

# Winona ORC Corporate Compliance Plan

## **Purpose:**

To establish ethical standards of business practice

## **Scope:**

All Employees

## **Policy:**

### INTRODUCTION

Winona ORC Industries (WORC) is committed to conducting business honestly and ethically. In order to live up to this commitment, WORC has set forth, through this plan, the principles and rules to be followed by board members and employees. Conduct in violation of these principles and rules is beyond the scope of a board member or employee's position and may lead to serious consequences including termination and/or criminal charges.

The contents of this plan are not intended to cover every conceivable situation that may be encountered. When there is doubt or the correct course of action is unclear, employees are strongly urged to seek guidance from superiors of the Corporate Compliance Officer. Unethical and/or illegal actions are not in the best interest of our clients, employees, Board Members, and affiliates.

### VISION, MISSION, CORE VALUE STATEMENTS

#### OUR VISION

Winona ORC Industries envisions a world where all people are uplifted by working, through pride, dignity, continuous learning, and respect for all, we build a healthier community.

#### OUR MISSION

It is our mission to provide community based employment, vocational training, and comprehensive job related skills and services to people with special needs.

We will design programs to work harmoniously with other community resources to maximize opportunities to our clients and our community.

#### OUR CORE VALUES

Dignity for all people

Respect for quality in work and programs

Learning organization

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### OUR COMMITMENT TO OUR STAKEHOLDERS

We affirm the following:

- To our clients: We are committed to providing quality program services that are effective, promptly delivered, and cost-effective.
- To our staff: We are committed to a work setting that treats all employees with fairness, dignity, and respect; and affords everyone an opportunity to grow, to develop professionally, and to work in a team environment in which all ideas are considered.
- To our funding sources: We are committed to working with our funding sources in a way that demonstrates our commitment to contractual obligations and reflects our shared concern for quality, efficiency, and cost-effective program services.
- To regulatory agencies and accrediting bodies: We are committed to an environment in which compliance with rules, regulations, and sound business practices is woven into the corporate culture. We accept the responsibility to self-govern and monitor adherence to the requirements of law and to our Corporate Compliance Plan.
- To the community we serve: We are committed to understanding the needs of the community we serve and to providing quality, cost-effective program services.
- To our suppliers of goods and services: We are committed to fair competition among prospective suppliers and the sense of responsibility required of a good customer.
- To our volunteers: We acknowledge that voluntary assistance to meet the needs of our clients is an integral part of our organization. We are committed to ensuring that our volunteers feel a sense of meaningfulness from their volunteer work and receive recognition for their efforts.

### STATEMENT OF PURPOSE

It is the policy of WORC to follow ethical standards of business practice established by the organization's management team and Board of Directors (Board); by oversight agencies; and state and federal law. WORC has an ongoing commitment to ensure that its affairs are conducted in accordance with applicable law and sound ethical business practice. The WORC Board, employees, and other affiliates shall be informed of applicable laws and regulations to which the organization is obliged so that they do not inadvertently engage in conduct that may raise compliance issues. WORC recognizes that its business relationships with contractors, other providers, vendors, clients, and other affiliates are subject to legal requirements and accountability standards.

To further its commitment to compliance and to protect its employees, WORC places emphasis on its corporate compliance plan to address regulatory issues likely to be of most consequence to the organization's operations. The corporate compliance plan establishes the following framework for legal and corporate compliance by the WORC Board, employees and other affiliates:

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- Designation of Compliance Officer and Compliance Committee charged with directing the effort to enhance compliance and implement the corporate compliance plan;
- Incorporation of standards, policies and administrative guidelines directing WORC personnel and others involved with operational practices;
- Identification of legal issues that may apply to business relationships and methods of conducting business;
- Development and implementation of an education program for the Board, staff, advisory committees, and other affiliates addressing obligations for adherence to applicable compliance requirements;
- Implementation of mechanism for employees and other affiliates to raise questions and receive appropriate guidance concerning operations compliance issues;
- Development and implementation of an ongoing monitoring and assessment process identifying potential risk areas and operational issues requiring further education;
- Development and implementation of a process for employees and other affiliates to report possible compliance issues including a process for such reports to be fully and independently reviewed;
- Enforcement of standards through documented disciplinary guidelines and policies and training addressing expectations, sanctions, and consequences;
- Formulation of plans for corrective action to address identified areas of noncompliance;
- Implementation of regular reviews (minimally annually) of the overall compliance efforts of WORC to ensure that operational practices reflect current compliance requirements and address strategic goals for improving organizational operations.

This corporate compliance plan is not intended to set forth all the substantive programs and practices of WORC that are designed to achieve compliance. The development and implementation of a Corporate Compliance Plan is an element in WORC's continuing effort to improve quality and performance.

### ADMINISTRATIVE RESPONSIBILITY

The primary responsibility for implementing, managing, and monitoring the organization's compliance effort is assigned to the Compliance Officer and Compliance Committee. The Compliance Officer will report all compliance efforts and identified issues directly to the Executive Director and indirectly, as required, to the Board. The Executive Director has supervisory responsibility for implementations of the corporate compliance plan. The Board is accountable for governing the organization as a knowledgeable body regarding compliance expectations, practices, identified risk issues and plans for corrective action.

With the oversight of the Executive Director and the assistance of legal counsel when appropriate, the Compliance Officer is responsible for the following activities:

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- Assist the management team in the review, revision, and formulation of appropriate policies and procedures to guide all activities and functions of the organization that involve issues of compliance;
- Ensure processes for compliance;
- Assist the compliance committee with the review and amendment, as necessary, of the business code of conduct;
- Assist the compliance committee with developing methods to ensure that employees and other affiliates are aware of the business code of conduct and understand the importance of compliance;
- Oversee the compliance committee with developing and delivering educational and training programs;
- Receive and review instances of suspected compliance issues, and in conjunction with the compliance committee, communicate findings and develop actions plans;
- For the responsible individual or program suspected of noncompliance, as set forth in this plan;
- Prepare an annual assessment of the compliance program;
- Prepare the annual corporate compliance work plan, as set forth in the plan, with the compliance committee;
- Disseminate and ensure understanding of policies defining compliance initiatives;
- Prepare revisions to the corporate compliance plan with the compliance committee, as set forth in this plan; and
- Provide other assistance with initiatives regarding corporate compliance, as directed by the Executive Director;
- Adequately carry forth duties of the Corporate Compliance Officer within a dual reporting role: reporting to the Executive Director as a member of the management team; and reporting to the Board as the Compliance Officer.

### COMPLIANCE COMMITTEE

To assist the Compliance Officer with the development and implementation of compliance efforts, a compliance committee will be formed that is representative of the organization. The Compliance Officer will serve as the chair of the committee.

The role of the compliance committee is to advise and assist in the implementation of the compliance program. The committee's responsibilities include:

- Assisting with analyzing the organization's regulatory obligations;

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- Assisting with assessing existing policies and procedures that address these areas for possible incorporation into the compliance monitoring program;
- Recommending, developing, and monitoring internal systems and controls to carry out standards, policies and procedures as part of the organization's daily operations that promote compliance;
- Recommending the appropriate strategy and approach to promote compliance and detection of potential risk areas through various reporting mechanisms;
- Monitoring the development of preventative and corrective action plans;
- Developing a system to solicit, evaluate and respond to complaints and problems; and
- Monitoring findings of internal and external reviewing bodies for the purpose of identifying risk areas or deficiencies requiring preventative and corrective action.

### POLICY GUIDELINES

WORC has adopted policies and procedures specific to the organization's operational practices. These policies and procedures are reviewed at least annually and revisions are made, as necessary. The policies and procedures specific to the organization's compliance efforts are intended to support and further define the operational practices and responsibilities and, when possible, are integrated within existing policies and procedures.

WORC has also adopted a business code of conduct to guide all business activity. This code reflects a common sense approach to ensuring appropriate and ethical behavior. All new employees and other affiliates will receive training and provide acknowledgement of receipt of the WORC business code of conduct. As a condition of employment, the business code of conduct will be reviewed and acknowledged annually thereafter.

### EDUCATION AND TRAINING

The Compliance Officer is responsible for ensuring that policies regarding compliance are disseminated and understood by employees and other affiliates. To accomplish this objective, the Compliance Officer will assist with the development of a systematic and ongoing training program that enhances and maintains awareness of policies. Training materials will be submitted to the Compliance Officer for review with the compliance committee.

All WORC employees participate in annual compliance training, including how to report compliance issues. A system is in place to document that such training has occurred. Training materials will identify the organization contact person(s) available to respond to questions specific to compliance training or regulatory issues. Employees and other affiliates are made aware of their compliance obligations as a condition of employment or as a condition of the contract, respectively.

Adherence to policies will be addressed within the organization's orientation and ongoing training programs, employee job descriptions and provider contracts. Employees and other affiliates will be

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expected to demonstrate sufficient level of understanding as a result of compliance training. If a particular compliance issue or risk issue develops, the Compliance Officer and compliance committee may recommend that identified persons attend training addressing the risk issue.

### REPORTING COMPLIANCE ISSUES

The Compliance Officer will use various communication methods that will be available 24 hours a day. The intent of publicizing various methods of communication is to ensure the information provided contains sufficient information to permit a meaningful investigation. As a general practice, and as stated in the training materials, employees and other affiliates are directed to address questions about operational issues to person(s) having supervisory responsibility for the service areas. As another reporting option, training materials will inform employees and other affiliates that they may report to the WORC Compliance Officer any activity they believe to be inconsistent with policies or legal requirements. The training materials will provide a contact method(s) to address compliance issues to the Compliance Officer.

Employees and other affiliates reporting in good faith possible compliance issues **will not be subjected to retaliation or harassment as a result of the report.** Concerns about possible retaliation or harassment should be reported to the Compliance Officer or the Executive Director.

The Compliance Officer will maintain a log of the reported compliance concerns. This log will record the assigned number of the complaint; the date received; the source the information was obtained; the general issue; the corrective action necessary and whether the outcome was pended or resolved. Any complaint resulting in investigation shall remain in a separate file. To the extent practical and appropriate, this log will be codified to support effort to maintain confidentiality. The log will be used to manage the development and resolution of action plans to improve the quality of healthcare provided by WORC and its contracted providers. The log will be treated as a confidential document whereby access will be limited to those persons at WORC with specific responsibility for supervision of compliance matters.

### INVESTIGATING COMPLIANCE ISSUES

When conduct is reported that is determined to be inconsistent with WORC operating policy, the Compliance Officer will determine whether there is a reasonable cause to believe that a risk issue may exist. If this preliminary review indicates that a problem may exist, the Compliance Officer reports the risk issue to the Executive Director and an inquiry into the matter will be undertaken. This inquiry may include appropriate assistance from the WORC legal counsel, if necessary. WORC employees and other affiliates will be expected to cooperate fully with any inquiries undertaken.

The investigative findings will be reviewed by the Compliance Officer to ensure consistency with applicable regulations, laws, and standards. The results of the inquiry will be made to the Executive Director, to the compliance committee and, if appropriate, the WORC legal counsel.

The investigative process will adhere to any applicable WORC policies regarding personnel action to be taken. To the extent practical and appropriate, efforts will be made to maintain the confidentiality of such investigations and the information gathered. Consequences for conduct inconsistent with the

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organization's operating policy will be addressed according to the provisions identified in the applicable policies or executed provider contract.

### **CORRECTIVE ACTION**

When a compliance issue has been identified through a routine monitoring, a report by employee or a contract provider, or an investigation, the Compliance Officer shall request a plan of correction. The supervisor, or identified person, will be responsible for development of an action plan. Information about preventative and corrective action plans will be reported to and monitored by the compliance committee.

Action plans will be designed to ensure not only correction of the specific issue but also, when an appropriate, preventative measure to ensure the issue does not re-occur within the WORC system of care. In accordance with organization policy, corrective action may require provision of training; reassignment of duties or functions; personnel action; terminating contractual relationships; repayment; or external disclosure by advice of legal counsel.

If the investigation finds that any non-compliance act has been willful, that finding will be reported to the Executive Director and compliance committee. In accordance with WORC policies, employees or other affiliates who have engaged in willful misconduct will be subject to disciplinary action, including consideration of termination of employment or contract for services, respectively.

The actions plans will be maintained in a secured file consistent with the retention of records policy. The action plans will be used in the organization's provider profiling and supervisory review processes.

### **ANNUAL COMPLIANCE REVIEW/REPORT**

In conjunction with the organization's established self-assessment process, the Compliance Officer will ensure a review of the organization's status with current compliance with laws, accreditation standards and regulatory requirements. A review of the compliance reports, action plans and resolutions will be conducted and synopsis by the compliance category. The Compliance Officer, with review and comments provided by the compliance committee, will prepare the annual compliance report. The report will be included with the documented conclusions of the self-assessment process. The results will be reported to the Executive Director; reported to the operational area reviewed; and summarized for the Board.

### **REVISIONS TO CORPORATE COMPLIANCE PROGRAM**

This corporate compliance program is intended to be flexible and readily adaptable to changes in regulatory requirements. The program will be reviewed at least annually by the Compliance Officer and the compliance committee to assess its viability and the inclusion of all appropriate WORC policies and regulatory requirements. The program plan will be revised as experience demonstrates that a certain approach is not effective or suggests a better alternative. The compliance committee will have the authority to revise or amend the program plan with the approval of the Executive Director and adoption by the Board.