

TRUMBULL COUNTY BOARD OF DEVELOPMENTAL DISABILITIES

Procedure

Section 4.8.1

CORPORATE COMPLIANCE PROGRAM

Purpose

The purpose of these procedures is to establish the process by which the Trumbull County Board of Developmental Disabilities will implement the Board's corporate compliance policy and, assign responsibility for implementation of the plan.

Procedure

The Trumbull County Board of Developmental Disabilities is dedicated to the delivery services in an environment characterized by strict conformance with the highest standards of accountability employees and leadership in regards to business practices, marketing, contractual relationships, service delivery, professional responsibilities, human resources, and financial management. Board members and Leadership are fully committed to the need to prevent and detect fraud, fiscal mismanagement and misappropriation of funds. Therefore, the Board has developed a formal corporate compliance program to ensure ongoing monitoring and conformance with all legal and regulatory requirements. Further, the Board is committed to the establishment, implementation and maintenance of a corporate compliance program that emphasizes:

1. Prevention of wrong doing - whether intentional or unintentional;
2. Immediate reporting and investigation of questionable activities and practices without consequences to the reporting party; and,
3. Timely correction of any situation which puts the Board, its leadership or employees, funding sources or individuals receiving services at risk.
4. Overall responsibility for the Board's Corporate Compliance Program to the Superintendent.

The following procedures/guidelines will govern the design and implementation of the Board's corporate compliance program:

A. Designation of a Corporate Compliance Officer:

The Superintendent or designee will act as the Corporate Compliance Officer (CCO), monitor the Board's corporate compliance program and ensure that the Board is fully informed at all times on matters pertaining to corporate compliance.

B. Responsibilities of the Corporate Compliance Officer:

In the performance of his/her duties, the CCO shall

1. Serve as the Board's primary point of contact for all corporate compliance issues;
2. Develop, implement and monitor the Board's corporate compliance plan, including all internal and external monitoring, auditing, investigative and reporting processes, procedures and systems; and

3. Prepare, submit and present periodic reports on corporate compliance issues to the Board members as requested and/or as may be required.

C. Annual Corporate Compliance Report:

The CCO shall submit an annual corporate compliance report to the Board. Annual reports will, include at a minimum:

1. A summary of all allegations, investigations and/or complaints processed in the preceding 12 months in conjunction with the corporate compliance program,
2. A complete description of all corrective action(s) taken, and
3. Any recommendations for changes to the Board's policies and/or procedures.

D. Risk Management Assessment:

As part of corporate compliance program, periodic risk management assessments and/or audits will be completed to identify potential problem areas and "threats" that could put the Board at risk for unusual liability, i.e., billing procedures, incident reporting and monitoring, transportation services, etc. Such assessments will augment the Board's annual audit of its accounting system and provide an additional, internal measure of operational accountability in a variety of areas.

E. Corporate Compliance Plan Elements:

The corporate compliance program for the Trumbull County Board of Developmental Disabilities consists of:

1. A formal resolution on corporate compliance that has been adopted by the Board as a way to document the effective date of program implementation;
2. Written designation of a Corporate Compliance Officer (CCO) responsible for monitoring and reporting on matters pertaining to corporate compliance;
3. A Code of Ethics policy and procedures regarding professional conduct, personal behavior, business practices, marketing practices, contractual relationships, service delivery, and potential conflicts of interest;
4. A Protection of Whistleblowers policy and procedures for employees to use in reporting waste, fraud, abuse or other questionable activities and practices;
5. Written procedures contained herein for:
 - a. Timely investigation of allegations of waste, fraud, abuse and/or other wrongdoing;
 - b. Dealing with violators of the Board's code of ethics in a fair and consistent manner; and
 - c. Dealing with violators of the Board's corporate compliance program/plan in a fair and consistent manner;
 - d. Policies and procedures to guide staff members in responding to subpoenas, search warrants, investigations and other legal actions; and
 - e. Ongoing staff training on corporate compliance.

F. Core Values:

The Board, Leadership and employees believe the following core values apply to everyone. These core values guide our decision making process and our interactions with individuals, family members, fellow employees, and community members.

- Accountability
- Collaboration and Teamwork
- Compassion
- Dignity and Respect
- Flexibility

G. Organizational Code of Ethics:

It is the policy of the Board to carry out its mission in accordance with the strictest ethical guidelines and to ensure that the Board members and employees conduct themselves in a manner that fosters public confidence in the integrity of the Board, its processes and its accomplishments.

Board members and employees must, at all times, abide by protections to the public embodied in Ohio's ethics laws as found in the Ohio Revised Code Chapter 102. A copy of these laws is provided by the Board to each employee who must formally acknowledge receipt of the Ohio Ethics Law and related statutes.

In business, marketing and human resource practices, all Board employees will be guided by the core values as outlined above when dealing with individuals receiving services, their families, fellow employees, vendors/suppliers, potential customers, and members of our community.

No business code of ethics/conduct can cover every conceivable scenario that might arise in the course of conducting business. Therefore, all Board members and employees must abide by these guiding principles and to seek assistance and clarification from the Superintendent or designated Corporate Compliance Officer in the event that any situation or scenario arises that might challenge the application of these principles. As a related matter, situations and circumstances occasionally arise that may represent a potential conflict of interest. As outlined in Ohio Ethics Laws, no Board member or employee shall use his/her public position to obtain benefits for themselves or their family member, or anyone with whom the employee has a business or employment relationship. In such cases, employees are instructed to discuss the situation with the Superintendent prior to making any decision that would represent a conflict of interest.

H. Protection of Whistleblowers:

An integral part of the Board's Corporate Compliance Program is a non-retaliatory system that employees can use to report suspected waste, fraud, abuse and other questionable activities and practices. If an employee of the Trumbull County Board of Developmental Disabilities becomes aware of a violation of state or federal statutes, rules, or regulations or the misuse of public resources, and the employee's supervisor or other Leadership employee have the authority to correct the violation

or misuse, the employee may file a written, signed report identifying the alleged violation or misuse, with Leadership.

In addition to or instead of filing a written report with the employee's supervisor or with another Leadership member, the employee may file a written report with the office of internal auditing or file a complaint with the Auditor of State's fraud-reporting system.

A "Corporate Compliance Notice" will be posted in each building as a way to inform individuals served, employees and other interested stakeholders about the Board's Corporate Compliance program and the system - including contact information - for reporting suspicious activities.

I. Investigation Process:

Upon receipt of any report of suspected wrongdoing, the Superintendent or designated Corporate Compliance Officer will initiate an immediate investigation. Investigations of corporate compliance matters will be conducted as expeditiously as possible. The designated Corporate Compliance Officer is authorized direct and unimpeded access to all employees as a way to expedite corporate compliance investigations.

Substantiated violations of the Board's corporate compliance program and/or code of ethics are serious matters and that may have potential legal ramifications for both the Board and its employees. Violators are subject to the Board's disciplinary policies and procedures outlined in the Board's Policy Manual.

J. Search Warrants, Subpoenas, Investigations and Other Legal Actions:

In the event that any employee of Board receives or is notified of any search warrant, subpoena, investigation, inquiry or other legal action involving the Board, the Superintendent will be immediately contacted by the most expedient means, i.e., telephone, e-mail, cell phone, fax, etc. Copies of all legal documents served against the Board and/or its employees will immediately be given to the Superintendent.

Under no circumstances will any records, files, receipts, or other forms of documentation be released without authorization from the Superintendent.

K. Legal Conformance:

The Board's corporate compliance program also includes periodic audits and compliance reviews by the Ohio Department of Developmental Disabilities, or the Auditor of the State of Ohio. As part of this Corporate Compliance Plan, the Superintendent must be immediately informed of any regulatory inspection. In the event that formal correspondence is received, copies must be immediately provided to the Superintendent.

L. Responsibility for conformance:

All employees are responsible for strict conformance with this Corporate Compliance Plan. At least annually, all employees receive training on the Board's corporate compliance program with an emphasis on the Board's Code of Ethics. As part of the

initial enrollment packet, individuals and/or their families will receive information regarding the Board's Code of Ethics as it pertains to service provision. In the event that any individual receiving services and/or their family member, or other interested stakeholder requests a copy of the Board's Code of Ethics it will be immediately provided to them by Leadership.

M. Revisions to the Corporate Compliance Program

This corporate compliance program is intended to be flexible and readily adaptable to changes in regulatory requirements and in the developmental disabilities service delivery system as a whole. The program will be reviewed at least annually to assess its viability and the inclusion of all appropriate Board policies and regulatory requirements.

Adopted and Implemented: 3/25/13