are intended to generally define the scope of conduct which the Plan is intended to cover and are not to be considered as all inclusive.

This Plan is intended to 1) prevent accidental and intentional noncompliance with applicable laws; 2) detect such noncompliance if it occurs; 3) discipline those involved in noncompliant behavior; 4) remedy the effects of non-compliance and; 5) prevent future noncompliance. This Compliance Plan is a "living document" and will be updated periodically to keep Andrus Children’s Center’s employees and agents informed of the most current information available pertaining to compliance requirements in the health care industry.

The Board of Directors for Andrus Children’s Center has directed the preparation of a comprehensive written compliance plan by Resolution dated _____. The Board of Directors will receive quarterly compliance reports from the Compliance Contact and an annual report recommending any changes necessary to improve the compliance program. Also, annually, the Board of Directors will review the Plan and compliance efforts during the year and will act on any suggested revisions necessary to improve the compliance program. The Board Audit Committee will assume primary responsibility for this function.

The Plan, in its entirety, is published on the agency’s website and every Andrus Children’s Center employee or agent is required to review it.

STATEMENT OF ETHICS

- Andrus Children’s Center is committed to ethical practices that are consistent with the Mission, Goals and Values developed by the Board of Directors and staff
and to
- Provide the highest quality of services to the broadest range of children and families meeting criteria for our programs.
- Adhere to the most stringent possible standards of compliance with all regulatory requirements of accountability in record keeping, protection of confidential information, billing, claims processing and other reporting activities.
- Ensure that all agency-directed activities of children and families are consistent with sound treatment planning and do not represent personal gain for the agency or our representatives.
- Provide all services within the parameters of clearly defined contracts that are fully explained to all parties at the point that service is initiated.
- Provide all services within the framework of informed consent; offer opinions for resolution of conflicts over recommendations; extend assistance in securing other services when conflicts cannot be resolved; undertake legal action when the best interests of the child are not being protected by parties with the power of consent.
- Avoid conflict of interest in any agency-directed relationships and contractual agreements by maintaining a standard that these relationships and agreements are clearly defined, impartially conducted, and unencumbered by personal gain.
- Conduct all research activities within clearly established guidelines that promote protection from risk and require full informed consent.
- Provide frameworks for the protection of the rights of staff and the rights of those who use the services of the agency.
- Require that all staff who are licensed clinical practitioners abide by the ethical guidelines of their respective professions.
- Expect that all representatives of the agency will assume responsibility for identifying and reporting incidents of deviance from these standards without threat of reprisal.

Signed _____

Date _____

SECTION 2 – DEFINITIONS

These terms shall have the following meaning throughout this Plan:

1. “The Julia Dyckman Andrus Memorial” (corporate name) and “Andrus Children’s Center” mean "Andrus Children’s Center" and all its divisions and programs.
2. “Members of Andrus Children’s Center’s Board of Directors” and “Andrus Children’s Center Board of Directors” include those persons who serve in Andrus Children’s Center’s Board of Directors that serve as agency governance.
3. “Andrus Children’s Center Executive Leadership” and “Agency Executive Leadership” mean the President & CEO, the Executive Vice President & COO, and the CFO.
4. “Andrus Children’s Center Employees” include those persons employed by Andrus Children’s Center to work within any one or more of its programs.
5. “Andrus Children’s Center Agents” include all persons and entities that have contracted with Andrus Children’s Center to provide health care related services, equipment or other items.
6. “Andrus Children’s Center Volunteers” include all persons who volunteer to work in one or more of Andrus Children’s Center’s programs without compensation (monetary or otherwise), but are subject to all applicable agency policies.
7. “Andrus Children’s Center Representatives” include all persons listed in definitions 2-6 of this section.
8. “Health care benefit program”, means any public or private plan or contract for the provision of any medical benefit, item, or service to any individual.
9. “Compliance Officer” is a full time employee of the Andrus Children’s Center and reports directly to the Chief Executive Officer and the Board on matters related to compliance.
10. “Lead Compliance Contact” is a full time employee of the Andrus Children’s Center who reports directly to the Compliance Officer and manages the day to day operations related to compliance, under the supervision and direction of the Compliance Officer.
11. “Federal health care programs”, as defined at 18 U.S.C. §1320a-7b(f), include any plan or program that provides health benefits to any individual, whether directly,

through insurance, or otherwise, which is funded directly, in whole or in part, by the United States Government or state health care program, including, but not limited to, Medicare, Medicaid, CHAMPUS, VA, Federal Bureau of Prisons, and Indian Health Services, but excluding the Federal Employees Health Benefit Program.

12. "Should know", as defined under 42 U.S.C. §1320a-7a(i)(7), in relation to prohibited activity, means that a person, with respect to information, acts with reckless disregard or deliberate ignorance of the truth or falsity of the information.
13. "Federal health care offense", means a violation of, or a criminal conspiracy to violate any legal standard, if the violation or conspiracy relates to a federal health care benefit program.
14. "Up-coding" refers to utilizing a code to bill for a higher level of service or procedure, causing an increase in the reimbursement rate, when the medical record reflects that a lower level of service or procedure was actually provided to the patient.
15. "Unbundling" refers to billing separately for each component of a group of procedures that are commonly used together for which Medicare and/or Medicaid provides a single reimbursement rate.

SECTION 3 – COMPLIANCE STANDARDS AND PROCEDURES

Numerous federal and state laws and regulations define and establish obligations for the health care industry with which Andrus Children’s Center, members of Andrus Children’s Center’s Board of Directors, Andrus Children’s Center Employees, Andrus Children’s Center Agents, and Andrus Children’s Center volunteers must comply. Any Andrus Children’s Center Employee or Andrus Children’s Center Agent who violates these laws and/or regulations not only risks individual criminal prosecution and penalties, civil actions for damages and penalties and administrative exclusion, but also subjects the Andrus Children’s Center to the same risks and penalties. Any Andrus Children’s Center Employee or Andrus Children’s Center Agent who violates these laws may be subject to immediate termination of his or her employment or affiliation with Andrus Children’s Center.

REFRAIN FROM MISREPRESENTATIONS

Andrus Children’s Center and its representatives shall strive to be honest and make no misrepresentation in conducting the agency’s business affairs. These standards apply to all marketing materials, consumer records, requests for payment, time sheets, financial records and other similar documents connected to business activities.

COMPLIANCE RISK AREAS

Set forth below are the some of the most significant compliance risk areas identified by the Andrus Children’s Center. This list is not intended to be exhaustive. It is designed to make Andrus Children’s Center Employees and Andrus Children’s Center Agents aware of key compliance issues that affect day-to-day operations. More detailed compliance requirements are set forth in written policies and procedures adopted by Andrus Children’s Center. Andrus Children’s Center Employees are encouraged to contact their supervisor or the Compliance Officer if they have any questions regarding these risk areas or other potential compliance issues.

A. Billing

The submission of accurate and appropriate bills to Medicare, Medicaid and other third party payers is one of Andrus Children’s Center’s most important legal obligations. Although Andrus Children’s Center may rely on an outside billing company to submit bills, Andrus Children’s Center is ultimately responsible for these filings. While this Plan does not reference every potential billing issue that may arise, critical billing compliance issues include the following:

- Billing for items or services not actually rendered.
- Billing for medically unnecessary services.

- Duplicate billing, i.e., billing for the same services two or more times.
- Upcoding claims to reflect a higher level of service intensity than actually provided.
- Unbundling two or more services that must be billed together under applicable reimbursement rules.
- Billing for more than a single visit on the same day, to the extent prohibited by applicable reimbursement rules.
- Failure to refund credit balances that are due to clients.
- Failure to maintain sufficient documentation to demonstrate that services were performed and to support third party reimbursement.
- Billing for services provided by unqualified personnel or by personnel who lack the level of licensure required by applicable law or the relevant payer. This includes ensuring that (i) a sufficient percentage of all mental health services are provided by licensed individuals in accordance with New York State Office of Mental Health regulations and (ii) Medicare is not billed for services provided by unlicensed personnel.
- Failure to provide a sufficient level of professional supervision for services as required by applicable reimbursement rules.
- Untimely, absent or forged physician certifications on plans of care.
- Inadequate management and oversight of subcontracted services, which results in improper billing.
- Duplication of services provided by physicians and other mental health providers.
- Failure to bill other payers prior to billing Medicaid.
- Failure to return overpayments of which Andrus Children's Center becomes aware.

The failure to adhere to these and other billing requirements may subject Andrus Children's Center to substantial liability. Among other things, knowingly submitting false or fraudulent claims for payment to a government agency may constitute a violation of the Civil False Claims, 31 U.S.C. § 3729(a). A person acts "knowingly" under this law not only if they have actual knowledge of a false or fraudulent claim, but also if they act with deliberate ignorance or reckless disregard. Penalties under the Civil False Claims Act include treble damages (i.e., damages of three times the amount of the false claim) and penalties of up to \$11,000 per claim. Individuals who become aware of fraudulent claims may file "qui tam" suits on behalf of the federal government and may be entitled to keep a portion of any recovery.

Improper billing may also trigger civil and criminal liability under other federal laws, including the Criminal False Claims Act (18 U.S.C. §§ 286 and 287), Criminal False Statements Related to Health Care Matters (18 U.S.C. § 1035), Health Care Fraud (18 U.S.C. § 1347) and Civil Monetary Penalties Act (42 U.S.C. § 1320a-7a). In addition, liability may be imposed under New York State criminal laws and Medicaid statutes (see, e.g., N.Y. Social Services Law § 366-b).

B. Cost Reports

Andrus Children's Center may be required to submit cost reports to government agencies as a condition of receiving reimbursement under the Medicaid program. All cost reports must be accurate and complete. Any expenses reflected on cost reports must have been actually incurred and properly allocated among the relevant programs. To the extent the submission of inaccurate or incomplete cost reports results in the payment of excessive reimbursement, it may trigger liability under the Civil False Claims Act and the other statutes and regulations referenced above.

Andrus Children's Center may also be required to submit cost reports as a condition of receiving public or private grants. The same obligations of timeliness, accuracy and completeness are applicable to the submission of these cost reports.

C. Kickbacks and Referrals

Andrus Children's Center and its representatives shall not knowingly and willfully solicit, offer to pay, pay, or receive, any remuneration, either directly or indirectly, overtly or covertly, in cash or in kind, in return for:

- Referring an individual to a person for the furnishing, or arranging for the furnishing, of any item or service for which payment may be made, in whole or in part, under any federal health care program; or
- Purchasing, leasing, ordering, or arranging for, or recommending the purchasing, leasing, or ordering of any good, facility, service or item for which payment may be made in whole or in part, under any federal health care program.

The payment of remuneration for the referral of patients or items or services covered by any federal health care program violates the federal anti-kickback statute (42 U.S.C. §1320a-7b(b)). New York law contains a similar prohibition applicable to Medicaid (N.Y. Social Services Law §366-f).

Remuneration may include not only kickback payments and bribes, but also rebates, refunds, educational grants and other benefits to consumers. Certain legally permitted practices, such as group purchasing agreements and price reductions to health plans, among others, are excluded from this prohibition.

The anti-kickback laws also prohibit the routine waiver of clients' cost sharing obligations. Cost sharing may be waived only on a case-by-case basis due to a client's inability to pay or Andrus Children's Center's inability to collect payment after reasonable efforts. Any such waivers must be made in accordance with Andrus Children's Center's charity care and collection policies.

D. Stark Law

The federal Ethics in Patient Referrals Act, commonly referred to as the "Stark law," prohibits physicians from making referrals for certain "designated health services" reimbursed by Medicare or Medicaid to entities with which they have an ownership or compensation relationship, unless the relationship fits within a Stark law exception. (42 U.S.C. § 1395nn). New York has adopted a similar law modeled on Stark. (N.Y. Public Health Law § 238-a). Designated health services include, among others, clinical laboratory, diagnostic imaging, home health, durable medical equipment and inpatient and outpatient hospital services.

E. Tax Exemption Requirements

Andrus Children's Center is a tax-exempt organization under Section 501(c)(3) of the Internal Revenue Code and NYS law. Accordingly, Andrus Children's Center must carry out its activities consistent with the charitable purpose upon which its tax exemption is based. It is improper for any Andrus Children's Center Employee or Andrus Children's Center Agent to receive or use the organization's funds for any private purpose. Andrus Children's Center will strive to keep wages or other compensation paid commercially reasonable and consistent with fair market value. Any new activities that go beyond Andrus Children's Center's traditional mission should be carefully scrutinized by the Compliance Officer and counsel to ensure they do not jeopardize the organization's tax exempt status.

Andrus Children's Center representatives will strive to ensure that the agency sales tax exemption is used only for legitimate agency business and service transactions in accordance with federal and state law.

F. Procurement Procedures

Andrus Children's Center will strive to ensure that any acquisition or leasing of goods or services is carried out in accordance with the organization's best interests. Andrus Children's Center Employees responsible for procurement may not accept anything of value from actual

or potential vendors, except to the extent permitted by applicable procurement policies as stated in the Finance Department Policy Manual. Whenever possible, Andrus Children's Center Employees should receive two or more bids for items or services to ensure maximum value.

G. Conflicts of Interest

Andrus Children's Center Board members, officers, employees and agents may not engage in any activity that constitutes a conflict of interest under Andrus Children's Center's Conflict of Interest Policy without full disclosure and documented approval of the Executive Committee of the Board (for Directors and CEO) or Executive Leadership (for other staff). Conflicts of interest may include:

- Working for an organization that is viewed as a competitor of Andrus Children's Center without Andrus Children's Center's approval.
- Undertaking other outside activity that interferes with the individual's ability to fully and faithfully perform his or her duties for Andrus Children's Center.
- Voting or otherwise participating in a decision to do business with a company with which the individual, or a member of the individual's family, has a financial relationship.
- Any Director or other staff serving on the Board of Directors of a competing organization.

All potential conflicts of interest will be disclosed on the Andrus Children's Center Conflict of Interest Disclosure Form on an annual basis. All board decisions involving a potential conflict of interest shall be made in accordance with the Conflict of Interest Policy and applicable law (N.Y. Not for Profit Corporation Law § 715).

MANAGE AGENCY ASSETS EFFECTIVELY

Andrus Children's Center administrators and supervisors must utilize appropriate internal accounting controls in the discharge of duties to strive to ensure and safeguard the agency's assets and financial reports and records. The established accounting practices and procedures, found in the Finance Department Policy Manual, strive to assure the complete and accurate recording of all transactions. The agency has adopted controls in accordance with applicable industry standards and governmental requirements. Andrus Children's Center representatives, particularly administrators and supervisors are expected to adhere to these established controls in the discharge of all responsibilities related to the management of funded services. These controls are detailed in the Finance Department Policy Manual.

PROTECT AGENCY CERTIFICATION

Andrus Children's Center representatives must not make false statements with respect to the conditions or operations of any program for participation in the Medicaid Program or other formal payment program.

Andrus Children's Center representatives must not make false statements with respect to information regarding ownership and control of a facility or program.

PROTECT LICENSURE

Andrus Children's Center Mental Health Division services are licensed by the New York State Office of Mental Health.

Agency representatives are responsible for the compliance with these licenses. Agency representatives shall strive to be familiar with regulations governing areas of responsibility, receive and understand new regulations and/or expectations and guarantee that Executive Leadership, senior division management, and/or agency compliance staff is notified of any possible issues of noncompliance.

REFRAIN FROM UNFAIR TRADING PRACTICES

Andrus Children's Center strives to comply with all laws pertaining to restraint of trade and fair competition. Such laws generally forbid any kind of understanding or agreement (written or verbal) between competitors to fix and control fees or payments for services or products, or to engage in any other conduct that results in restraint of competition.

CONFORM TO FUNDRAISING STANDARDS

Andrus Children's Center strives to comply with the fund raising standards promoted by the Association of Fund Raising Professionals. Only fund raising activities that benefit the agency and our programs or services are allowed, unless specifically authorized by the President & CEO or designee. Fund raising events must be consistent with the Mission, goals, mandates and values of the agency.

All fund raising events or activities must be coordinated by and reported to the development office to avoid conflict or potential damage to a relationship with a donor. Fund raising reports are issued regularly and comply with the applicable laws and regulations associated with the agency's licenses and no-for-profit law.

UPHOLD FAIRNESS AND COMPLY WITH LABOR AND EMPLOYMENT LAWS

Andrus Children’s Center strives to comply with all applicable labor laws and statues regarding employee-employee relationships and workplace environment. The agency and its representatives shall not discriminate in hiring, promotion, awarding contracts or any other fashion in regards to race, religion, or sexual orientation. The principal rules governing examinations, appointments, promotions, transfers, reinstatements, and other similar actions are found in the Andrus Children’s Center Policy and Procedure Manual.

COMPLY WITH ENVIRONMENTAL HEALTH & SAFETY REQUIREMENTS

Andrus Children’s Center strives to provide a workplace in compliance with the federal and state laws that govern workplace and occupational safety. Promotion of occupational safety and avoidance of job-related hazards ensures a safe work environment and minimal loss of work days.

EXERCISE CONTROL OF MEDICATIONS

Andrus Children’s Center strives to comply with all applicable laws, regulations as well as agency policies and procedures that apply to the prescription of medications and controlled substances.

ADHERE TO RESEARCH GRANT STANDARDS

Research Grant proposals involving clients we serve are subject to provisions of applicable federal and state laws and regulations, particularly with respect to the protection of vulnerable populations (children). Researchers must be vigilant in considering whether grants involve improper inducements for referrals. Research that encourages or results in improper referral practices could constitute “kickback” in violation of federal and state law.

COMPLY WITH STANDARDS ON POLITICAL PARTICIPATION & GOVERNMENTAL RELATIONS

Andrus Children’s Center strives to comply with all federal and state laws that govern political participation, governmental relations and any other business relationships with any political candidates or office holders.

SECTION 4 – COMPLIANCE COMMITTEE/COMPLIANCE CONTACTS

THE COMPLIANCE COMMITTEE

This Plan shall be implemented under the guidance and supervision of the Compliance Committee, which shall coordinate compliance efforts for The Andrus Children's Center

1. Members. The members of the Compliance Committee are:
 1. Compliance Officer (Chief Operating Officer)
 2. Lead Compliance Contact
 3. Director of Mental Health Division
 4. Director of Human Resources
 5. Chief Financial Officer
 6. Director of Information Systems
 7. Billing Manager
 8. Campus Client Records Manager
 9. Mental Health Division Clinician
 10. Community Program Supervisor
 11. Practice Management Alternatives Representative (see Addendum A) PMA serves as consultant to the committee as needed
2. Meetings. The Compliance Committee shall meet at a minimum of every other month but whenever necessary.
3. Pairing: Members of the Compliance Committee who also engage in auditing activities will be paired with another Compliance Committee member to review their work and ensure the accuracy and integrity of the process.

THE COMPLIANCE OFFICER

The Compliance Officer shall be a full-time employee of Andrus Children's Center reporting to Andrus Children's Center's Chief Executive Officer and the Board of Directors. The Compliance Officer may delegate the day to day compliance activities to the Lead Compliance Contact, who functions under the supervision and direction of the Compliance Officer.

1. Chair of Committees. The Compliance Officer shall chair the Compliance Committee.
2. Duties of the Compliance Officer. The Compliance Officer will assume the managerial and administrative tasks involved in establishing, monitoring, and updating this Plan. The Compliance Officer will maintain contact with our external compliance contact, Practice Management Alternatives (PMA) as necessary (See Appendix A for details on PMA) and will seek consultation and direction from PMA and legal counsel as necessary on compliance related problems and questions. The Compliance Officer shall:

- a. Manage the implementation of this Plan;
- b. Ensure notification of Andrus Children's Center Employees and Andrus Children's Center Agents, and oversee the training and education of all Andrus Children's Center Employees and Andrus Children's Center Agents involved in the clinical and billing/coding areas, about applicable compliance standards;
- c. Supervise and evaluate monitoring and auditing procedures;
- d. Implement and oversee a reporting mechanism;
- e. Supervise the investigation of suspected intentional and accidental misconduct and ensure documentation of the details of all investigations.
- f. Establish and maintain open lines of communication with programs and departments, including the billing department, and Andrus Children's Center Employees and Andrus Children's Center Agents to ensure effective and efficient compliance policies and procedures;
- g. Ensure existing policies and procedures are compiled, coordinate these policies and procedures, suggest and develop new policies and procedures (which shall be standardized, except to the extent that specific department needs require customized policies and procedures);
- h. Work with the auditors;
- i. Periodically update and modify the Compliance Plan; and
- j. Prepare and / or supervise the preparation of quarterly compliance reports for Andrus Children's Center's Chief Executive Officer and the Board of Directors and prepare and / or supervise the preparation of an annual report to the Chief Executive and Board describing the general compliance efforts undertaken during the preceding year, identifying any changes necessary to improve the compliance program.

All questions and concerns regarding compliance with the standards set forth in this Plan shall be directed to or brought to the attention of the Compliance Officer. All Andrus Children's Center Employees and Andrus Children's Center Agents must fully cooperate and assist the Compliance Officer as required in the exercise of his or her duties. If an Andrus Children's Center Employee or Andrus Children's Center Agent is uncertain whether specified conduct is prohibited, the Andrus Children's Center Employee or Andrus Children's Center Agent shall contact the Compliance Officer for guidance prior to engaging in such conduct, or utilize the established reporting mechanism.

SECTION 5 – ROLE OF PROGRAMS

Each Program shall adopt and implement program specific compliance plans to address compliance efforts at a program level, which shall be reviewed and approved by the Compliance Committee with appropriate consultation with PMA or legal counsel. Such program specific plans shall address, at a minimum, the following:

1. Educational and training programs as coordinated with the Compliance Officer.
2. A system for ensuring and documenting that all new Andrus Children's Center Employees receive training regarding compliance issues, and all Andrus Children's Center Agents are aware of compliance issues.
3. A program for routine, random spot-checks of records to assure compliance at the program/departmental level.

Each Program shall submit a well-documented status report to the Compliance Committee on a quarterly basis. The status report should, at a minimum, document the following:

- Areas of compliance concern and how they are being addressed.
- Any incidences of intentional or accidental misconduct within the Program.
- Training conducted with Andrus Children's Center Employees in Program specific compliance issues.
- Any disciplinary action taken against Andrus Children's Center Employees within the Program for compliance related issues.
- Any other matter dealing with compliance issues within the Program.

SECTION 6 – PREVENTING INDIVIDUALS INVOLVED IN ILLEGAL ACTIVITIES FROM EXERCISING DISCRETIONARY AUTHORITY

No individual who has engaged in illegal or unethical behavior and/or who has been convicted of healthcare related crimes shall be allowed to occupy positions within Andrus Children's Center which involve the exercise of discretionary authority.

Any applicant for an employment position with Andrus Children's Center, and any Andrus Children's Center Agent, shall be required to disclose whether the individual or Andrus Children's Center Agent has changed their name and whether they have ever been convicted of a crime, including health care related crimes.

In addition, Andrus Children's Center shall reasonably inquire into the status of each prospective Andrus Children's Center Employee and Andrus Children's Center Agent, including, but not limited to the following:

- Conducting criminal background checks of Andrus Children's Center Employees and Andrus Children's Center Agents with discretionary authority in the delivery of health care services, items, or billing to ensure that no history of engaging in illegal or unethical behavior exists.
- Conducting a review of the General Services Administration's List of Parties Excluded from Federal Programs (available at "www.arnet.gov/epl") and the HHS/OIG Cumulative Sanction Report (available at "www.hhs.gov/progorg/oig") for all employees who provide services reimbursed by a federal health care program.
- All Mental Health Division staff with the potential for unsupervised contact with child clients (including, but not limited to clinicians and other direct care staff), must be cleared through the NYS Office of Mental Health Salute Criminal Background Check Database before being hired to active duty in accordance with NYS law and regulation.

Andrus Children's Center shall remove any person who is not willing to comply with this Plan. Andrus Children's Center shall implement procedures to terminate Andrus Children's Center Employees, or its relationship with Andrus Children's Center Agents, who are convicted or excluded from participation in federal health care program. Andrus Children's Center shall implement procedures to remove from direct responsibility or involvement in any federally or state funded health care programs any Andrus Children's Center Employees or Andrus Children's Center Agents with pending criminal charges relating to health care, or proposed exclusion from participation in federally and state funded health care programs.

SECTION 7 – TRAINING AND EDUCATION PROGRAMS

ANDRUS CHILDREN’S CENTER EMPLOYEES AND ANDRUS CHILDREN’S CENTER AGENTS

All Andrus Children’s Center Employees and Andrus Children’s Center Agents providing health care or billing services, shall receive this Plan and other information necessary to ensure compliance with these standards. New Andrus Children’s Center Employees and Andrus Children’s Center Agents providing health care or billing services, shall receive a copy of this Plan within two (2) weeks after beginning employment with Andrus Children’s Center. Within four weeks after receiving the Plan, each Andrus Children’s Center Employee or Andrus Children’s Center Agent must sign and return the acknowledgment form reprinted at the end of this Plan, which states the Andrus Children’s Center Employee and Andrus Children’s Center Agent has read and understands these provisions. Each Andrus Children’s Center Employee and Andrus Children’s Center Agent will be required to review these compliance standards annually and sign and return a new acknowledgment form. Any Andrus Children’s Center Employee or Andrus Children’s Center Agent who has questions regarding this Plan or his/her obligations should contact the Lead Compliance Contact immediately. Andrus Children’s Center Employees and agents will receive notification of any changes in these policies as they occur and changes will be made available on the agency intranet and website.

EMPLOYEE TRAINING

- A. Training. All Andrus Children’s Center Employees providing health care or billing services shall attend a training session, which will be coordinated by the Lead Compliance Contact under the supervision of the Compliance Officer. All new Andrus Children’s Center Employees providing health care services, items or billing will be required to complete a training program within 30 days month following their employment. Each Andrus Children’s Center Employee who receives such training shall be required to sign a written acknowledgment that such training has been provided. Such written acknowledgements will be maintained in personnel files.

As necessary, additional training sessions will be conducted at each location where Andrus Children’s Center Employees provide services in order to minimize disruption and to permit additional focus on issues that may be specific to each site. The full cooperation of all Andrus Children’s Center Employees is expected. Some Andrus Children’s Center Employees may receive specialized training as a result of the areas in which they are employed. This specialized training may focus on complex areas or on areas which the Compliance Officer or Compliance Committee has determined pose a high risk of misconduct. Staff will receive annual refresher training on Compliance issues.

The Compliance Officer may require additional training sessions for some or all Andrus Children’s Center Employees as the need arises. Each Andrus Children’s Center Employee providing health care services, items or billing shall attend training session at least annually.

Promotion of adherence to the Plan shall be an element of each Andrus Children's Center Employee's performance review. Compliance with the Plan and laws and regulations applicable to entities participating in health care programs is a condition of employment or association with Andrus Children's Center and Andrus Children's Center will take appropriate disciplinary action when violations occur as set out in this Plan.

- B. Billing and Coding Issues. The Billing Supervisor or his/her designee shall, under the direction of the Compliance Officer and Billing Manager, provide specific billing/coding training to Andrus Children's Center Employees. Other persons involved in training will include those appointed by the respective Program Directors and the Billing Supervisor.

All persons in supervisory positions are responsible for ensuring that each Andrus Children's Center Employee reporting to them has attended the training sessions applicable to that person's job duties at Andrus Children's Center. Annual surveys will be prepared by the Lead Compliance Contact under the supervision of the Compliance Officer and administered to Andrus Employees. These surveys will gather information regarding the effectiveness of the training programs and will be utilized by the Compliance Officer and Compliance Committee to improve the programs. All surveys must be returned to the Lead Compliance Contact after the training sessions.

- C. Updating. The Compliance Officer shall be responsible for ensuring that training is updated on a regular interval to include new developments in law.

SECTION 8 – MONITORING AND AUDITING SYSTEMS

AUDITS

The Compliance Officer shall monitor all auditing systems. Andrus Children's Center's internal auditing processes shall work in cooperation with the Compliance Officer to fulfill the Plan's requirements. Audit procedures will be implemented which are designed primarily to determine accuracy and validity of coding and billing submitted to Medicare/Medicaid, other federal and state health programs and other payors, and detect other instances of potential misconduct by Andrus Children's Center Employees and Andrus Children's Center Agents as quickly as possible. Intake forms shall be created, as directed by the Lead Compliance Contact under the supervision of the Compliance Officer, for the internal auditing process and for written reports of actual or suspected fraud. Random samplings of records drawn from a cross-section of each department will be assessed on a quarterly basis by the auditing process in coordination with the Compliance Officer. Periodic, unannounced audits will also be conducted in all areas identified in the Compliance auditing schedule (including, but not limited to Medicare/Medicaid billing) by the Compliance Officer, Lead Compliance Contact or designated members of the Compliance Committee. In addition, special attention will be given to reviewing the reasons given for claim denials, to reviewing significant increases in the use of certain procedure codes, and to analyze other facts that may suggest inappropriate conduct.

The audit procedure shall include at a minimum the following practices:

- Sampling protocols;
- Review of backup records on a random basis to assess reliability of billings to programs;
- Contracting with independent organizations, as needed, to review the billing processes, policies and practices of Andrus Children's Center to insure that all third party payors are billed accurately; and
- Periodic review of the entire claims development and submission process beginning with a patient's registration and ending with the submission of the claim to the government payer or third party payor.

The Compliance Officer shall justify, in writing, the monitoring and auditing plan, in particular, the statistical formula for sample size of charts of all claims to be reviewed in each department. The Compliance Officer shall engage PMA to assist in such documentation as deemed necessary by the Compliance Committee, agency Executive Leadership and/or the agency Board of Directors.

The monitoring process will involve contact with 1) the billing supervisor, as the case may be, who supervises Billing Assistants; and 2) as appropriate, biller/coders and data entry operators. The Lead Compliance Contact under the supervision of the Compliance Officer shall conduct an ongoing review of publications, including OIG Special Fraud Alerts and consult regularly with PMA, to identify

failures to comply with any applicable requirements, examine all applicable statutes and regulations including those pertaining to: fraud and abuse, COBRA, Medical Record Coding, Medicare/Medicaid billing, and anti-trust.

Andrus Children's Center, in the course of regular business operations, has multiple contracts and grants with various Federal, State, and Local governmental agencies, as well as, Foundations and other private parties. Payments received by Andrus Children's Center are applied to the appropriate accounts and all transactions are reviewed and reconciled monthly to determine the proper status of the funds received. As such, Andrus Children's Center shall promptly conduct an internal investigation whenever any payments received and credited as income from any funding source is determined to be an overpayment. If it is determined that Andrus Children's Center received an overpayment, it will be applied according to the contracts or grant guidelines, in cooperation with the funding source(s) involved. If the overpayment involves Federal, State, or Local government money that provides for immediate repayment upon knowledge of the overpayment, the proper accounts will be credited and debited accordingly and the overpayment will be immediately returned to the proper funding source with a full written explanation regarding the overpayment and the refund status in accordance with all governmental guidelines for applying and refunding payments. An annual independent audit will be conducted by a licensed and registered CPA auditing firm to attest to the financial reliability of the Andrus Children's Center financial reports and audits, including the required Federal OIG Audit Guidelines testing of transactions and accounting for income and expenditures. A Federal A-133 Audit will also be conducted and forwarded to the appropriate funding sources.

Andrus Children's Center and Andrus Children's Center Agents shall retain all billing records for seven (8) years and all other documents in accordance with the agency's record retention policy. (see Appendix B for Document Retention Policy)

Any suspected incidents of non-compliance shall be reported to the Lead Compliance Contact, the Compliance Officer and / or the Program Director of the department where such suspected non-compliance is occurring for review and action.

CONTRACTS

All contracts and other arrangements with physicians, laboratories, providers, referral sources and other persons will be entered into using forms approved by Andrus Children's Center outside counsel or reviewed by Andrus Children's Center outside counsel to verify legal compliance.

REPORTING MECHANISM

A reporting mechanism has been established. All staff are provided with a listing of the Compliance Officer, Lead Compliance Contact and Compliance Committee members as well as the contact phone number for PMA 866-580-2736 or e-mail address at JDAMCompliance@pmallp.org. This reporting mechanism will provide a means of communicating information to employees regarding billing and other compliance issues. These are all reporting options for Andrus Children's Center Employees and

Andrus Children's Center Agents with information about suspected misconduct. Questions about compliance standards and legal duties will be forwarded to the Lead Compliance Contact, who will respond or direct a response from an appropriate person or persons within Andrus Children's Center. The Lead Compliance Contact shall investigate all reports of suspected misconduct received through the reporting mechanism. The Compliance Officer shall refer all legal issues to Andrus Children's Center outside counsel.

When calling the PMA number reporters who wish to remain anonymous will be provided with an identification number. This number may be used by the caller to identify himself or herself if additional information becomes available or if further questioning is necessary. Andrus Children's Center. The option to report compliance concerns anonymously will be publicized by Andrus Children's Center in compliance training materials, the employee handbook and through other means.

Any Andrus Children's Center Employee or Andrus Children's Center Agent who develops concerns over unethical practices, improper employee conduct, the integrity of Andrus Children's Center's billing/coding practices or other improper practices described throughout this Plan, is encouraged to report such concern through the reporting mechanism or directly to the Compliance Officer, Lead Compliance Contact or other Compliance Committee members..

Any Andrus Children's Center Employee or Andrus Children's Center Agent who reports a compliance problem in good faith shall not be subject to any form of retaliation with respect to their employment. Any Andrus Children's Center Employee or Andrus Children's Center Agent who makes an intentionally false statement or otherwise intentionally misuses the reporting mechanism may be subject to discipline, up to and including termination of employment or contractual status.

ALTERNATIVE AVENUES OF COMMUNICATION

In addition to the reporting mechanism, Andrus Children's Center Employees or Andrus Children's Center Agents may report any suspected misconduct or fraud to their immediate supervisor or any other supervisor in writing which shall then be forwarded to the Lead Compliance Contact. The Lead Compliance Contact will review all concerns with the Compliance Officer and plan any necessary follow-up.

INVESTIGATION OF SUSPECTED NON-COMPLIANCE

The Compliance Officer, in consultation with PMA and/or Andrus Children's Center outside Counsel, shall conduct an investigation of any conduct that may be inconsistent with this Plan or departmental compliance policies. After review and investigation, the Compliance Officer will prepare a written report of findings that will be given to outside Counsel for appropriate action. Andrus Children's Center Employees and Andrus Children's Center Agents shall cooperate fully with any investigations undertaken by the Compliance Officer or designee and/or Andrus Children's Center outside Counsel.

PROCESSING OF DISCLOSURES AND REPORTS

The Andrus Children's Center has established a mechanism for receiving disclosures and reports from Andrus Children's Center Employees or Andrus Children's Center Agents who have information regarding suspected misconduct, and shall be responsible for investigating any reports of suspected misconduct and referring such reports raising potential legal issues to Andrus Children's Center outside Counsel. The procedures for investigating concerns or reports are outlined below. Records of suspected misconduct and any subsequent investigation shall be confidentially retained for at least 5 years to the maximum extent possible.

No Andrus Children's Center Employee or Andrus Children's Center Agent who in good faith reports suspected misconduct shall be retaliated against or otherwise disciplined by Andrus Children's Center or any Andrus Children's Center Employee. The Compliance Officer may review, or authorize the review, of personnel records and information periodically to ensure that those who report suspected misconduct are not subject to retaliation or other improper conduct. In addition, the Compliance Officer has the authority to keep confidential the names of Andrus Children's Center Employees and Andrus Children's Center Agents who report information. The Compliance Officer does not, however, have the authority to unilaterally extend any protection or immunity from disciplinary action, prosecution or any other sanction to those employees or agents who have engaged in misconduct.

SECTION 9 – STEPS TO BE TAKEN IN THE INVESTIGATION OF SUSPECTED INSTANCES OF MISCONDUCT

1. Cease the offending practice, including all billing potentially affected by the practice, if the practice is not an isolated event.
2. Notify appropriate staff of the concern, at minimum officers of the corporation (CEO, COO and CFO)

3. Consult with PMA or outside Counsel to discuss the report and review the action steps to be taken.
4. Interview individuals with potential knowledge of the improper conduct and review all applicable laws, regulations and standards.
5. Interview individuals who appeared to be involved in the improper conduct to determine their understanding of the applicable laws, rules and standards, and to identify relevant supervisors, and the extent to which they may have acted knowingly or with reckless disregard or intentional indifference.
6. Review relevant medical records, billing and other relevant documents to determine the nature and scope of the violation and its frequency, duration and potential financial impact.
7. Assess the potential liability by reviewing all of the claims affected or by reviewing a statistically valid sample of the affected claims.
8. Consult with legal counsel to determine whether voluntary self-disclosure to the appropriate government agency is warranted.
9. Repay any duplicate or improper payments made to Andrus Children's Center as a result of the improper conduct.
10. Remove an employee from his/her job function when appropriate to protect the integrity of an investigation.
11. Take disciplinary action in accordance with the disciplinary standards against officers, employees and agents who participated in the offending conduct.
12. Implement measures to prevent a recurrence of the offending practice, including:
 - a. new accounting or internal control procedures
 - b. focused training and education
 - c. increased internal audit efforts
 - d. increased supervision by senior management
13. Prepare a report of the investigation and the investigation's results
14. Forward the report of the investigation to the Chief Executive Officer for review with the Board.

SECTION 10 –DISCIPLINARY PROCEDURES

Failure to comply with this Plan, or the laws and/or regulations applicable to Andrus Children’s Center, may result in discipline up to and including termination from employment or association with Andrus Children’s Center. Failure of an Andrus Children’s Center Agent to comply with the Plan, or the laws and/or regulations may result in termination of the agency relationship. The Lead Compliance Contact and/or Andrus Children’s Center outside Counsel shall investigate all bona fide claims of suspected misconduct. When Andrus Children’s Center concludes that an employee has engaged in any misconduct covered by this Plan, the employee shall be subject to the disciplinary procedures. Enforcement and discipline shall be in the sole discretion of Andrus Children’s Center and may include:

- Discipline of individuals who fail to report known non-compliant conduct, and;
- Discipline of those persons involved in the non-compliant conduct.

Appropriate disciplinary measures shall be on a case by case basis. In addition to taking any appropriate disciplinary or other action against the party engaged in the misconduct, Andrus Children’s Center may take other corrective action, including, but not limited to:

- Re-training Andrus Children’s Center Employees;
- Modification of the charges, coding and billing system where necessary;
- Adjustment to policies and procedures;
- Reporting the problem to authorities;
- Consideration of restitution.

SECTION 11 – GOVERNMENT INVESTIGATIONS AND OTHER LEGAL MATTERS

Andrus Children's Center strives to achieve full compliance with all state and federal laws and shall cooperate with all reasonable demands made in any government investigation. Andrus Children's Center also seeks, however, to address any problems before the need for government investigation or other legal action arises, and to protect the legal rights of Andrus Children's Center and its employees and agents. Any Andrus Children's Center Employee who receives a subpoena or other legal document or inquiry in regards to Andrus Children's Center business shall immediately notify his/her supervisor or any other Andrus Children's Center supervisor, who will contact Counsel.

Andrus Children's Center will seek, whenever possible, to coordinate requests by government agencies to interview employees or contractors. Andrus Children's Center expects the full cooperation of all Andrus Children's Center Employees and Agents in connection with such interview requests.

In the event a government agency appears at an Andrus Children's Center facility with a search warrant, legal counsel should be contacted immediately and the government investigator should be asked to wait for legal counsel to arrive before commencing any search. If the government investigator refuses to wait for legal counsel, Andrus Children's Center Employees shall not impede the search.

As discussed elsewhere in this Compliance Plan, Andrus Children's Center Employees are encouraged to bring to the attention of their supervisors and/or the Compliance Officer any concerns about Andrus Children's Center's compliance with federal and state laws, knowing that they will not face any retaliation for their reporting of those concerns in good faith.

APPENDIX A - DESCRIPTION OF PRACTICE MANAGEMENT ALTERNATIVES SERVICES

- I. Practice Management Alternatives, LLC, (PMA), and its' staff are appropriately qualified and experienced in handling compliance issues as they relate to Client and other health care providers, the OIG Compliance Program Guidances, the laws and regulations applicable to the Client, and areas of risk as identified by the OIG, CMS, State Medicaid Fraud Control Units and other Federal and State regulatory and enforcement agencies?
- II. PMA provides similar services and services of other kinds to another health care provider, network or primary care associations and will notify the Client in the event of any potential conflict of interest.
- III. PMA will enter into a signed, written agreement for the services as a Compliance Contact.
 - a. The services to be provided shall be the management and advice for all those services contemplated in the OIG Guidance that identifies “[d]esignating a compliance officer or contact(s) to monitor compliance efforts and enforce practice standards” as one of the seven components that form the basis of a voluntary compliance program. 65 Fed. Reg. 59434, 59436. The Guidance suggests the following duties for the person or persons designated to oversee all compliance activities:
 - i. Overseeing and monitoring the implementation of the compliance program;
 - ii. Establishing methods, such as periodic audits, to improve the practice’s efficiency and quality of services, and to reduce the practice’s vulnerability to fraud and abuse;
 - iii. Periodically revising the compliance program in light of changes in the needs of the practice or changes in the law and in the standards and procedures of Government and private payor health plans;
 - iv. Developing, coordinating and participating in a training program that focuses on the components of the compliance program, and that seeks to ensure that training materials are appropriate;
 - v. Ensuring that all current and prospective employees, medical staff and independent contractors of the agency are screened against the HHS OIG’s List of Excluded Individuals and Entities, and the General Services Administration’s (GSA’s) List of Parties Debarred from Federal Programs; and,
 - vi. Investigating any report or allegation concerning possible unethical or improper business practices, and monitoring subsequent corrective action and/or compliance. Id. at 59442.

- IV. This agreement gives the Compliance Contact relevant authority to report directly to the Client's Executive Director, Chief Operating Officer, Chief Financial Officer and, if requested by one of the previous, the Board of Directors.
- V. This agreement provides that the Compliance Contact will possess authority to initiate an appropriate investigation to address detected non-compliance and request direct access to legal counsel, external auditors and other consultants through consultation with the Client's Executive Director, Chief Operating Officer and/or Chief Financial Officer.
- VI. This agreement obligates the Compliance Contact to provide the intended services in accordance with the Client's policies and procedures, where they exist, and to recommend additions or changes, where required.
- VII. PMA may, from time to time and at its own discretion, delegate Compliance Contact duties to the following person's (short biographies are attached to this exhibit):
 - a. Derek Jansen, PhD, MPH
 - b. Donald Jones, PhD, MHA, CCP
 - c. Roya Rezai, MA, CCP, CHP
- VIII. Compensation for the Compliance Contact activities shall be the same as the prime contact to which it is an attachment.
 - a. Since the Compliance Contact is being engaged to provide services on a periodic, sporadic or part-time basis, this agreement sets forth a general schedule according to which services will be provided and specifies a compensation method that corresponds to the periodic, sporadic or part-time services.
 - i. The Compliance Contact shall follow a schedule mutually agreed through consultation with the Client's Executive Director and Chief Financial Officer.
 - ii. PMA will notify the Client in advance of, and receive written permission to exceed, more than 10 hours in one calendar month.
- IX. The disclosure provisions contained in the prime contract shall be enforced in this attachment.
- X. The Chief Executive Officer, Chief Operating Officer and Chief Financial Officer shall maintain general oversight authority over the Compliance Contact's performance of services, the selection of a new compliance officer (if applicable), determination of the compliance officer's work schedule and the interpretation of the Client's policies and procedures and their applicability to the compliance officer.
- XI. The term and terminations authority included in the prime contract and all appropriate provisions that identify specific requirements under Federal law with which PMA must comply shall be enforced in this attachment, though may be enforced over this attachment

separately.

XII. Therefore, (client) **wishes to incorporate this exhibit into the prime contract and enter into a contractual arrangement for the services of a Compliance Contact pursuant to 65 Fed. Reg. at 59441.**

CLIENT INITIALS: _____

DATE: _____

PMA INITIALS: _____

DATE: _____

PMA COMPLIANCE CONTACT BIOGRAPHIES AND QUALIFICATIONS

Donald Jones, PhD, MHA, CCP - Dr. Jones is a successful consultant in the healthcare services industry for more than 25 years specializing in practice management, reimbursement systems and healthcare policy.

He holds a Doctorate in Counseling Psychology, the Master of Science Degree in Health Care Administration, is a Certified Compliance Professional by the Healthcare Fraud and Abuse Compliance Institute, a Sustaining Member of the American Public Human Service Association and has been PMA's full time Analyst for Reimbursement and Health Policy since early 1995. Dr. Jones recently completed the Medicare Part D training program offered through the Kansas University School of Medicine.

A nationally acclaimed specialist in compliant reimbursement systems, Don participated as a member of Practice Management in the production of "*Guide to Documentation, Billing and Coding for Clinical Services in Behavioral Health*" published in 2003, "*Provider Manual for Pharmacy and Nutritional Services in Primary Care Clinics*" (2004), and is a primary author of "***Clinical Documentation and Operational Issues in Healthcare***", published in 2006. He is the author of more than 100 journal articles.

Roya Rezai, MA, CCP, CHP - Ms. Rezai has a distinguished career as a Minority Mental Health Specialist, Geriatric Mental Health Specialist, Chief Compliance Officer for a large psychiatric hospital and outpatient service, Chief of Compliance and Operations for a large, inner-city primary care clinic and currently is the Compliance Officer for one of the country's largest Administrative Service Organizations.

She has joined PMA on many joint ventures. Recently, Roya contributed as an author of journal articles and author and editor for "*Clinical Documentation and Operational Issues in Behavioral Health*", published by Practice Management Alternatives, LLC, in 2006.

Ms. Rezai has completed the Privacy Specialty Advancement Program of AHIMA and has achieved the Certified Compliance Officer status through the Healthcare Fraud and Abuse Compliance Institute. She recently completed the Medicare Part D training program offered through the Kansas University School of Medicine.

Derek Jansen, Ph.D., MPH - Dr. Jansen brings 30 years experience in community healthcare to Practice Management Alternatives, ranging from direct care provision to hospital and outpatient administration as the Clinical Director of Adult and Dual Diagnosis Services for a regional psychiatric hospital system. He has taught graduate level courses in Social and Health Care Policy, Criminal Justice, and Psychology.

Derek has been a presenter at national and regional conferences for the Association of Ambulatory Health, the National Council of Community Behavioral Health and others. He is a member of the American Association of Professional Coders, the Medical Billers Association of America, the Healthcare Financial Management Association, the American College of Healthcare Executives, the Medical Group Management Association and numerous other professional associations. He was recently appointed as GLG Scholar for the Gerson-Lehrman Group's Council of Healthcare Advisors.

Dr. Jansen is author of **“Guide to Documentation, Billing and Coding for Clinical Services in Behavioral Health”** published in 2003, is a frequent contributor to national newsletter publishers including C & R Publications and the Manisses Communication Group, Inc. He recently completed **“Provider Manual for Pharmacy and Nutritional Services in Primary Care”** for the Connecticut Primary Care Association and the recently published **“Clinical Documentation and Operational Issues in Behavioral Health”**.

Derek is a Certified Compliance Professional by the Healthcare Fraud and Abuse Compliance Institute and consults to Primary Care centers, FQHC’s, community mental health centers, professional trade associations, state Medicaid agencies, regional hospital groups and individual practitioners regarding practice management, billing, coding and documentation compliance. Dr. Jansen’s practice specialty is forensic medical record review in support of defendant providers and institutions.

APPENDIX B – RECORDS RETENTION POLICY AND PROCEDURES

In the course of conducting its business, Andrus develops, receives, and retains documents. The Board of Directors has adopted these policies with regard to the retention and destruction of such records. Andrus ascribes to the highest ethical standards and seeks through this policy statement to ensure compliance with federal and state law as well as to support maintenance of such standards.

These Policies and Procedures are designed to: (1) ensure that all documents necessary for the conduct of our operations are available for as long as there is reasonable need for them; (2) ensure that Andrus complies with all federal and state legal requirements for retaining documents; (3) minimize the costs of records retention including the costs of storage and retrieval of retained documents; (4) and ensure that obsolete documents for which there is no operational or legal reason to maintain are disposed of in a proper manner.

These policies shall apply to all members of the Board of Directors as well as all employees of Andrus. This policy shall govern the retention and disposal of documents in all Andrus's offices. All Directors, Officers and employees of Andrus must follow the procedures set forth in this policy.

Documents created, received or used during the conduct of Andrus's business, including all messages sent or received using the Andrus web server and e-mail accounts, are at all times the property of Andrus wherever they are located.

Any perceived conflict between any applicable law and this policy should always be resolved by adherence to such law. Any perceived conflict should promptly be brought to the attention of the Compliance Committee and reported to the Audit Committee of the Board of Directors.

Records Covered: All records, including paper, electronic, and other mediums are covered by these guidelines. Employees are reminded that e-mail and other forms of electronic communications, even those marked or considered by them to be of a personal nature are the property of Andrus if maintained on a network or computer owned or leased by Andrus.

In the Event of an Investigation: One of the purposes of this policy is to ensure that all Directors and employees of Andrus understand that in the event of any legal, financial, or board-directed investigation of any aspect of Andrus's operations, care must be taken to preserve any and all records which might be considered by any party to be relevant to such an investigation. At the onset of any investigation, all document purging and destruction must be halted until the completion of the investigation.

Period of Retention: Andrus shall destroy or dispose of documents when they are no longer needed for its business purposes in accord with federal and New York State law. The listing at the end of this statement provides general time frames.

Corporate Records:

Corporate records, including materials of the Board of Directors, The Executive Committee of the Board and the Annual Meeting should be retained for at least ten years. Other records, such as the Certificate of Incorporation, shall be retained in perpetuity.

Accounting Records:

Accounting records essential to support the information contained in the Agency's Federal Information returns will be retained for seven years past the last applicable Federal and State tax filings. All other records will be destroyed at the earliest possible date consistent with the management needs of Andrus. Data and records stored electronically will be purged, to the extent possible, at the same time hard copies are destroyed.

Personnel Records:

We will maintain all personnel records in perpetuity. Given these records are essential to managing pension benefits and other matters, Andrus will maintain all of these records.

Letters, Memos, and Reports:

In the course of conducting its business Andrus staff develop, obtain and issue a variety of written and electronic materials. Copies shall be retained so long as they are needed or useful to Andrus. Obsolete materials shall be disposed of periodically to save unnecessary storage costs. The Senior Administrative Coordinator or the Chief Executive Officer's designee shall consult with staff as appropriate to determine on-going needs. Copies of key materials shall be retained as historical files as appropriate. These include annual reports, published materials, and other materials so designated by the Board of Directors, The Chief Executive Officer, or designee.

Client Records:

Client records are maintained and stored in accordance with all federal, state and local requirements..

ACKNOWLEDGMENT FORM

I, the undersigned employee or agent of Andrus Children’s Center, do hereby acknowledge that I have read and reviewed the Compliance Plan. I understand the content of this Plan as it applies to me and am fully aware that I must comply with the standards set forth in the Plan or face disciplinary measures.

I will cooperate fully with the Compliance Committee and Compliance Officer to the extent necessary or helpful to implementation of the Plan.

Name: _____

Department: _____

Position _____

Date: _____