

COMPLIANCE PLAN & POLICY OVERVIEW

Corporate Compliance & Confidentiality

I. Policy:

It has been and continues to be a guiding principle of Birch Family Services to provide the highest quality of services, with the utmost honesty and integrity while also ensuring compliance with all applicable, current federal, state, and local laws and regulations as well as payer requirements. It is also the policy of Birch Family Services to adhere to the Standard/Code of Conduct and Business Ethics and the Conflict of Interest Policy that is adopted by the Board of Directors.

Along with internal policies that promote the greatest level of ethical standards, Birch Family Services maintains a Corporate Compliance Plan and a Policy & Procedure Manual, with explicit policies, as mandated by current laws and best practices. These exemplify our commitment to excellence and our mission to support people with autism and developmental disabilities to live a meaningful life, the life they choose and desire. The Plan is updated as warranted when there are modifications made to applicable legislation or internal procedures.

The Corporate Compliance Manual includes the following policies and/or information:

1. Standard/Code of Conduct and Business Ethics
2. Conflict of Interest
3. Enforcement of Compliance Standards
4. Exclusion Screening
5. Business Courtesies
6. False Claims Act & Whistleblower Protections
7. Reporting of Compliance Concerns
8. Investigation of Compliance Issues
9. Reimbursement Practices and Billing Errors
10. Response to Governmental Investigations
11. Role and Responsibilities of the Designated Compliance Officer
12. Roles and Responsibilities of the Corporate Compliance Committee

II. Oversight:

Birch Family Services has appointed a Compliance Officer whose primary responsibilities are to design, implement and monitor the agency Compliance Plan. The Compliance Officer conducts periodic reviews of systems and internal controls, staff records and credentials, service delivery documentation, and analysis of compliance data. Birch Family Services also maintains a Corporate Compliance Committee whose membership includes the leadership from all Birch departments and programs to assist and oversee the functions of the Compliance Officer, and conduct agency assessments of risk, minimally on an annual basis. This committee is chaired by the Compliance Officer and meets every other month.

III. Commitment:

Birch Family Services is committed to our responsibility to conduct our business affairs with integrity based on sound ethical standards and best practices. The policies and plan apply to all Birch Family Services' employees, Board Members, contracted practitioners, volunteers, independent contractors, and vendors. All employees, contracted practitioners, and vendors shall acknowledge that it is their

responsibility to report any instances of suspected or known compliance matters to their immediate supervisor, an administrator or the Compliance Officer.

Birch Family Services is committed to maintaining and measuring the effectiveness of our compliance services by unqualified personnel, and/or providing excessive services that are not deemed “medically necessary”. Any person who submits false statements or deliberately conceals material information in order to receive Medicaid reimbursement, is guilty of criminal activity and civil penalties can be assessed.

4. The Health Insurance Portability & Accountability Act (HIPAA) & The Family Educational Rights and Privacy Act (FERPA): These are federal laws which stipulate that protected health information (PHI) / personally identifiable information (PII) of individuals served may only be disclosed or shared under certain circumstances. FERPA specifically pertains to student educational records. Birch Family Services is committed to safeguarding the privacy of such information when collected, recorded, transmitted and stored. Birch Family Services will share or disclose such information with other service providers or personal representatives of the individuals for the purposes of treatment, payment for services or other routine business operations (TPO) in a confidential, secure manner. Any and all other disclosures, outside of specified documents stipulated in regulation/law to be routinely provided to a personal representative (including legal guardians and parents of a minor) may only be enacted with the written authorization of the individual served or their personal representative. Any disclosures made outside of these provisions are considered violations of personal confidentiality and civil penalties may be levied.

Confidentiality Policies include the following:

1. Use and Disclosure
2. Minimum Necessary Rule
3. Written Authorizations
4. Requests for Disclosures
5. Individual and Personal Representative Rights
6. Subpoenas, Court Orders and Discovery Requests
7. Verification of Identity and Authority of Requestor
8. Marketing Activities & Fundraising Activities
9. Training
10. Assigned Privacy and Security Responsibility
11. Workstation Use

VI. Training:

Birch Family Services conveys its compliance policies, including our Standard/Code of Conduct and Business Ethics policy through required training initiatives to all employees, Board Members, contracted practitioners, volunteers, independent contractors, and vendors. Training is conducted by the Compliance Officer, during staff orientation and a refresher course will be provided minimally annually thereafter. All employees, volunteers, independent contractors, and Board Members are required to participate in the initial training and annual refresher courses.

VII. Compliance Officer Contacts and Compliance Hotlines:

Eileen Berg, Compliance Officer: Direct Office Phone: 212-616-1802 or 1804

Email address: eileen.berg@birchfamilyservices.org

External Hotline: Toll-free: 844-450-0003 for English

800-216-1288 for Spanish
855-725-0002 for French

External Vendor Hotline/Website: www.lighthouse-services.com/birchfamilyservices

Email: reports@lighthouse-services.com

Fax: 215-689-3885