



# Code of Conduct

## I. POLICY

It is the policy of eitas that all full and part-time employees, contractors, students, and members of the governing board are expected to perform their designated functions in a manner that reflects the highest standards of ethical behavior. The ethical standards contained in this policy shape the culture and norms of eitas' administrative operations and clinical practices and both staff and members of the governing board will be held fully accountable to these standards. In addition to the specific guidelines contained in the policy, professionals are expected to follow the ethical standards required by their specific licensing and certification boards. The Code of Conduct Policy is to ensure that all employees' actions reflect a competent, respectful, and professional approach when serving people supported, their families and/or representatives, working with other providers of services and interacting within the communities we serve. It is expected that staff and members of the governing board will perform their duties in compliance with all federal, state, and local regulations in accordance with guidelines set forth in this policy. Violation of guidelines within the Code of Conduct Policy can lead to disciplinary actions, including termination of employment.

## II. PROCEDURES

### A. Professional Conduct

- Staff will respect the rights of people supported. This includes the right of the supported person to make decisions and fully participate in every aspect of the support process.
- eitas employees will provide supports in a manner that fully respects the confidentiality of persons supported, by demonstrating a functional knowledge of confidentiality policies and guidelines.
- eitas employees will be fair and honest in their work. They will not exploit or mislead and will be faithful to their contractual obligations and their word.
- To prevent and avoid unethical conduct, eitas employees will consult with, refer to and cooperate with other professionals. eitas employees will clarify their professional roles and obligations and be accountable for upholding professional standards of practice.

### B. Personal/Professional Conduct

- All prior personal relationships between staff and persons entering eitas' programs shall be disclosed by the staff member and subject to review by the appropriate supervisor.
- Staff will limit relationships with persons served to their defined professional roles.
- Staff will not establish ongoing business relationships with persons receiving services.
- Staff will conduct themselves in a professional, ethical and moral manner.
- Sexual relationships between staff and persons supported are never appropriate. Sexual relationships include but are not limited to the following: engaging in any type of sexual activity, flirting, advances and/or propositions of a sexual nature, comments of a sexual nature about an individual's body or clothing or lewd sexually suggestive comments.
- Staff will not accept gifts of value from a person supported by eitas, family member, or stakeholder and cannot accept personal favors or benefits that may reasonably be construed as influencing their conduct.
- Staff will not take, borrow or remove agency property or personal property not belonging to them from the agency without permission of the property owner.
- Staff will not solicit persons served for personal causes including but not limited to; soliciting funds for a personal or community cause, political fundraising, selling candy and cookies for their children, friend's children or other such fundraising items for the staff's children.
- Staff involved with providing supports to a person served by eitas will not serve as a witness of any document for that client.

### C. Business Practices

- eitas will utilize the corporate compliance staff to ensure that it conducts business in an ethical manner and ensure that any business practices that are questionable are thoroughly investigated utilizing the ethical investigation procedures that follow in this policy.
- All financial, purchasing, personnel, facility development and information technology practices shall comply with local, state and federal law and guidelines.
- All employees shall adhere to eitas' Human Resources Policies and Procedures.
- Staff will adhere to applicable professional codes of conduct and ethical standards for his/her specified professional discipline.
- As part of new employee orientation, staff will read the organization's Code of Conduct and demonstrate knowledge of the guidelines.

### D. Marketing Practices

- eitas will conduct marketing practices in an honest and factual manner. Marketing materials and practices will in no way mislead the public or misrepresent eitas' abilities to provide services. eitas will not claim any service outcomes unless represented by valid and reliable outcome data and/or research studies.
- eitas will utilize clear and consistent methods of communicating information to people supported and their family members, third-party entities, referral sources, funding sources, and community members and will exhibit sensitivity to the educational and reading levels of all persons when distributing information.
- eitas will not utilize monetary rewards or gifts to any potential person seeking supports and services in an attempt to entice them to enter programs.

### E. Potential Conflicts of Interest

- No person supported will be hired or placed in an employee/employer relationship with eitas that would create a conflict of interest.
- eitas employees will not engage in activity prohibited by the Conflict of Interest Policy in the eitas Personnel Manual.
- No staff shall engage in any other employment or activity on the organization's premises or to an extent that affects, or is likely to affect, his or her usefulness as an employee of the organization.

### F. Quality of Supports and Services

- eitas will provide quality services in a manner that is appropriate, determined to be necessary, efficient and effective.
- eitas staff will follow current ethical standards regarding communication with persons served and their representatives regarding services provided.
- eitas will inform persons served about alternatives and risks associated with the supports they are seeking and obtain informed consent prior to any clinical interventions.
- eitas recognizes the right of persons served to make choices about their own care, including the right to do without recommended supports or to refuse supports.

### G. Necessity of Supports and Services

- eitas shall submit claims for payment to governmental, private or individual payers for those services or items that are necessary and appropriate.
- When providing services, eitas employees shall only provide those services that are consistent with generally accepted standards and are determined by the professional to be necessary and appropriate.
- Service providers may determine that services are necessary or appropriate; however, the person's funding source may not cover or approve those services. In such a case, the person supported may request the submission of a claim for the services to protect his/her rights with respect to those services or to determine the extent of coverage provided by the payer.
- Coding and documentation will be consistent with the standards and practices defined by the organization in its policy, procedures, and guidelines.

### H. Coding, Billing, and Accounting

- eitas employees involved in coding, billing, documentation and accounting for supports and services for the purpose of governmental, private or individual payers will comply with all applicable state and federal regulations and organizational policies and procedures.
- eitas will only bill for services rendered and shall seek the amount to which it is entitled.
- Supporting documentation will be prepared for all services rendered. If the appropriate and required documentation has not been provided, then the service has not been rendered.
- All services must be accurately and completely coded and submitted to the appropriate payer in accordance with applicable regulations, laws, contracts, and organizational policies and procedures. Federal and state regulations take precedence, and organizational policies and procedures must reflect those regulations.
- Persons supported shall be consistently and uniformly charged.
- Government payers shall not be charged in excess of the provider's usual charges.
- Billing and collections will be recorded in the appropriate accounts.
- An accurate and timely billing structure and records system will ensure that eitas effectively implements and complies with required policies and procedures.

### I. Cost Reports

- eitas will ensure that all preparation and cost reports submitted to governmental organizations are properly prepared and documented according to all applicable federal and state laws.
- All cost reports will be submitted and prepared with all costs properly classified, allocated to the correct cost centers and supported by verifiable and auditable cost data.
- All cost report preparation or submission errors and mistakes will be corrected in a timely manner. If necessary, procedures will be clarified, and employees educated to prevent or minimize recurrence of those errors.

### J. Personal and Confidential Information

- eitas will protect personal and confidential information concerning the organization's system, employees, persons supported and customers.
- eitas personnel shall not disclose any protected and confidential information of persons supported unless at the authorized individual's request in writing and/or when authorized by law. Protected information of persons served to be used for research purposes must be obtained with the full informed consent of participants in the research.

- Protected and confidential information will only be disclosed by eitas consistent with eitas' internal HIPAA Policies and Procedures, and HIPAA and other state and federal privacy regulations.
- Persons served can request, and are entitled to receive, copies or summaries of their records consistent with HIPAA regulations.
- eitas personnel will be familiar with all organizational policy and procedures regarding privacy, confidentiality and HIPAA regulations.

### K. Creation and Retention of Records of Persons Served

- Records of persons served are the property of the organization and/or the Department of Mental Health. Personnel responsible for the preparation and retention of records shall ensure that those records are accurately prepared and maintained in a manner and location as prescribed by law and organizational policy.
- Employees will not knowingly create records that contain any false, fraudulent, fictitious, deceptive, or misleading information.
- Employees will not delete any entry from a record. Records can be amended, and material added to ensure the accuracy of a record in accordance with policy and procedures. If a record is amended, it must indicate that the notation is an addition or correction and record the actual date that the additional entry was made.
- Employees will not sign someone else's signature or initials on a record.
- Records shall be maintained according to specific organizational policy and procedure.
- Employees shall not destroy or remove any record from the organization's premises unless done so with the consent of the eitas HIPAA Privacy Officer and/or Executive Director and in accordance with eitas HIPAA policies.
- The organization will maintain record retention and record destruction policies and procedures consistent with federal and state requirements regarding the appropriate time periods for maintenance and location of records. Premature destruction of records could be misinterpreted as an effort to destroy evidence or hide information.

### L. Government Investigation

- eitas employees shall cooperate fully with appropriately authorized governmental investigations and audits.
- eitas will respond in an orderly fashion to the government's request for information through employee interviews and documentation review.
- The organization will respond to the government's request for information in a manner that enables the organization to protect both the organization and persons served interests, while cooperating fully with the investigation.
- When a representative from a federal or state agency contacts an eitas employee at home or at their office for information regarding the organization or any other entity with which the organization does business, it is recommended that the employee contact the eitas Executive Director for assistance if needed. If the Executive Director is not available, the individual can contact the Director of Administrative Services or Corporate Compliance Officer. At no point should the employee give any indication of interfering with the investigation.
- eitas employees will ask to see the government representative's identification and business card, if the government representative presents in person. Otherwise, the employee should ask for the person's name, office, address, phone number and identification number and then contact the person's office to confirm his/her identity.

### M. Prevention of Improper Referrals or Payments

- eitas employees will not accept, for themselves or for the organization, anything of value in exchange for making referrals.
- Employees must not offer any item or service of value as an inducement for another party to make a referral to eitas.
- Federal law prohibits anyone from offering anything of value to a Medicare or Medicaid supported person that is likely to influence that person's decision to select or receive care from a particular care provider.
- Development or initiation of joint ventures, partnerships, and corporations within the organization must be reviewed and approved by the organization's board to ensure compliance with organizational policy and federal regulations.

### N. Antitrust Regulations

- eitas will comply with all applicable federal and state antitrust laws.
- Employees should not agree or attempt to agree with a competitor to artificially set prices or salaries, divide markets, restrict output, or block new competitors from the market, share pricing information that is not normally available to the public, deny staff privileges to qualified practitioners, or agree to or participate with competitors in a boycott of government programs, insurance companies, or particular drugs or products.

### O. Avoiding Conflicts of Interest

- All eitas employees shall conduct eitas-related and personal business in a manner that avoids potential or actual conflicts of interests.
- Employees shall not use their official positions to influence an organizational decision in which they know, or have reason to know, that they have a financial interest.
- Employees must be knowledgeable about activities that may be an actual or potential conflict of interest. Examples of conflict of interest activities include, but are not limited to the following:
  - Giving or receiving gifts, gratuities, loans, or other special treatment of value from third parties doing business with or wishing to do business with the organization. Third parties may include, but are not limited to, customers, vendors, suppliers, competitors, payers, carriers, and fiscal intermediaries.
  - Using eitas' facilities or resources for other than organization sanctioned activities.
  - Using eitas' name to promote or sell products or personal services.
  - Contracting for goods or services with family members of eitas employees directly involved in the purchasing decision.

### P. External Relations

- eitas employees shall adhere to fair business practices and accurately and honestly represent themselves and the organization's services.
- eitas employees will be honest and truthful in all marketing and advertising practices pertaining to the business practices of the organization's service delivery system.
- Vendors who contract to provide goods and services to the organization will be selected on the basis of quality, cost-effectiveness and appropriateness for the identified task or need, in accordance with organization policy.

### Q. Human Resources

- eitas prohibits discrimination in any work-related decision on the basis of race, color, national origin, religion, sex, physical or mental disability, ancestry, marital status, age, gender identity or expression, sexual orientation, citizenship, or status as a covered veteran. The organization is committed to providing equal employment opportunity in a work environment where each employee is treated with fairness, dignity and respect.
- eitas will make reasonable accommodations to the known physical and mental limitations of otherwise qualified individuals with disabilities.
- eitas does not tolerate harassment or discrimination by anyone based on the diverse characteristics or cultural backgrounds of those who work for the organization pursuant to the organization's affirmative action policy.
- Any form of sexual harassment is prohibited.
- Any form of workplace violence is prohibited.

### R. Code of Conduct Procedures

- All employees, students, and governing board members, as part of the organization's initial orientation, will review the Code of Conduct, including the procedures for investigating and acting on conduct violations.
- All staff will receive a copy of the Code of Conduct, sign a form acknowledging their review and full understanding of the code and return the form to be filed in the employee's personnel file.
- To assure an awareness of ethical practices, reviews of the Code of Conduct and continued training will be conducted on an annual basis.

### S. Procedures for Investigating and Acting on Violations of The Code of Conduct

- When any person served or family member, authorized representative, advocate or other person believes that an ethical violation has occurred within the operations of the organization, they may report such suspicion directly to eitas' corporate compliance staff, or management staff. This in turn will be relayed to the Executive Director for investigation.
- When employees believe a violation of the Code of Conduct has occurred they are obligated to report the violation in one of the following ways:
  - Immediate notification of the incident or violation through the organization's corporate compliance program and reporting mechanisms.
  - Immediate reporting to their supervisor or to corporate compliance staff if the suspected violation involves their supervisor.
- Supervisors who have been informed of a suspected violation are required to immediately inform the corporate compliance staff of the suspected violation.
- If the violation involves a direct and immediate threat to the safety of a person served, staff member, or visitor, employees are obligated to report the alleged violation immediately to their supervisor.
- Staff is required to report any suspected violation of the Code of Conduct; however, they are not required to investigate or know for certain that a violation has occurred.
- Once the questionable behavior has been brought to the attention of the supervisor or reported through the corporate compliance procedures, staff reporting the situation will no longer have a responsibility for being involved with the investigation other than providing additional information through a requested interview by the investigator.
- Staff must report each suspected violation of the Code of Conduct separately, should a violation that has been reported occur again.
- When any suspected violation of the Code of Conduct is reported to a supervisor, or the corporate compliance staff, the designated corporate compliance staff will begin an investigation of the matter immediately. While investigating the complaint, the following issues should be considered, and action taken depending on the situation:
  - Is any person served in any harm or potential harm because of this behavior?
  - Does the complaint require immediate action to remove the employee from contact with a person served?
  - Does the complaint put eitas or its employee in a potentially liable situation that needs legal consultation?
- Code of Conduct investigations will follow the guidelines outlined in the eitas Corporate Compliance Policy and Procedure.

### T. General Ethical Guidelines and Considerations

- The Code of Conduct is posted throughout public areas in all owned, leased, or rented facilities that eitas staff operate out of.
- eitas believes in the importance of ethical practices within the organization. Any employee who reports waste, fraud, abuse or any other questionable practices will not be subject to reprisal by management of the organization. To assure that reprisal is not used, the organization's Corporate Compliance Officer and Policy will provide assurance and oversight that there are no adverse actions toward the employee.
- The following violations of the Code of Conduct will result in termination of employment: Theft of funds, and/or physical, emotional, or sexual abuse of a person served or employee.

  
Executive Director

10/24/2019  
Date