

Code of Conduct



SPVMHC

Approved: May 25, 2004

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Introduction

This *Code of Conduct* for Scioto Paint Valley Mental Health Center identifies the behaviors and actions to which workforce members (employees and volunteers), business associates, contractors, trainees, students and interns shall subscribe. The *Code* applies to communications, interactions and relationships between workforce members, with and in behalf of all of the individuals we serve, and in the communities in which we serve and work.

The *Code of Conduct* sets forth aspirational goals to guide us toward the highest ideals of service and operations within the Center. It identifies the Center's values of service, outreach, fiscal stewardship, compassion, self-determination, respect for the authority of government, charity, justice, and accountability. The *Code of Conduct* provides the foundation for determining an ethical course of action.

The *Code of Conduct* sets forth enforceable rules for conduct. This *Code* is not exhaustive and the fact that a given conduct is not specifically addressed within this *Code of Conduct* does not mean that it is ethical or unethical. Some of the items addressed in this *Code of Conduct* include questions and answers to provide additional guidance.

Code of Conduct Principles

The leadership of the Center has identified the following principles of conduct and supporting procedures which define legal and ethical requirements. The *Code of Conduct* applies to workforce members, business associates, contractors, trainees, students, and interns.

1. Workforce members, business associates, contractors, trainees, students, and interns shall treat individuals served with respect, dignity, and professionalism without regard to race, age, gender, religion, national origin, medical condition, physical or mental disability, marital status, sexual orientation, or ability to speak English.
2. Workforce members, business associates, contractors, trainees, students, and interns shall abide by applicable standards of professional practice and ethical behavior in carrying out the business of service provision and fiscal and other business operations, and should not feel forced or compelled to participate or endorse unethical, improper or illegal conduct.
3. Workforce members, business associates, contractors, trainees, students, and interns are encouraged to report their concerns if they believe that client care is at risk, or if the ethical or business standards defined in the *Code* or any of the policies and procedures of the Center have not been met. There will be no retaliation against workforce members, business associates, contractors, trainees, students, and interns who, in good faith, report suspected noncompliance or raise concerns about compliance issues.
4. Workforce members, business associates, contractors, trainees, students, and interns who have questions regarding any of the standards or who suspect that the standards or policies or procedures are not being met, should follow the policy and procedures for communicating questions or concerns or reporting violations. The procedures are

included at the end of this policy. Workforce members, business associates, contractors, trainees, students, and interns may seek advice from a number of sources, including but not limited to notification of a supervisor, the Corporate Compliance Officer, or other members of the leadership team.

5. The leadership team and Board of Directors of the Center are responsible for acting on allegations of violations of the *Code of Conduct*, and other improper or illegal behavior. They are also responsible for acting promptly in response to the individuals involved, and in regards to the impact on billing activities, and fiscal and administrative operations.

CODE OF CONDUCT

I. General Expectations

Workforce members are expected to be honest and ethical in their dealings with others at all times, regardless of whether a specific law, policy or procedure covers the situation. Workforce members have an obligation to our clients, their families and friends, the community, our referral and funding sources to conduct all activities and use all funds in a responsible and ethical manner, demonstrating compliance with all applicable laws and the Center's policies and procedures.

Workforce members, business associates, contractors, trainees, students, and interns will give precedence to their professional responsibility over their personal interests. Workforce members, business associates, contractors, trainees, students, and interns will not engage in any form of dual relationships with clients.

Compliance with Professional Standards

Workforce members, business associates, contractors, trainees, students, and interns must observe the standards of this *Code of Conduct* and, when applicable, the standards of their respective professions. They should exercise good judgment and professional objectivity. This includes promoting the rights of those we serve to identify and clarify their own goals and defining goals for service and treatment at the Center. Workforce members, business associates, contractors, trainees, students, and interns will not misrepresent their professional qualifications or affiliations.

Workforce members, business associates, contractors, trainees, students, and interns shall not abuse alcohol, illicit or licit substances, neither possess or use any illegal substances under any circumstances, nor furnish their clients with alcohol, illicit or licit substances when conducting Center business.

The Center shall not knowingly solicit the clients of other agencies or knowingly accept for a client any client who is receiving similar services from another agency except by agreement with that agency or after the termination of services by that agency.

Workforce members, business associates, contractors, trainees, students, and interns should not engage in sexual conduct with clients', their relatives or other individuals with whom clients' maintain a close relationship when there is a risk for exploitation or harm in any way. Clinical staff including social workers, counselors, nurses, psychologists, psychiatrists, trained others, interns, trainees, students, volunteers and peer specialists are expected to adhere to professional codes that govern ethical practice and sexual behavior. When a clinical staff person such as a trained other or peer specialist does not represent a specific behavioral health profession he or she will be expected to adhere to ethical guidelines and sexual practices that are stipulated by the Counselor and Social Worker Board. In addition to prohibitions on sexual conduct with current clients, clinical staff is prohibited from engaging in sexual conduct with previous clients, for a minimum of 5 years following the last service that was provided. This includes situations in which direct services were provided as part of a team or crisis intervention. Clinical staff is further expected to refrain from behavior that could create the appearance of a sexual or romantic involvement while providing services and for 5 years following the provision of direct service.

**The above paragraphed originally stated “for a minimum of 2 years following the last service that was provide” and “refrain from behavior that could create the appearance of a sexual or romantic involvement while providing services and for 2 years following the provision of direct service.” The “2” years in both instances were changed to “5 years” to comply with mandates stated by the Ohio CSWMFT Board.*

Respect for Others

Workforce members, business associates, contractors, trainees, students, and interns are expected to treat each other, clients and visitors as individuals, with respect and dignity, regardless of position, station or relationship. Workforce members, business associates, contractors, trainees, students, and interns shall strive through their words and actions to create a professional atmosphere in the work environment that will be admired by workforce members, clients, visitors, business associates, contractors, trainees, students, and interns. Negative feedback, such as reprimands or other discipline, shall be given in an atmosphere of mutual respect and never publicly. No workforce member, business associates, contractors, trainees, students, and interns shall engage in unprofessional disparagement of a colleague or other professional person.

Diversity

The Center recognizes the diversity of the Center’s clients and communities, workforce members, business associates, contractors, trainees, students, and interns as a valuable asset. The Center views diversity as necessary for realizing its vision. Workforce members, business associates, contractors, trainees, students, and interns are expected to understand the nature and diversity of the various cultures, economic status, ethnicity, and religious beliefs of those we serve.

The Center, its workforce members, business associates, contractors, trainees, students, and interns shall comply with all applicable provisions of State and Federal laws and regulations pertaining to nondiscrimination, sexual harassment and equal employment opportunity.

Inside Information

Workforce members, business associates, contractors, trainees, students, and interns must never use, directly or indirectly, inside information for personal gain or the gain of others. "Inside information" is information about the Center's operations not generally available to the public and gained through an individual's position. Workforce members, business associates, contractors, trainees, students, and interns also must protect information entrusted to the Center by actual and prospective business associates, vendors, referral sources, contractors, service providers and others. Information need not be confidential or proprietary to be considered inside information. For example, workforce members, business associates, contractors, trainees, students, and interns should not freely share sensitive financial information with members of the public or without authority comment on that information, unless authorized by an appropriate Center official.

Workforce members, business associates, contractors, trainees, students, and interns are expected to protect the interests of the Center and our clients by not disclosing to outsiders any proprietary information of the Center or our clients, either during their term of employment, contractual agreement or any time thereafter. This includes:

- All client identifying information, even after they have been discharged
- Financial data (of the Center or clients);
- Salaries of other workforce members;
- Marketing strategies;
- Other workforce members, business associates, contractors, trainees, students, and interns' addresses, phone numbers, and/or other information about workforce members, business associates, contractors, trainees, students, and interns or former workforce members, business associates, contractors, trainees, students, and interns.

Confidentiality

Information regarding clients and workforce members, business associates, contractors, trainees, students, and interns is confidential and may be shared only with those who have a legitimate need to know and are authorized to receive such information. Workforce members, business associates, contractors, trainees, students, and interns are allowed to access only that information which directly relates to their job responsibilities at the Center. Using and disclosing, or releasing information to individuals or organizations outside of the Center must be done with the written permission and knowledge of the person, except in cases of alleged abuse, neglect, criminal behavior, medical emergencies or otherwise when legally authorized.

Workforce members, business associates, contractors, trainees, students, and interns should not disclose confidential or personal information in any setting unless privacy can be ensured. Workforce members, business associates, contractors, trainees, students, and interns should not discuss confidential information in public or semipublic areas such as waiting rooms, hallways, restrooms, or locations outside of the Center facilities where others who are not authorized can hear the information.

Access to proprietary and confidential information contained in the Center's computer network is granted to eligible workforce members, business associates, contractors, trainees, students, and interns by means of individual accounts requiring logins and passwords. Workforce members, business associates, contractors, trainees, students, and interns must use only their own logins to the network and should not allow any other individual to use their login for any reason. Proprietary and confidential information obtained by workforce members, business associates, contractors, trainees, students, and interns from the Center's computer network (including printouts, downloads, diskettes, copies to laptops or home computers, and e-mail messages) must be handled as proprietary and confidential information, and given sufficient protection until the information is properly discarded or destroyed. The agency's e-mail system does not automatically encrypt information sent via e-mail, so appropriate caution should be used when transmitting information electronically.

Use of Property

Workforce members, business associates, contractors, trainees, students, and interns shall protect the Center's property, both physical and intellectual, and any property entrusted to the Center, against loss, theft and misuse. Workforce members, business associates, contractors, trainees, students, and interns must be equally diligent in protecting the property of clients, workforce members, business associates, contractors, trainees, students, interns, and others who work or are being served at the Center's facilities.

Workforce members, business associates, contractors, trainees, students, and interns share responsibility for ensuring that the Center property is protected, including tangible items like desks, computers, tools and equipment; as well as intangible property such as proprietary information, including client lists, client files, computer records, and policy and procedure manuals.

Workforce members, business associates, contractors, trainees, students, and interns shall dispose of supplies, obsolete items, discontinued equipment or other Center property only in accordance with the Center's policies and procedures.

Ownership and Use of Intellectual Property

Except as otherwise required by law, any work product, such as written reports, memoranda, documents, recordings, drawings, data, software or other deliverables, developed in the course of or funded under employment or contract with the Center shall be considered a work made for hire and shall remain the exclusive property of the Center.

There shall be no dissemination or publication of any such work product without the prior written consent of the Center's leadership.

Environmental Health and Safety Concerns

Workforce members, business associates, contractors, trainees, students, and interns must uphold all laws and policies applicable to the environmental aspects of the Center's operations. This includes the use of buildings, property, laboratory processes, chemicals, medications, equipment and products, disposal of all biohazardous wastes, and participation in safety training and emergency drills. Workforce members, business associates, contractors, trainees, students, and interns are expected to take the necessary steps to safely perform their duties and protect clients, visitors, co-workforce members, business associates, contractors, trainees, students, and interns.

Other Applicable Policies and Expectations

In addition to this *Code of Conduct*, the Center issues statements of policy, procedure, protocol and standards directed to particular areas of its operations and develops general policies and procedures applicable throughout the Center. Copies of these policies, procedures, protocols and standards are located in each facility or can be accessed via the Center's intranet. Each facility shall maintain an updated copy of the Center's policies and procedures manual.

Workforce members, business associates, contractors, trainees, students, and interns are expected to comply with all statements of policy, procedure, protocol, standards and practice of the Center, as well as with all lawful and ethical business practices, whether or not they specifically are mentioned in this *Code of Conduct*. Workforce members, business associates, contractors, trainees, students, and interns are expected to be familiar with and comply with all applicable Center policies and procedures.

II. HUMAN RESOURCES

Equal Opportunity

The Center is built upon teamwork and equal opportunity and is committed to develop and implement a program of nondiscrimination. The Center subscribes to the principles of an equal opportunity employer and all employment-related decisions reflect this firm commitment.

Reporting Integrity

Workforce members, business associates, contractors, trainees, students, and interns shall submit accurate and truthful reports for time worked, travel, expenses and any other information submitted for the purposes of wages, salary, reimbursements or benefits.

Conflicts of Interest

Workforce members, business associates, contractors, trainees, students, and interns have a duty of loyalty to the Center. Workforce members, business associates, contractors, trainees, students, and interns are expected to avoid both conflicts of interests and the appearance of conflicts of interests between their responsibilities to the Center and any outside or personal interest. A conflict of interest exists when someone's loyalty to the Center is, or appears to be, divided between his or her responsibilities to the Center and to an outside or personal interest. Workforce members, business associates, contractors, trainees, students, and interns should not take unfair advantage of any work relationship to exploit others for their own personal, religious, political or financial gain. Workforce members, business associates, contractors, trainees, students, and interns should inform their supervisor when a real or potential conflict of interest arises and take reasonable steps to identify other courses of action.

Examples of Potential Conflicts of Interest

The following are examples of potential conflicts of interest. These are not necessarily prohibited, but must be disclosed and are subject to approval under the Center's conflict of interest procedures (02-03-01).

- Placing the Center business with any person or company in which you or one of your relatives or friends has a direct or indirect interest or has a personal or financial benefit.
- Workforce members, business associates, contractors, trainees, students, and interns who are related or living together are not permitted to direct or control the work of, directly report to; or have any review or sign-off relationship with the other.
- Providing client care at another agency that is in competition with the Center.
- Acceptance of a gift in violation of the Center's practice regarding gifts.
- Accepting or arranging a charitable gift or contribution to the Center in return for a business relationship with the Center.
- Endorsing a vendor's products or services on behalf of the Center.
- Compensating a person who is currently holding an elective office.
- Use of the Center equipment, supplies or facilities to benefit another employer.
- Performing services for a registered or potential client for payment directly to workforce member by the client.
- Knowingly engage a client for personal services in any way with or without payment (e.g., child care, transportation, housekeeping).
- Employment that prevents the workforce member, business associates, contractors, trainees, students, and interns from meeting their responsibilities to the Center or to one of our clients.

These examples do not cover all the types of conflicts of interest that may arise. Workforce members, business associates, contractors, trainees, students, and interns are expected to always disclose and resolve any conflict of interest before taking action that may be improper or damaging to the Center.

III. Service Delivery

The welfare and dignity of those to whom counseling, therapy and services are provided are to be protected and valued above all else. Workforce members, business associates, contractors, trainees, students, and interns who provide direct services to clients shall establish and maintain relationships that are characterized by professionalism, respect, and objectivity. These standards apply not only to clinical service workforce members, but all workforce members, business associates, contractors, trainees, students, and interns. The exceptions are the standards listed below that are specific to only the functions performed by any credentialed , business associates, contractors, trainees, students, and interns that enter into a therapeutic relationship.

Workforce members, business associates, contractors, trainees, students, and interns shall not physically, verbally, sexually or financially abuse their clients. Workforce members, business associates, contractors, trainees, students, and interns shall ensure that services are offered in a respectful manner in an appropriate environment and assure the protection from abuse, exploitation, retaliation, humiliation or neglect.

Workforce members, business associates, contractors, trainees, students, and interns must maintain records and documentation to track and improve the quality of client care, and to meet the Center policies, accreditation standards, funding source and grant requirements, and all laws.

Workforce members, business associates, contractors, trainees, students, and interns must take note of errors or incidents and promptly report such matters to their supervisor, manager or other appropriate Center authority.

Workforce members, business associates, contractors, trainees, students, and interns are expected to assess the requirements and needs of clients and to provide appropriate services. As necessary, workforce members, business associates, contractors, trainees, students, and interns should seek input from clients' family members, health care providers, and referral and payer sources. The Center shall establish and maintain professional relationships and linkage agreements for purposes of networking, providing appropriate client services, etc.

Workforce members, business associates, contractors, trainees, students, and interns may only provide services they are qualified to perform.

IV. Financial Responsibility

All money provided to the Center for client care must be protected, appropriately spent and properly accounted for. All property, fiscal procedures and reports submitted for billing shall be protected on a daily basis from fraud, waste or abuse.

The Center prohibits making or accepting any payment that may be viewed as a bribe, kickback or inducement. A 'bribe' or 'kickback' is any payment or consideration of value

offered to influence a decision on grounds not directly related to business merits. Payments or considerations of value given to physicians or other parties to influence the flow of referrals at the Center are prohibited.

Gifts in Support of the Mission of the Center

Gifts to the Center in support of the mission of the Center are encouraged. Such gifts provide critical support for our programs.

Vendor Gifts to the Center Departments

The Center may accept gifts from vendors that support the Center's mission if the gifts do not unduly influence or appear to unduly influence the Center's activities or decisions. When someone can influence purchasing decisions made at the Center takes money or anything of value from a vendor, it can be considered a "kickback". No one at the Center can take a kickback. A kickback can also be a situation of referring a client to another provider and receive something of value in exchange.

Billing Practices

The Center bills only for services actually rendered. Services rendered must be accurately and truthfully coded to ensure both proper billing and integrity of the medical database. Billing must comply with the requirements of state, federal and private payers. Substantiating clinical documentation must be provided for all services rendered. Workforce members, business associates, contractors, trainees, students, and interns always shall bill on the principle that if the appropriate documentation has not been provided, then the service has not been rendered. Clinical records may be amended to correct an error or to provide complete documentation only in accordance with established clinical records procedures. Any claim for payment or reimbursement that is false, fraudulent or otherwise inaccurate is prohibited. When any payer agreement requires the collection of co-payments and/or deductible amounts, workforce members, business associates, contractors, trainees, students, and interns are required to make all reasonable efforts to collect these amounts to the full extent of the agreement and the Center's financial policies and procedures. Workforce members, business associates, contractors, trainees, students, and interns shall always see that financial arrangements for services are discussed at the time of admission or re-admission to the Center.

Examples of unlawful and inappropriate billing practices are: misrepresenting the diagnosis to justify the services provided; 'unbundling' charges to increase payment; billing for non-covered services as covered services; 'upcoding;' billing for services that are not clinically or medically necessary; misrepresenting the exact amount of time spent providing a service, and any other form of over-billing.

Workforce members, business associates, contractors, trainees, students, and interns shall avoid continuing to provide services for financial gain beyond the point where it is clear that the client is not benefiting from the services and/or clinically or medically necessary.

Workforce members, business associates, contractors, trainees, students, and interns shall not give or receive a commission, rebate or any other form of payment related to or for referral services.

Workforce members, business associates, contractors, trainees, students, and interns shall not charge or collect a private fee or other form of payment for services provided to clients who are charged for those same services through the Center.

Note: Nothing in Section IV precludes the Finance Department from assertively maximizing revenue on behalf of the Center.

V. REPRESENTING THE AGENCY

Contractual and Legal Obligations

All contracts must be signed by an authorized Center representative with authority to bind the Center. All the Center contracts must be prepared following standard contracting procedures and reviewed by the appropriate contracting office prior to issuance. Various factors determine the required level of review. Some contracts may require review by outside counsel. If workforce members have doubt about the legality of any action, they should seek advice from their supervisor or administrator, as appropriate. Supervisors and administrators should seek advice from the Corporate Compliance Officer, Associate Director, and/or Executive Director as necessary.

Marketing

Because much of the information we work with is confidential or sensitive, all contacts by the media must be referred to the Executive Director or designee. Workforce members, business associates, contractors, trainees, students, and interns are not allowed to portray themselves as representing the Center without the expressed approval of the Executive Director or designee. Workforce members, business associates, contractors, trainees, students, and interns must secure permission from their supervisor or director before making a public presentation as a representative of the Center. When expressing a personal opinion in a public forum, workforce members, business associates, contractors, trainees, students, and interns may not identify themselves as an employee or representative of the Center in such a manner that others may assume the expressed opinion is that of the Center administration.

Workforce members, business associates, contractors, trainees, students, and interns shall always cite their sources when engaged in teaching; and through byline, credit or other means, cite the actual author or source of any materials researched or used in the Center documents, articles, books or other writings.

The Center requires that all research and marketing publications and materials be reported truthfully and with integrity.

Note: Nothing in Section V precludes the Finance Department from assertively maximizing revenue on behalf of the Center.

VI. How Can You Address Questions, Issues or Concerns?

The Center has many diverse activities, programs and services and has relationships with many different outside organizations. Each activity and service involves different and ever-changing laws, rules and regulations governing our services and business relationships. How can an individual be aware of all of these complexities? You should focus on the areas that affect you directly. You should rely on the people you work with and report to. You should ask questions.

If you are in doubt, keep asking. Is this legal? Is this ethical? Is this right or wrong? Would you want to read about this in the newspaper? If it is wrong, don't do it.

Follow your normal reporting process. Ask your supervisor, manager, administrator or the Corporate Compliance Officer. If you are not satisfied with an answer or advice, seek out others. It's better to raise a question, than to do something improper. It is our policy to ensure that no one is penalized for genuinely raising a concern, question, or issue.

Reporting Concerns

If you observe any practice or condition that may not meet the Center's *Code of Conduct*, policies and procedures or any laws, you must promptly report this to your supervisor, an administrator, or the Corporate Compliance Officer.

As explained above, first, discuss the concern with your supervisor or an administrator who is close to the situation and best able to help. However, the Center recognizes that there may be times when you are uncomfortable raising certain questions or concerns with these individuals. In those circumstances, or if the situation remains unresolved, you are encouraged to discuss the issue with a higher level authority, such as the Corporate Compliance Officer or the Executive Director.

Reports to the Corporate Compliance Officer may be anonymous, confidential or identified. 'Anonymous' means that no one will know who you are and there will be no way to obtain this information. 'Confidential' means that if you tell the Corporate Compliance Officer your name, no one else at the Center will find out without your permission, unless directed by the Executive Director, Board or outside legal advice. 'Identified' means that you provide your identity and permission to use it in connection with the report.

Reports to the Corporate Compliance Officer can be made in writing and sent to:

Corporate Compliance Officer
SPVMHC – Administrative Offices
4449 SR 159, P O Box 6179
Chillicothe, OH 45601
Phone: (740) 775-1260 *Option 8
Fax: (740) 775-1845

Also, anyone may request a meeting with the Corporate Compliance Officer. You can make the request for a meeting by phone, mail or in person. The Corporate Compliance Officer may not be able to immediately provide advice, direction or take action. But he or she must report back to you within five working days from the time you express a concern or wish to report questionable activities. If you do not hear back from the Corporate Compliance Officer within five working days, contact the Executive Director.

Prohibition Against Retaliation or Retribution

The Center recognizes that some workforce members, business associates, contractors, trainees, students, and interns may not want to report concerns if they believe they may be subject to retaliation or retribution. No one at the Center is permitted to engage in any form of retaliation or retribution against anyone who reports a concern in good faith. Workforce members, business associates, contractors, trainees, students, and interns who engage in retaliation or retribution are subject to discipline up to and including termination of their relationship with the Center.

Expectations During an Investigation

Workforce members, business associates, contractors, trainees, students, and interns must:

- Never destroy or alter any Center document or record in anticipation of a request for the document or record by the government, an outside agency or court.
- Never lie or make false or misleading statements to any investigator.
- Never attempt to persuade any other person to provide false or misleading information to an investigator, or fail to cooperate with an investigation.

Remember that the ultimate purpose of the *Code of Conduct* and all related policies and procedures is to promote the highest level of professional and ethical services and operations possible. Thanks for your cooperation!

VI. Acknowledgement

Upon completion of reading the *Code of Conduct*, it is necessary for workforce members, business associates, applicable contractors, trainees, students, and interns to sign an acknowledgement of reading , understanding, and agreement to abide by the *Code of Conduct*. Attached are two copies of the SPVMHC Compliance Acknowledgement Form. Please, read, sign, date, and print your name on both copies. If you are a workforce member of a business associate with SPVMHC, please, indicate the name of the business associate for which you are employed. Keep one copy for your personal record and return the other copy to the Corporate Compliance Officer.

If you would have any questions or concerns, please, either write them in the space provided or contact the Corporate Compliance Officer.