



## Western New York BloodCare Corporate Compliance Plan 2021

### **A. INTRODUCTION:**

We, the associates, directors, officers, and others who comprise or have a relationship with Western New York BloodCare (WNYBC) will act with integrity in all aspects of our work with persons with bleeding and clotting disorders.

The obligations set forth in the WNYBC Code of Conduct apply to our relationships with persons receiving services, their families, governmental authorities, vendors, consultants, third party payers, subcontractors, independent contractors, and one another.

We will provide high quality care to our patients while observing high standards of legal and ethical conduct. The Code of Conduct is based on our unifying principles and mission statement and serves as a foundation of our Corporate Compliance Program. It applies equally to everyone. The policies set forth in the Code of Conduct are mandatory and must be followed by all WNYBC associates.

WNYBC has been a not-for-profit organization since 1969. Our organization, licensed by the New York State Department of Health (NYSDOH), provides services for persons with bleeding and clotting disorders throughout eight (8) counties of Western New York.

### **B. CODE OF CONDUCT**

**Mission Statement:** WNYBC aims to be your **first** and **best** choice for health management of your bleeding or clotting disorder. We proudly specialize in diagnostic and clinical services, advocacy, education, community outreach and research initiatives.

WNYBC embraces and measures itself against the following principles which guide us in the work we do:

- **Integrity:** Doing the right thing for the right reason, telling the truth, and providing a positive example of ethical and principle-based behavior as well as adhering to all laws, rules and regulations enforced by health care governing bodies

- **Respect:** Fostering an environment free from discrimination of all types of race, color, religion, national origin, age, physical disability, medical condition, gender, sexual orientation, marital status, or another legally protected status to individuals within our organization, customers and our patients and families.
- **Positive Relationships:** Building strong, healthy bonds with coworkers and encouraging responsible choice and self-determination in those we serve. We practice compassion, enthusiasm, active listening, and clarity of information sharing, constructive problem solving, cooperative teamwork, and responsibility.
- **Innovation:** Questioning the status quo, building on current success, and offering new ways to improve the quality of care as well as one’s performance.
- **Learning:** Committed workforce to growth and improvement of self, advancing understanding and applying skills effectively.
- **Intent:** WNYBC’s Code of Conduct (the Code) applies to all associates and independent contractors.
  - The Code of Conduct was approved by WNYBC’s Board of Directors and is a formal Statement of the Center’s commitment to the standards and rules of ethical conduct. WNYBC is committed to preventing the occurrence of unethical or unlawful behavior, stopping such behavior as soon as possible upon discovery, and to discipline associates who violate the Code, including associates who neglect to report a violation.
  - All associates must comply with this Code, immediately report any alleged violations of wrongdoing, and assist management and compliance personnel in investigating allegations of wrongdoing. Associates reported suspected violations in good faith are protected from retaliation as “whistleblowers”.

**NOTE:** *While these standards addressed in the Code of Conduct are intended to guide associates during their day-to-day responsibilities, they do not replace any agency or program policies and procedures. There may be instances they are not addressed by the Code of Conduct or existing policies and procedures, or activities that may conflict with these standards. Associates must seek direction from their supervisor, other agency administrative staff or the Compliance Officer in these instances.*

- **Ethics:** It is the policy of the WNYBC to observe all laws and regulations applicable to its business and to conduct business with the highest degree of integrity. To accomplish this, all associates and contractors must obey the laws and regulations that govern their work and always act in the best interest of the people we serve, their families and WNYBC. Please see the attached Appendix titled False Claims Act.

**Guidelines for associates and contractors:**

- A Business Associate Agreement (B.A.A.) must be signed by all involved parties
- Associates and contractors are expected to keep management informed of what is being performed; to document or record all services of transactions accurately; and to be honest and forthcoming with WNYBC regulatory agencies, and internal and external auditors.
- Associates and contractors are expected to comply with WNYBC policies and procedures, accounting rules and internal controls
- Associates and contractors are expected to function with honesty within the work performed for WNYBC and with patients and their families, people we serve, providers, suppliers, and all others with whom WNYBC does business

**C. MAINTENANCE OF RECORDS:**

Associates and contractors must record and report all agency, consumer, and financial information fully, accurately, and honestly. Records include but are not limited to records of the people we serve, documentation of services, accounting books or records, financial Statements, timesheets or records, expense reports, vouchers, bills, payroll, claims payment records, correspondence, and any other method of communication. Associates or contractors must not omit or conceal any relevant information.

**Guidelines for associates and contractors:**

- Many of WNYBC's forms are legal documents used to prove that a service was provided, to bill for a service to a consumer, to record a job task, or to record specific happenings. Documentation must be done accurately and honestly, and only those services that were provided or for events involved in.

• **Falsification of Records:**

- Associates must not make any false entries in any of the Center's records or in any public record for any reason.
- Associates may not alter any permanent entries in WNYBC's records
- It is strictly prohibited for Associates to approve payments or receipts on behalf of the WNYBC that are described in documents, where there is no accounting for receipts or expenditures on WNYBC books.
- Associates may not create or participate in the creation of any records that are intended to mislead or to conceal anything that is improper

- **Expense Records:**
  - Associates must always charge expenses accurately and to the appropriate cost center or account, regardless of the financial status of the program, project or contract, or the budget status of a particular account or line item
  
- **Retention of Records:**
  - The retention, disposal, or destruction of records of or pertaining to WNYBC must always comply with legal and regulatory requirements and WNYBC policy
  - Associates must not destroy records pertaining to litigation or government investigations or audit without express written approval from the Compliance Officer

**D. PROTECTION OF CONFIDENTIAL INFORMATION (PHI):**

WNYBC has developed policies and procedures to assure that the confidentiality of Protected Health Information (PHI) and information about the people we serve is protected and released with the appropriate authorization or for lawful reasons only

**Guidelines for associates and contractors:**

- Associates and contractors may not release confidential information without the proper authorization. Confidential information includes not only information about the people that we serve and their families, but also non-public information about WNYBC that may be of used by WNYBC’s competitors or harmful to WNYBC or its customers if released
  - Associates and contractors must protect WNYBC’s information and avoid discussing or disclosing WNYBC’s information, purposefully or inadvertently (through casual conversation), to any unauthorized person inside or outside WNYBC. Furthermore, staff may not share WNYBC confidential information with anyone except where required for a legitimate business purpose
  - WNYBC’s information may not be removed from WNYBC without permission from a supervisor or administrator with proper authority over the information. Associates should ask their supervisor if unsure whether certain information is confidential
- 
- **Information Security:**
    - Associates are responsible for properly using information stored and produced by all WNYBC’s computer systems.
    - Computers, internet access, email or other office communication systems are intended for business-related purposes only and not for uses that may be disruptive, offensive, harassing, or harmful to others
    - Associates should not share any system usernames or passwords with anyone or allow anyone to access a computer using with personal passwords

- All associates and contractors are required to comply with WNYBC's information technology policies and procedures. Contact the Compliance Officer or supervisor for any questions concerning information security
- **Termination of Employment:**
  - Associates may not use any confidential information gained from employment with WNYBC for individual or another company's benefit. Associates may not take copies of any reports, documents or any other property belonging to WNYBC
  - Upon termination of employment with the WNYBC, associates must return all WNYBC property including, but not limited to, copies of documents, notes, and other records containing confidential information, equipment, access ID cards, office and/or cabinet keys, key fobs, and credit cards

#### **E. BUSINESS CONDUCT:**

- Fair Dealing: Conducting business with providers, contractors, suppliers, people we serve, and competitors may pose ethical problems. Associates and contractors are expected to deal fairly with providers, contractors, people we serve, and competitors.
- **Kickback and Rebate:**
  - Kickbacks and rebates in cash, credit or other forms are prohibited. They are not only unethical, but in many cases, illegal.
- **Gifts, Gratuities and Entertainment:**
  - Associates may not solicit money, gifts, gratitude, or any other personal benefits or favors of any kind from providers, contractors, accounts, or people we serve and their families
  - Associates must not offer or accept entertainment that is not a reasonable addition to a business relationship but is primarily intended to gain favor or to influence a business decision
- **Agreements with Contractors and Vendors:**
  - WNYBC must ensure that all agreements with contractors and vendors clearly and accurately describe the services to be performed or items to be purchased. Performance standards, and the applicable compensation, if any, must be in reasonable amount, not be excessive in terms of industry practice and must equal the value of the services rendered.

- **Proper Use of Funds or Assets:**
  - Use of the WNYBC’s funds or assets for any improper purpose is strictly prohibited. If associates are aware of or have reason to believe that funds or assets are being improperly used, associates must report immediately to a supervisor or the Compliance Officer.

**F. FEDERAL AND STATE PROGRAMS:**

WNYBC is committed to complying with the law and regulations that govern the Federal and State programs that it administers. Policies and procedures, the Compliance Program, and this Code of Conduct are developed to provide guidance in day-to-day conduct of all associates of WNYBC. Associates must abide by all policies and procedures and the standards set forth by the WNYBC.

- **Governmental Investigations:**
  - There may be times that WNYBC is asked to cooperate with an investigation by a Federal or State governmental agency, or to respond to a request for information. A request may be formally addressed to WNYBC or an individual within WNYBC. Associates and contractors must report any requests for information or cooperation with an investigation to the Compliance Officer immediately.

**G. POLITICAL ACTIVITIES AND CONTRIBUTIONS:**

Due to the non-profit organization status of WNYBC, associates are prohibited from engaging in any political campaign activities and a “substantial” amount of lobbying.

**Guidelines for Associates and Contractors:**

- WNYBC funds and resources, including work time, may not be used for political contributions or activities.
- Associates and contractors may not act as a representative of WNYBC in any political campaign activity. In expressing personal political views or support or opposition of a candidate for public office, it must be very clear that associates and contractors are expressing personal views, support of opposition as an individual and not a representative of WNYBC.

**F. WORKPLACE PRACTICES**

WNYBC is committed to hiring and retaining competent staff. All associates will be treated with respect, dignity, and courtesy. WNYBC supports and encourages associates to develop their individual skills, talents, and understanding of their jobs. WNYBC is a work environment in which ethical and legal questions and concerns can be raised. If an associate raises an ethical or legal question or concern, the associate’s supervisor has the responsibility to address it. If the

supervisor does not know how to respond, he/she should seek assistance through the supervisory structure, or the Corporate Compliance Officer.

WNYBC's HCWNY's associates are advised of the existence of the Employee Assistance Program (EAP) that is available to all associates with medical, behavioral, and social problems that are affecting their job performance. Associates may self-refer or be mandated to participate in a consultation by their supervisor

- **Discrimination and Harassment:**

- As an EQUAL OPPORTUNITY EMPLOYER, WNYBC does not deny opportunities or benefits based on age, arrest record, color, conviction record (except as allowed by law), creed, disability (that does not prohibit performance of essential job functions), genetic predisposition to disease, marital status, national origin, political belief, race, religious affiliation, sex, sexual orientation, status, or veteran status.
- WNYBC intends to provide a work environment that is pleasant, healthful, comfortable, and free from intimidation, hostility, or other offenses, which might interfere with work performance. Harassment of any sort – verbal, physical, visual – will not be tolerated.
- Harassment can take many forms. It may be, but is not limited to words, signs, jokes, pranks, intimidation, physical contact, or violence. Harassment is not necessarily sexual in nature.
- Sexually harassing conduct may include unwelcome sexual advances, requests for sexual favors, or any other verbal or physical contact of a sexual nature that prevents an individual from effectively performing the duties of his or her position or creates an intimidating, hostile or offensive working environment, or when such conduct is made a condition of employment or compensation, either implicitly or explicitly. While it is not easy to define precisely what types of conduct could constitute sexual harassment, examples of prohibited behavior include obscene gestures, displaying sexually graphic magazines, calendars, or posters, sending sexually explicit emails or voicemails and other verbal or physical conduct; or jokes or conversation about an associate's physical appearance, sex life, or other conduct pervasive to create an unprofessional or hostile work environment.
- All WNYBC associates have a responsibility for keeping our work environment free of harassment. Any associate, who becomes aware of an incident of harassment, whether by witnessing the incident or being told of it, must report it to their immediate supervisor, or any management representative with whom they feel comfortable. If associates are unsure with whom to raise an issue of harassment or have not received a satisfactory response within five (5) business days after reporting an incident of what is perceived to be harassment, Laurie Reger, Executive Director should be contacted immediately. When management becomes aware that harassment might exist, it is an obligation by law to take

prompt and appropriate action, whether the victim wants the organization to do so.

- WNYBC is committed to policies that promote fair employment and equal treatment in hiring, placement promotion, training, compensation, transfers, and leaves of absences, termination, layoff, and disciplinary action. WNYBC will not tolerate physical or verbal harassment by directors, officers, administrators, associates, volunteers, vendors, or subcontractors. Degrading or humiliating jokes, slurs, intimidation or other harassing conduct is not acceptable. Sexual harassment is illegal and is defined by law as unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct that creates a hostile work environment.
- Any incidents of harassment must be reported immediately to a supervisor or any other management representative. An appropriate investigation and disciplinary action will be taken. All reports will be promptly investigated with due regard for the privacy of everyone involved. Any associates found to have harassed a fellow associate or subordinate will be subject to severe disciplinary action or possible discharge. WNYBC will also take any additional action necessary to appropriately remedy the situation. No adverse employment action will be taken for any associate making a good faith report of alleged harassment.
- WNYBC accepts no liability for harassment of one associate by another associate. The individual who makes unwelcome advances, threatens or in any way harasses another associate is personally liable for such actions and their consequences. WNYBC will not provide legal, financial or any other assistance to an individual accused of harassment if a legal complaint is filed.
- WNYBC is an equal opportunity employer and does not discriminate against associates or potential associates based on color, race, religion, gender, ethnicity, sex, sexual orientation, age, marital status, genetic disposition, carrier status or disability.
- WNYBC does not permit the possession or use of weapons or dangerous instruments or substances while on WNYBC property unless the appropriate WNYBC authority expressly permits possession.
- WNYBC will not tolerate any act of retaliation or reprisal against an associate who in good faith reports a suspected or actual violation of law, regulation, standard, WNYBC policy or the Code of Conduct.

#### **G. REPORTING VIOLATIONS:**

This Corporate Compliance Program document does not replace other WNYBC reporting policies and procedures. Rather, it serves to underscore the importance of ethical and lawful behavior and to attend to professional conduct for which there are no formal reporting procedures or procedures that are merely implied.

The Executive Director of WNYBC shall have the ultimate authority and responsibility for the implementation of the WNYBC's Corporate Compliance Program. The Executive Director and/or designee shall have the authority and responsibility for compliance with laws and regulations and to report misconduct to the enforcement authority.

- **Duty to Report:**

- Associates must report to their supervisor or to the Compliance Officer any suspected violations by associates of applicable law, rules, regulations or WNYBC's Code of Conduct. Associates have the same reporting obligations for actual or suspected violations committed by a vendor or subcontractor of WNYBC

- **How to Report:**

- An effective Corporate Compliance Program requires all associates of WNYBC to cooperate willingly and participate actively. Associates have a responsibility to report concerns to any of the following:
  - Your department supervisor, or
  - The Corporate Compliance Officer, or
  - The Executive Director
- Correspondence can be sent anonymously in a sealed envelope addressed to the Corporate Compliance Officer. Mailing can be done via US Postal Service, interoffice mail, or personal submission into the Corporate Compliance Officer's mailbox.
- Anonymous phone calls can be left on a confidential voicemail at 716-218-4005
- There will be no reprisals against associates for good faith reporting of compliance concerns to their department supervisor, the Corporate Compliance Office or to the Executive Director.

- **Internal Investigations and Corrective Action:**

- WNYBC is committed to investigate all reported violations promptly and confidentially to the extent reasonably possible. The Corporate Compliance Officer will coordinate all the aspects of the investigations. The Executive Director will coordinate investigations involving allegations of harassment, sexual or otherwise, associate grievances, suspected violations of ADA, FMLA and other discrimination. The Executive Director will keep the Corporate Compliance Officer apprised of the outcome of such investigations. All associates are fully expected to cooperate possible with all investigations. All investigations will be reviewed by the Executive Committee of the Board of Directors. Once a compliance investigation has been completed, the reporting self-identified person will be given a summary of whether the allegations were substantiated, and corrective action taken to the extent possible.
- Corrective action plans will be shared with the Board of Directors and Executive Director. It is the responsibility of the Executive Director to ensure corrective

actions are carried out and report back to the Corporate Compliance Officer when the corrective action plan is completed.

- The Corporate Compliance Officer will report to the Board of Directors quarterly

- **Internal Monitoring and Auditing:**

- The Corporate Compliance Committee will identify areas of compliance risk on an annual basis and develop a plan to conduct internal audits. The Corporate Compliance Officer is responsible for overseeing and monitoring audit activities.

- **Disciplinary Action:**

- Disciplinary action may range from a warning to suspension or discharge, depending upon the nature of the incident and the relevant surrounding circumstances.
- WNYBC recognizes that all associates we must act in accordance with the Code of Conduct, conform to its standards and supporting guidance, policies, and procedures
  - WNYBC associates are aware that failure to do so can result in serious consequences for individual associates as well as for the WNYBC organization. Disciplinary action, including employment termination, may be issued for the following intolerable actions: Violating Code of Conduct
  - Failing to report a violation of the Code of Conduct or to cooperate in an investigation
  - Retaliation against an individual who made a good faith report
  - Encouraging, directing, facilitating, or permitting, either actively or passively, non-compliant behavior
  - Deliberately making a false report of a violation of the Code of Conduct
- All associates and contractors must cooperate fully and honestly with any investigation of a reported violation of the Code of Conduct, any applicable law or regulation, agency policy, procedure or practice or they will be subject to disciplinary action up to and including the possibility of employment termination.

#### **H. WNYBC ASSOCIATE RESPONSIBILITIES:**

- Attend required training and read and understand WNYBC's Corporate Compliance Plan
- Follow the WNYBC Code of Conduct and abide by all policies and procedures, guidelines, and Federal and State laws and regulations.
- Be cognizant of situations that could violate WNYBC Code of Conduct, policies and procedures, guidelines, and/or Federal and State laws and regulations.

- Promptly report any issues, concerns, violations, or suspected violations to a supervisor, the Compliance Officer, or the Executive Director.

**I. SUPPLEMENTAL INFORMATION:**

- The Code of Conduct does not address every situation. More specific guidance can be found in WNYBC Policies and Procedures

**J. COMPLIANCE PROGRAM STRUCTURE:**

- The Corporate Compliance Officer reports directly to the Board of Director President, the Executive Director, and the Board of Directors. A standing Corporate Compliance Committee has been established. The Committee includes the Compliance Officer, Executive Director, nurse representative, lab representative, accounts receivable representative, pharmacy representative

**K. BILLING:**

- **Basis for Coding and Billing**
  - WNYBC will ensure billing is only for services that are deemed medically necessary by inclusion in the Electronic Medical Record (EMR). WNYBC will code service records completely and accurately using the required coding system and will ensure that the required documentation exists to support the services rendered and amounts billed. When additional information or documentation is necessary, WNYBC will review the service record and contact the appropriate individuals to obtain the required information and/or documentation as required prior to submitting a bill for payment.
  - WNYBC will ensure that billing to government and private payers conform to all pertinent Federal and State laws and regulations. WNYBC will operate oversight systems to verify that claims are submitted only for services provided and that services are billed as provided. WNYBC will ensure proper training for associates whose activities result in the submission of a claim for payment.
  - When an associate receives a question from a client or family member/representative or from a third-party payer concerning a charge, they will promptly review and answer the question. WNYBC will notify payers of over-payment errors and will issue refunds promptly and accurately. WNYBC will keep documented records of all communications with payers.
  - Billing, cost reporting and consolidated fiscal reporting will be subject to internal and/or external audits to ensure that errors are corrected in a timely fashion.

## L. CONFIDENTIALITY:

### • Patient Confidentiality

- All patient information is confidential and kept private. WNYBC is committed to maintaining confidentiality in strict accordance with legal and ethical standards and will actively protect and safeguard such information. Breaches of confidentiality will not be tolerated by WNYBC. WNYBC
- Information about a patient may be disclosed only as authorized by the patient and/or his or her guardian/family and supported by a legitimate clinical or business purpose or as otherwise permitted by law in writing.
- All directors, officers, administrators, associates, volunteers, and other affiliated staff of the WNYBC have a duty to protect the confidentiality of patient information that they may become aware of during their work
- Information concerning patients and their medical record should not be discussed in a public area where others could overhear it. Records, whether paper or electronic, should be appropriately secured so that those not involved in legitimate activities relating to the patient shall not be permitted access to the record

### • Patient and Associate Confidential Information:

- Confidential information can include, but not be limited to:
  - patient information
  - associate data
  - financial data
  - payroll
  - benefits
  - personnel files
  - disciplinary matters
  - research data
  - statistical data
  - other information that has been designated confidential.
- Such information shall be processed, used, copied, read, or disclosed only as necessary to perform the job responsibilities and then only to the extent necessary and as expressly authorized by WNYBC
- Confidential information will not be used for any direct or indirect personal gain or other improper purpose.

### • Impairment and Substance Abuse

- WNYBC is committed to achieving a drug-free workforce and to providing a workplace that is free from the use of alcohol and other drugs. WNYBC will provide a safe and healthful workplace, to comply with contractual obligations

and Federal laws, to assure quality work, to protect the community, the people the agency serves, and WNYBC's property and reputation.

- Alcohol and use of other drugs on the job is not permitted. This includes the abuse of prescription drugs.
- Associates will be subject to disciplinary action, up to and including termination, for the following:
  - possessing, transferring, using, or selling illegal drugs or controlled substances
  - consuming alcohol during work hours
  - reporting to work under the influence of alcohol consumed before the start of his or her workday
  - abusing drugs prescribed by a physician
- If an associate must take prescribed drugs while at work which may, in any way, impede his or her ability to drive or otherwise perform his or her job duties, the associate must inform their supervisor before the start of their shift
- If an associate approaches his or her supervisor regarding a substance abuse problem, the associate will be referred to the EAP or other appropriate resource for treatment. The associate must make this request before a problem has been identified by his or her supervisor or other member of the WNYBC management to avoid disciplinary action. Also, the associate must continue to abide by the requirements of this treatment as well as remain free of any further abuse. The associate may be required to take an unpaid leave of absence until it has been determined that he or she is substance free

**M. PERSONAL USE OF WNYBC RESOURCES:**

- Associates are to use WNYBC resources in a manner consistent with achieving WNYBC business in a cost-effective manner. These resources include, but are not limited to:
  - computers, printers, and other information technology
  - copy machines/faxes
  - telephones and voicemail
  - e-mail and internet access
  - office supplies
  - cash and WNYBC credit cards.
- Personal use of WNYBC resources is prohibited

**N. CONFLICT OF INTEREST:**

- Members of the Board of Directors, officers and associates must not use their positions to their personal advantage. A conflict of interest may occur if outside activities or personal interests influence or appear to influence the ability to make objective decisions in the course of your job responsibilities. All directors, officers, administrators,

and associates must disclose any existing or new relationships that may give the appearance of a conflict of interest to the Corporate Compliance Officer.

- Although it is impossible to list every circumstance giving rise to a potential conflict of interest, the following will serve as a guide to the types of activities that may cause conflicts and should be fully reported to WNYBC:
  - Direct or indirect material financial interest in any outside concern from which WNYBC secures good or services
  - Compete directly or indirectly with WNYBC in the purchase or sale of property or property rights, interests, or other services
  - Solicit or except for personal use cash, gifts, entertainment or services from vendors, contractors, visitors, clients, or families of clients, (This does not include acceptance of items of nominal or minor value that are clearly tokens of respect and not related to any particular transaction or activity of the agency)
  - Disclose or use information relating to the agency for personal profit or advantage to one's immediate family
  
- **Procedures to Handle Conflicts of Interest**
  - Members of the Board of Directors, officers, administrators, and associates have a duty to disclose any actual or possible conflicts of interest to the Corporate Compliance Officer for review by the Corporate Compliance Committee. The committee will, after review, determine whether a conflict exists and shall investigate alternatives. The Corporate Compliance Committee, whose members include non-Board members, will forward its recommendations to the Board of Directors for disposition.
  - Members of the Board of Directors shall complete a written Conflict of Interest Statement within 60 days of appointment/employment and annually, no later than 1/31 of each calendar year
  - The Corporate Compliance Officer will ensure this process is implemented and provide an annual report to the Board of Directors (at the second Board of Directors meeting in any calendar year) documenting compliance

## **O. REGULATIONS:**

- **Licensure and Certifications**
  - WNYBC will not allow any associate or independent contractor who is required to be licensed or credentialed to work at WNYBC without valid, current licensure or credentials. It is the responsibility of such individuals to maintain licensure or credentials and to provide WNYBC with documentation.
  - All associates are expected to conform to standards of their profession and exercise appropriate judgment in the performance of their duties

- **Exclusionary Audits**
  - The Corporate Compliance Officer will ensure associates and contractors are screened to verify they remain eligible to participate in Medicaid reimbursed programs. Initial screening will be done at hire or first contract and monthly thereafter
  
- **Tax-Exempt Requirements**
  - WNYBC is a tax-exempt entity. To comply with the applicable law, WNYBC must operate for the benefit of the community and must avoid that which the tax law refers to as “private inurement” and “private benefit.” Violation of the tax law can give rise to criminal penalties
  - WNYBC tax-exemption may be used only for legitimate WNYBC purchases. Personal items may not be purchased using WNYBC tax-exempt privileges.
  
- **Environmental Health and Safety Requirements**
  - WNYBC staff that handle hazardous materials and regulated medical waste must comply with environmental laws and regulations and follow environmental safety procedures explained in WNYBC Policies and Procedures.
  - WNYBC must employ licensed services to transport and dispose of hazardous and polluted materials and regulated medical waste. Any action to the contrary must be reported to the Corporate Compliance Officer or the Executive Director.
  
- **Proper Control of Medication**
  - WNYBC is responsible for the proper storage, handling and administration of pharmaceutical products as explained in WNYBC Policies and Procedures
  - The diversion of any prescription drug or controlled substance in any amount for any reason to an unauthorized individual or entity is forbidden and may constitute grounds for termination. WNYBC associates must be diligent in carrying out their obligations in this regard and they must never use drugs stored in various WNYBC programs for their own purposes

**P. GOVERNMENT INVESTIGATIONS:**

- WNYBC responds in a proper manner to all government investigations. Some of the governmental entities that have a right to immediate access to information are:
  - New York State Office of the Attorney General (OAG)
  - New York State Department of Health (DOH)
  - New York State Fraud Control Unit (FCU)
  - New York State Department of Labor (DOL)
  - New York State Office of the Medicaid Inspector General (OMIG)
  - United States Department of Health and Human Services (HHS)
  - United States Occupational Safety and Health Administration (OSHA)

- Health Care Financing Administration, a division of HHS
- United States Office of the Inspector General (OIG)
  
- **Procedure to receive government investigators:**
  - Verify the officer's credentials before granting them access to the WNYBC facility
  - Treat the government officers with respect, courtesy, and cooperation
  - Invite the officials to delay their duties until the Executive Director, and/or the Corporate Compliance Officer is contacted and responds to the officials' arrival and purpose