



Corporate Compliance Plan & Policy Overview

Table of Contents

Section Name	Page
Compliance Policy	3
Element 1: Policies and Procedures and Standards of Conduct	8
Reporting Contacts	9
Element 2: Corporate Compliance Program Oversight	10
Element 3: Education and Training	11
Element 4: Lines of Confidential Communication	13
Element 5: Discipline and Enforcement of Compliance Standards	15
Element 6: Auditing and Monitoring	17
Element 7: Response to Compliance Issues	19

THE CENTER FOR FAMILY SUPPORT, NJ

CORPORATE COMPLIANCE PLAN & POLICY OVERVIEW

Purpose

The Center for Family Support, NJ (also referred to as CFSNJ) is committed to providing services of the highest quality and to being in full compliance with all federal, state, and local laws and regulations. The standards for this policy are mainly derived from the [Deficit Reduction Act \(DRA\) of 2006](#). This federal regulation places emphasis on fraud detection and protection. DRA also requires training and education of staff in the False Claims Act and Whistleblower provisions. CFSNJ's policies and practices address and are consistent with the stipulations of the DRA. As part of that commitment, CFSNJ has adopted this Corporate Compliance Plan and the Standards of Conduct as the basis of its efforts in fostering an organizational culture that promotes responsible and honest conduct, transparency in all business transactions, and adherence to the laws and regulations of the government oversight agencies and funders.

For purposes of this Policy, the term "Affected Individuals" includes all CFSNJ employees, Board of Directors/Governing Body, contracted practitioners, and vendors (hereafter referred to as "Affected Individuals").

I. Policy

It has been and continues to be the policy of The Center for Family Support, NJ (CFSNJ) to comply with all applicable federal, state, and local laws and regulations, and payer requirements. It is also the policy of CFSNJ to adhere to the Code of Conduct / Conflicts of Interest Policy that is adopted by the Board of Directors, the Chief Executive Officer, and the Corporate Compliance Committee. It is CFSNJ's policy to facilitate the prevention of improper or illegal activities, to provide mechanisms to detect any violations of laws and regulations and work to prevent, detect, and investigate issues related to fraud, waste, and abuse. To ensure this, CFSNJ has established this Corporate Compliance Plan and commits to maintaining an effective Corporate Compliance Program.

II. Commitment

The Center for Family Support, NJ has always been, and will remain, committed to our responsibility to conduct our business affairs with integrity based on sound ethical and moral standards. We will hold all Affected Individuals to these same standards.

The Center for Family Support, NJ is committed to maintaining and measuring the effectiveness of our Corporate Compliance Program and Standards of Conduct through monitoring and auditing systems reasonably designed to detect noncompliance by Affected Individuals.

The Center for Family Support, NJ is committed to the prevention of improper or illegal activities and to provide mechanisms to detect noncompliance, including but not limited to, any violations of laws and regulations, healthcare program requirements, the Standards of Conduct and CFSNJ's policies and procedures. CFSNJ is committed to the prompt investigation and resolution of reported or detected noncompliance.

The Center for Family Support's Chief Executive Officer has appointed an agency Sr. Staff member to be the agency Corporate Compliance Officer (CCO) to design, implement and monitor the agency Corporate Compliance Plan in concert with the executive personnel, other Sr. Management staff and the CFSNJ Board of Directors. The Corporate Compliance Officer will report findings from all internal audits and investigations to the CFSNJ Corporate Compliance / Risk Assessment Committee. Members of this committee will be appointed by the Board of Directors.

The Center for Family Support, NJ is committed to the performance of regular, periodic compliance audits by internal and/or external auditors who have expertise in Federal and State healthcare statutes, regulations, and healthcare program requirements.

III. Responsibility

All Affected Individuals shall acknowledge that it is their responsibility to report any instances of suspected or known noncompliance to their immediate supervisor, the Chief Executive Officer, or the Corporate Compliance Officer/Designee without fear of retaliation, retribution, or intimidation. Failure to report known noncompliance or making reports that are not in good faith will be grounds for disciplinary action, up to and including termination of employment, contract, assignment, or appointment. Reports related to harassment or other workplace-oriented issues will be referred to Human Resources.

IV. Applicable Laws:

1. [The False Claims Act, 31 U.S.C. § 3729 et seq.](#), is a federal law designed to prevent and detect fraud, waste and abuse in federal healthcare programs, including Medicaid and Medicare. Under the False Claims Act, anyone who knowingly submits false claims to the Government is liable for damages.

*Section 3729(a)(1) of Title 31 provides that any person who violates this section is liable to the United States Government for a civil penalty of not less than \$5,000 and not more than \$11,000, as adjusted by the [Federal Civil Penalties Inflation Adjustment Act of 1990](#), plus 3 times the amount of damages which the Government sustains because of the act of that person.

2. [Whistleblower or "Qui Tam" Provisions and Protections, 31 U.S.C. § 3730 \(h\)](#)

Under this provision, The Center for Family Support, NJ will not take any retaliatory action against an employee if the employee discloses certain information about CFSNJ's policies, practices, or activities to a regulatory, law enforcement, or other similar agency or public official. Protected disclosures are those that assert that CFSNJ is in violation of a law that creates a substantial and specific danger to the public health and safety or which constitutes health care fraud under the law or that assert that, in good faith, the employee believes constitute improper quality of care.

3. [Conscientious Employee Protection Act, N.J.S. 34:19-1 et seq.](#) New Jersey law prohibits an employer from taking any retaliatory action against an employee because the employee does any of the following: a. Discloses, or threatens to disclose, to a supervisor or to a public body an activity, policy or practice of the employer or another employer, with whom there is a business relationship, that the employee reasonably believes is in violation of a law, or a rule or regulation issued under the law, or, in the case of an employee who is a licensed or certified health care professional, reasonably believes

constitutes improper quality of patient care; b. Provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into any violation of law, or a rule or regulation issued under the law by the employer or another employer, with whom there is a business relationship, or, in the case of an employee who is a licensed or certified health care professional, provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into quality of patient care; or c. Provides information involving deception of, or misrepresentation to, any shareholder, investor, client, patient, customer, employee, former employee, retiree or pensioner of the employer or any governmental entity. d. Provides information regarding any perceived criminal or fraudulent activity, policy or practice of deception or misrepresentation which the employee reasonably believes may defraud any shareholder, investor, client, patient, customer, employee, former employee, retiree or pensioner of the employee or any governmental entity. e. Objects to, or refuses to participate in, any activity, policy or practice which the employee reasonably believes is in violation of a law, or a rule or regulation issued under the law or, if the employee is a licensed or certified health care professional, constitutes improper quality of patient care.

4. [Federal Program Fraud Civil Remedies Act, 31 U.S.C 3801-3812](#), provides federal administrative remedies for false claims and statements, including those made to federally funded health care programs. The amount of the false claims penalty is adjusted periodically for inflation in accordance with a federal formula.

5. [New Jersey Medical Assistance and Health Services Act-Criminal Penalties, N.J.S. 30:4D-17\(a\)-\(d\)](#), provides criminal penalties for individuals and entities engaging in fraud or other criminal violations relating to Title XIX funded programs. They include: (a) fraudulent receipt of payments or benefits: fine of up to \$10,000, imprisonment for up to 3 years, or both; (b) false claims, statements or omissions, or conversion of benefits or payments: fine of up to \$10,000, imprisonment for up to 3 years, or both; (c) kickbacks, rebates and bribes: fine of up to \$10,000, imprisonment for up to 3 years, or both; and (d) false statements or representations about conditions or operations of an institution or facility to qualify for payments: fine of up to \$3,000, or imprisonment for up to 1 year, or both. Criminal prosecutions are generally handled by the Medicaid Fraud Section within the Office of Insurance Fraud Prosecutor, in the N.J. Division of Criminal Justice.

6. [New Jersey Medical Assistance and Health Services Act-Civil Remedies N.J.S. 30:4D-7 .h.; N.J.S. 30:4D-7 .h.; N.J.S. 30:4D-17\(e\)-\(i\); N.J.S. 30:4D-17. 1. a.](#), violations of N.J.S. 30:4D(a)-(d) can also result in the following civil sanctions: (a)unintentional violations: recovery of overpayments and interest; (b)intentional violation: recovery of overpayments, interest, up to triple damages, and up to \$2,000 for each false claim. Recovery actions are generally pursued administratively by the Division of Medical Assistance and Health Services, with the assistance of the Division of Law in the N.J. Attorney General's Office and can be obtained against any individual or entity responsible for or receiving the benefit or possession of the incorrect amounts. In addition to recovery actions, violations can result in the exclusion of an individual or entity from participation in all health care programs funded in whole or in part by the N.J. Division of Medical Assistance Services. Recovery and exclusion can also be obtained as part of a criminal prosecution by the Medicaid Fraud Section of the N.J. Division of Criminal Justice.

7. [Health Care Claims Fraud Act, N.J.S. 2C:21-4.2 and 4.3; N.J.S. 2C:51-5](#), provides the criminal penalties from health care claims fraud, including the submission on false claims to programs funded in whole or in part with state funds. A practitioner convicted of health care claims fraud pursuant to subsection a. of section 3 of P.L.1997, c. 353 ([C.2C:21-4.3](#)) or a substantially similar crime under the laws of another state or the United States shall forfeit his license and be forever barred from the practice of the profession unless the court finds that such license forfeiture would be a serious injustice which overrides the need to deter such conduct by others and in such case the court shall determine an appropriate period of license suspension which shall be for a period of not less than one year. If the court does not permanently forfeit such license pursuant to this paragraph, the sentence shall not become final for 10 days in order to permit the appeal of such sentence by the prosecution.

8. [New Jersey False Claims Act, O.L. 2007, Chapter 265, as amended by P.L. 2009, Chapter 265](#), under this provision, CFSNJ acknowledges that whistleblowers may initiate false claims litigation under guidelines similar to the Federal False Claims Act (31 U.S.C. 3729-3733 and 3801-3812) summarized on pages 1-4 of this policy. Violations of the New Jersey False Claims Act are subject to penalties that range from \$2,000 per false claim to the same level provided by the Federal False Claims Act, currently between \$5,500 and \$11,000 per false claim or imprisonment of not more than 3 years or both. Rates may be adjusted for inflation. In addition, pursuant to this provision, there is potential loss of license for healthcare providers as a penalty.

9. [New Jersey Insurance Fraud Prevention Act, N.J.S.A 17:33A-1 et seq.](#), the purpose of this act is to confront aggressively the problem of insurance fraud in New Jersey by facilitating the detection of insurance fraud, eliminating the occurrence of such fraud through the development of fraud prevention programs, requiring the restitution of fraudulently obtained insurance benefits, and reducing the amount of premium dollars used to pay fraudulent claims.

V. Policies and Procedures and Standards of Conduct

The Center for Family Support, NJ will communicate its compliance standards and policies through required training and communication initiatives and distribution of this Corporate Compliance Plan and the Standards of Conduct to all Affected Individuals.

VI. Corporate Compliance Officer and Compliance Committee

The Center for Family Support, NJ has appointed a Corporate Compliance Officer who is responsible for the overall operation of the Corporate Compliance Program. A Compliance Committee works with the Corporate Compliance Officer to implement and maintain an effective Corporate Compliance Program.

VII. Discipline/Enforcement

This Corporate Compliance Plan will be consistently enforced through appropriate disciplinary mechanisms including, if appropriate, discipline of Affected Individuals responsible for failure to detect and/or report noncompliance.

VIII. CFSNJ Response

Detected noncompliance, discovered through any mechanism, such as compliance auditing procedures and/or confidential reporting of noncompliance, will be responded to

in an expedient manner. CFSNJ is dedicated to the resolution of such matters and will take all reasonable steps to prevent further similar violations, including any necessary modifications to the Corporate Compliance Plan and policies and procedures.

IX. Due Diligence

The Center for Family Support, NJ will, at all times, exercise due diligence regarding background and professional license investigations for all Affected Individuals.

X. Non-Retaliation, Non-Intimidation, and Whistleblower Protections

The Center for Family Support, NJ will not take any retaliatory action against an Affected Individual who, in good faith, reports actual or suspected noncompliance or illegal activities or for good faith participation in the Corporate Compliance Program.

The Center for Family Support, NJ will not take any retaliatory action against an employee if the employee discloses certain information about CFSNJ's policies, practices, or activities to a regulatory, law enforcement, or other similar agency or public official. Protected disclosures are those that assert that CFSNJ is in violation of a law that creates a substantial and specific danger to the public health and safety; or that constitute healthcare fraud under the law; or that assert that the employee, in good faith, believes constitutes improper quality of care.

The Center for Family Support, NJ's Corporate Compliance Program includes the following key elements.

Element 1: Policies and Procedures and Standards of Conduct

To support the operation of The Center for Family Support, NJ's (CFSNJ) Corporate Compliance Program, policies and procedures are established to provide direction to Affected Individuals and address the following components of the Corporate Compliance Plan:

- Conflict of Interest
- Reporting and investigation of noncompliance
- Non-retaliation and non-intimidation
- False Claims Act and Whistleblower protections
- Corporate Compliance Program education and training
- Auditing and monitoring
- Billing errors and overpayments
- Kickbacks and business courtesies
- Discipline for noncompliance or failure to report
- Responding to governmental investigations

All Affected Individuals are expected to be familiar with and knowledgeable about the Corporate Compliance Program Policies and Procedures. The Policies can be accessed via CFSNJ's intranet.

The Standards of Conduct serves as a foundational document that describes CFSNJ's fundamental principles and values, and commitment to conduct its business in an ethical manner. The Standards of Conduct provides Affected Individuals with guidance on requirements for conduct related to their employment, contract, assignment, or association with CFSNJ.

When any person knows or reasonably suspects that the expectations in the Standards of Conduct and the Corporate Compliance Program have not been met, this must be reported to the immediate supervisor, a member of Management, the Corporate Compliance Officer/Designee, member of the Compliance Committee, or the Chief Executive Officer so that each situation may be appropriately dealt with. Reports can also be made anonymously through Ethics Point or the NJ Medicaid Fraud Division Hotline number (888-937-2835) and the NJ Insurance Fraud Prosecutor Hotline number (877-55-FRAUD).

THE CENTER FOR FAMILY SUPPORT, NJ

CONTACTS TO REPORT CORPORATE COMPLIANCE ISSUES/CONCERNS

1. **Ethics Point Telephone & Internet Based Reporting System:**
 - This allows for anonymous / whistleblower reporting:
 - a) The toll-free hotline telephone number: 1-888-206-0027
 - b) The Internet Access site is www.ethicspoint.com, click on “File a New Report” and follow the on-screen instructions.
2. CFSNJ SVP-Chief Compliance & Risk Management Officer
Radhina Hernandez
Center for Family Support, Inc.
333 Seventh Avenue, 9th Floor
New York, New York 10001
212-629-7939 Ext. 294
3. CFSNJ Assistant Vice President of Corporate Compliance
Juanita Nibbs
Center for Family Support, Inc.
333 Seventh Avenue, 9th Floor
New York, New York 10001
212-629-7939 Ext. 203
4. CFSNJ Chief Executive Officer:
Alicia McGrath
Center for Family Support, Inc.
333 Seventh Avenue, 9th Floor
New York, New York 10001
212-629-7939 Ext. 213
5. CFSNJ Director of Human Resources:
Melonie Singleton
Center for Family Support, Inc.
333 Seventh Avenue, 9th Floor
New York, New York 10001
212-629-7939 Ext. 230
6. NJ Medicaid Fraud Division: Hotline number (888-937-2835)
7. NJ Insurance Fraud Prosecutor: Hotline number (877-55-FRAUD)

Element 2: Corporate Compliance Program Oversight

I. The Role of the Corporate Compliance Officer

The Chief Executive Officer and Board of Directors of the CFSNJ designate **Radhina Hernandez** as the Corporate Compliance Officer.

The Corporate Compliance Officer has primary responsibility for Corporate Compliance Program development, implementation, monitoring, and evaluation of effectiveness.

Reporting Relationship

The Corporate Compliance Officer has direct lines of communication to the Chief Executive Officer, the Board of Directors, the Corporate Compliance/Risk Assessment Committee, and the CFSNJ's legal counsel.

II. The Structure, Duties, and Role of the Corporate Compliance/Risk Assessment Committee

The Corporate Compliance/Risk Assessment Committee is appointed by the President of the Board of Directors and Chief Executive Officer to advise and assist the Corporate Compliance Officer with the implementation of the Compliance Program. The Corporate Compliance/Risk Assessment Committee reports directly to the Chief Executive Officer and Board of Directors.

The Corporate Compliance/Risk Assessment Committee will meet on a regular basis, but not less than quarterly. Meeting minutes will be maintained.

III. Delegation of Substantial Discretionary Authority

Any employee or prospective employee who holds, or intends to hold, a position with substantial discretionary authority for the organization is required to disclose any name changes and any involvement in non-compliant activities including healthcare-related crimes. In addition, the organization performs reasonable inquiries into the background of such applicants, all prospective employees, the Chief Executive Officer and other senior administrators, Board members, interns, contractors, and vendors. CFSNJ will ensure that excluded individuals and entities are not employed or retained by CFSNJ, through monthly background checks of employees and contractors in accordance with New Jersey Division of Medical Assistance and Health Services Newsletter Volume 26, Number 14.

Element 3: Education and Training

I. Expectations

Education and training are critical elements of the Compliance Program. All Affected Individuals are expected to be familiar with and knowledgeable about The Center for Family Support, NJ's Corporate Compliance Program and have a solid working knowledge of their responsibilities under the Corporate Compliance Program. Corporate Compliance Program Policies and Procedures and Standards of Conduct will be communicated to all Affected Individuals through required participation in training programs.

II. Training Topics – General

All Affected Individuals shall participate in training on the topics identified below:

- CFSNJ's Corporate Compliance Plan;
- Standards of Conduct and other related written guidance;
- Applicable Laws listed in the Corporate Compliance & Risk Management Plan & Policy Overview;
- The role and responsibilities of the Corporate Compliance Officer and the Corporate Compliance/Risk Assessment Committee;
- Communication channels (name of Corporate Compliance Officer, reporting mechanisms, anonymous reporting mechanism);
- CFSNJ's expectations for reporting known or suspected fraud, waste, and abuse; illegal or unethical acts; actual or suspected violations of Federal or State laws and regulations; actual or suspected violations of the Standards of Conduct, the Compliance Program, and CFSNJ's policies and procedures; improper acts in the delivery or billing of services; and other wrongdoing (collectively referred to as "compliance concerns") and how the CFSNJ responds to such reports including the investigation process and corrective actions;
- CFSNJ's disciplinary policy and standards;
- Prevention of fraud, waste, and abuse; and
- Non-retaliation and non-intimidation policy.

All Affected Individuals will complete the Corporate Compliance Program training no less frequently than annually.

CFSNJ will maintain an annual training plan. The training plan will, at a minimum, outline the subjects or topics for compliance training and education, the timing and frequency of the training, which Affected Individuals are required to attend, how attendance will be tracked, and how the effectiveness of the training will be periodically evaluated. The training plan will be reviewed by the Corporate Compliance Officer and Corporate Compliance/Risk Assessment Committee and updated as needed, but at minimum on an annual basis.

III. Topics – Targeted

In addition to the above, targeted training will be provided to all managers and any other employees whose job responsibilities include activities related to compliance topics, such as documentation of services and coding and billing procedures. Managers shall assist the Corporate Compliance Officer in identifying areas that require specific training and education.

IV. Orientation

As part of their orientation, each Affected Individual shall receive instruction on how to access a copy of the Corporate Compliance Plan and Standards of Conduct and be provided access to Corporate Compliance Program Policies and Procedures via CFSNJ's intranet.

V. Attendance

All education and training relating to the Corporate Compliance Plan will be verified by attendance and a signed acknowledgement of receipt of the Corporate Compliance Plan and Standards of Conduct.

Attendance at compliance training sessions is mandatory and is a condition of continued employment / contract / appointment / assignment with the CFSNJ.

Element 4: Lines of Confidential Communication

I. Expectations

Open lines of communication between CFSNJ's Management, the Corporate Compliance Officer, and each Affected Individual subject to this Corporate Compliance Plan are essential to the success of CFSNJ's Corporate Compliance Program and commitment to comply with all applicable laws and regulations and the prevention of Medicaid or Medicare fraud, waste, and abuse.

All Affected Individuals must report compliance concerns. Failure to report is deemed misconduct and a violation of this requirement.

Every Affected Individual has an obligation to refuse to participate in any wrongful course of action and to report the actions according to the procedure listed below.

II. Reporting Procedure

If an Affected Individual witnesses, learns of, or is asked to participate in any activities that are potentially in violation of this Corporate Compliance Plan and/or Standards of Conduct, he or she should contact the Corporate Compliance Officer, immediate supervisor, a member of the Management Team, or a member of the Compliance Committee. Reports may be made in person; by mail, phone, or email or anonymously. Please refer to the Corporate Compliance Contact list for contact information.

Upon receipt of a question or concern, any supervisor, officer, or director shall document the issue at hand and report to the Corporate Compliance Officer. Any questions or concerns relating to potential non-compliance by the Corporate Compliance Officer should be reported immediately to the Chief Executive Officer.

The Corporate Compliance Officer or designee shall record the information necessary to conduct an appropriate investigation of all complaints. If the Affected Individual was seeking information concerning the Standards of Conduct or its application, the Corporate Compliance Officer or designee shall record the facts of the inquiry and the nature of the information sought and respond as appropriate.

III. Protections

CFSNJ shall, as much as is possible, protect the anonymity or identity of the Affected Individual who reports a compliance concern or raises a question about CFSNJ's Corporate Compliance Program and Standards of Conduct. Strict confidentiality regarding the reporting of compliance concerns will be maintained unless the matter is subject to a disciplinary proceeding, referred to, or under investigation by Federal, State, or local law enforcement, or disclosure is required during a legal proceeding.

IV. Policy of Non-Retaliation and Non-Intimidation

CFSNJ will not take any retaliatory action against an Affected Individual who, in good faith, reports a compliance concern, as defined by this Plan or for good faith participation in the Compliance Program, including but not limited to:

- Reporting potential issues;
- Investigating issues;

- Self-evaluations;
- Audits;
- Remedial actions; and
- Reporting to appropriate officials as provided in sections 740 and 741 of the New York State Labor Law.

Any threat of retribution, retaliation, or intimidation against a person who acts in good faith pursuant to their responsibilities under the Compliance Plan is acting against CFSNJ's Corporate Compliance Policy. Discipline, up to and including termination of employment, contract, appointment, or assignment, will result if such retribution, retaliation, or intimidation is proven.

Affected Individuals who believe they have been subject to retribution, retaliation and/or intimidation for reporting a compliance concern or for good faith participation in the Corporate Compliance Program shall report the actions to the Corporate Compliance Officer who shall conduct an investigation into the allegation in accordance with Element 7 of this Corporate Compliance Plan (Response to Compliance Issues).

V. Guidance

Any Affected Individual may seek guidance about the Corporate Compliance Plan or Standards of Conduct at any time by following the reporting mechanisms outlined above.

Element 5: Discipline and Enforcement of Compliance Standards

I. Disciplinary Action – General

Affected Individuals who fail to comply with CFSNJ's Corporate Compliance Program and Standards of Conduct, or who, upon investigation, are found to have committed illegal or unethical acts or violations of applicable Federal and State laws and regulations, the Compliance Program, the Standards of Conduct, or the CFSNJ's policies and procedures, will be subject to appropriate disciplinary action, up to and including termination of employment, contract, assignment, or appointment with the CFSNJ.

When the determination is made that a compliance violation occurred involving a contractor or vendor, the Corporate Compliance Officer will notify the Chief Executive Officer and work collaboratively to determine and execute the appropriate corrective action.

The CFSNJ will apply progressive discipline consistent with the violation. Examples of the disciplinary action that may be taken in accordance with the nature and scope of the infraction include but are not limited to: (a) verbal counseling or warning; (b) counseling with written warning; (c) retraining; (d) reassignment or demotion; (e) suspension without pay; and (f) termination of employment, contract, assignment, or appointment. The CFSNJ will consider intentional or reckless behavior as being subject to more significant discipline.

The following actions will result in more significant disciplinary action:

- Authorization of or participation in actions that violate Federal or State laws, regulations, the Compliance Program, Standards of Conduct, or any related policies and procedures;
- Failure to comply with the CFSNJ's policies governing the prevention, detection, or reporting of fraud and abuse;
- Falsification of records;
- Submitting or causing to submit a false claim;
- Failure to report a violation by a peer or subordinate;
- Failure to cooperate in an investigation; and
- Retaliation/intimidation against an individual for reporting a possible violation or participating in an investigation.

Any discipline will be appropriately documented in the Affected Individual's file, along with a written statement of reason(s) for imposing such discipline. Such documentation will be considered during an employee's regular and promotional evaluations.

The Corporate Compliance Officer will maintain a written record of all disciplinary actions taken against Affected Individuals related to non-compliance and violations, including verbal warnings, and will reference these records when necessary to ensure consistency in application of disciplinary measures. The Corporate Compliance Officer will provide a report on disciplinary actions taken to the Compliance Committee and the Board of Directors.

II. Disciplinary Action – Supervisory

Managers and supervisors will be disciplined for failure to adequately instruct their subordinates or failure to detect noncompliance with applicable policies and procedures and legal requirements where reasonable diligence on the part of the manager or supervisor would have led to the earlier discovery of any problems or violations and would have provided the CFSNJ with the opportunity to correct them.

Element 6: Auditing and Monitoring

I. Internal Audits

Ongoing evaluation is critical in detecting non-compliance and will help ensure the success of CFSNJ's Corporate Compliance Program. An ongoing auditing and monitoring system, implemented by the Corporate Compliance Officer and in consultation with the Corporate Compliance/Risk Assessment Committee, is an integral component of CFSNJ's auditing and monitoring systems.

On an annual basis, the Corporate Compliance Officer, in conjunction with the Chief Executive Officer, Senior Management, and Corporate Compliance/Risk Assessment Committee, will develop an audit plan based on an organizational risk assessment.

This ongoing auditing and monitoring will evaluate at minimum, the following risk areas:

- Billings;
- Payments;
- Ordered services;
- Medical necessity;
- Quality of care;
- Governance;
- Mandatory reporting;
- Credentialing;
- Contractor, subcontractor, agent, or independent contract oversight;
- Review of contracts and relationships with contractors, specifically those with substantive exposure to government enforcement actions;
- Review of documentation and billing relating to claims made to Federal, State, and third-party payers for reimbursement;
- Compliance training and education;
- Effectiveness of the Compliance Program: and
- Other risk areas that are or should reasonably be identified by the CFSNJ through its organizational experience

The audits and reviews will examine the CFSNJ's compliance with specific rules and policies through on-site visits, personnel interviews, general questionnaires (submitted to employees and contractors), and record reviews.

Results of all auditing and monitoring activities will be reported to the Corporate Compliance/Risk Assessment Committee and Board of Directors.

II. Compliance Plan Integrity

Additional steps to ensure the integrity of the Corporate Compliance Plan will include:

- The Corporate Compliance Officer will be notified immediately in the event of any visits, audits, investigations, or surveys by any Federal or State agency or authority, and shall immediately receive a photocopy of any correspondence from any regulatory agency charged with licensing the CFSNJ and/or administering a Federally or State-funded program or county-funded program with which the CFSNJ participates.
- Establishment of a process detailing ongoing notification by the Corporate Compliance Officer to all appropriate personnel of any changes in laws, regulations, or policies, as well as appropriate training to assure continuous compliance.

Element 7: Response to Compliance Issues

I. Violation Detection

The Center for Family Support, NJ maintains a formal confidential and anonymous compliance reporting process to encourage the reporting of any compliance concerns. Affected Individuals must promptly report any compliance concerns to the Corporate Compliance Officer, the immediate supervisor, a member of Management, or a member of the Corporate Compliance/Risk Assessment Committee. Individuals, vendors, and any party conducting business with CFSNJ may report compliance concerns to the Corporate Compliance Officer through the confidential or anonymous reporting process.

As part of its Corporate Compliance Program, CFSNJ will ensure that all reports of compliance concerns are immediately and objectively investigated and resolved promptly. Such investigations may be conducted by the Corporate Compliance Officer, members of the Corporate Compliance/Risk Assessment Committee, other employees or external parties as indicated or recommended by the Corporate Compliance Officer, the Chief Executive Officer or legal counsel.

The Corporate Compliance Officer will take immediate measures to secure relevant evidence or documentation and will ensure the confidentiality of any information obtained from a report, interview or through an investigation, unless otherwise required by law.

Unless a potential conflict of interest exists, the Corporate Compliance Officer will inform the Chief Executive Officer of any pending investigations. The Corporate Compliance Officer or Chief Executive Officer will arrange to retain legal counsel, as deemed appropriate.

II. Reporting

The results of the investigation and remedial actions will be communicated confidentially to the Chief Executive Officer, members of the Board of Directors, and other employees based on a need-to-know basis. The Corporate Compliance Officer shall report to the Corporate Compliance/Risk Assessment Committee regarding each investigation conducted unless conducted under attorney privilege.

At the conclusion of an investigation involving legal counsel, they shall issue a report to the Corporate Compliance Officer, Chief Executive Officer, and Corporate Compliance/Risk Assessment Committee summarizing their findings, conclusions, and recommendations and will render an opinion as to whether a violation of the law has occurred. The report will be reviewed with legal counsel in attendance. Any additional action will be on the advice of counsel.

III. Rectification

If the Corporate Compliance Officer, in consultation with legal counsel, identifies credible evidence or credibly believes that a State or Federal law, rule, or regulation has been violated, the Corporate Compliance Officer will promptly report such violation to the appropriate governmental entity, where such reporting is otherwise required by law, rule, or regulation.

If the CFSNJ identifies that an overpayment was received from any third-party payer, the appropriate regulatory (funder) and/or prosecutorial (attorney general/police) authority will be appropriately notified with the advice and assistance of counsel.

It is the CFSNJ's policy to not retain any funds received from overpayments. Overpayments will be reported and refunded to Medicaid and Medicare in accordance with the appropriate self-disclosure protocols and any required time frames.

In instances where it appears that an affirmative fraud may have occurred, appropriate amounts shall be returned after consultation and approval by involved regulatory and/or prosecutorial authorities. Systems shall also be put in place to prevent such overpayments in the future.

IV. Recordkeeping

Regardless of whether a report is made to a governmental agency, the Corporate Compliance Officer shall maintain a record of the investigation, including copies of all pertinent documentation. The Corporate Compliance Officer will organize the information so that the CFSNJ can determine if an infraction occurred. The Corporate Compliance Officer will securely maintain all notes of the interviews, all evidence and review of documents as part of the investigation file. This record will be considered confidential and not released without the approval of the Chief Executive Officer or legal counsel.