



Compliance Program Discipline Policy

Policy:

CHOICE is committed to strict compliance with the law, and a corporate culture that values and promotes honesty and integrity in operations. CHOICE requires service delivery, operations, and billing and payment reconciliation to be performed in accordance with policy and procedure and the regulations of third-party payers and other applicable federal and state regulations. The agency has taken steps to prevent and detect fraud, waste, and abuse or other non-compliant practices including but not limited to implementing strong internal controls and regular auditing and monitoring. Additionally, CHOICE requires all employees, managers, executives, volunteers, vendors, contractors, subrecipients, and other agents to share in the responsibility of preventing, detecting, and reporting suspected incidents of fraud, waste, abuse, and/or other potential acts of misconduct or wrongdoing. Statements regarding expectations for compliant and ethical conduct can be found in the Compliance Plan, Code of Conduct, and throughout the Compliance Program's policies and standards.

All employees, contractors, and agents are required to report suspected compliance issues, concerns, or violations. This means reporting any conduct or activity that a reasonable person might suspect is a violation of the Compliance Program's Plan, Code of Conduct and/or policy or procedure or federal or state law.

CHOICE encourages employees, managers, executives, board members, volunteers, and other agents to be diligent in their work. Participation in non-compliant behavior or encouraging, directing, facilitating or permitting non-compliant behavior is expressly prohibited and such behavior may result in disciplinary action up to and including termination.

Failure to report, disclose, and/or to assist in an investigation of suspected fraud, waste, abuse, or other potential wrongdoing is a breach of the employee or agent's obligation to CHOICE and may result in disciplinary action up to and including termination.

Individuals who, by virtue of their position in the organization, should have known but failed to detect such conduct will also be subject to disciplinary action up to and including termination.

Employees, contractors, and other agents who suspect a violation of the Compliance Plan, Code of Conduct, policies and procedures, or rules, regulations, or laws are required to notify CHOICE. Employees, contractors, or other agents can make a report by:

- Contacting their supervisor or another manager (to the extent they are not involved).
- Contacting the Compliance Program directly.

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- Accessing CHOICE's confidential Compliance Hotline. This option is available 24 hours/day 365 days/year. All reports to the Compliance Hotline will be kept strictly confidential, unless the matter is turned over to law enforcement. Confidential means the Compliance Officer is the only person who will know the identity of the reporter. If a report made to the Compliance Hotline requires an investigation, the Compliance Officer will not specifically identify the reporter during the investigation.

(p) 914.576.0173 X 300.

If an employee, contractor, or other agent believes management is not responding to their report within a reasonable amount of time or believes management may be involved, the employee or agent should report the concern to the Compliance Officer. If the employee believes the Compliance Officer is not responding within a reasonable amount of time, the employee or agent should contact the Chief Executive Officer.

CHOICE will investigate all allegations or suspicions of fraud, waste, abuse, or other potential acts of misconduct or wrongdoing swiftly and thoroughly. All employees, contractors, and agents are required to assist in investigations as needed. CHOICE will make every attempt to correct and prevent any wrongdoing.

In accordance with CHOICE's Non-Retaliation and Non-Intimidation Policy and applicable law, CHOICE strictly prohibits intimidation or retaliation against employees or others who, in good faith, participate in the Compliance Program and/or bring forth claims of fraud, waste, abuse and/or other suspected acts of misconduct or wrongdoing.

Any employee who commits or condones any form of intimidation or retaliation will be subject to disciplinary action up to and including termination.

The establishment and enforcement of disciplinary standards are important to demonstrate CHOICE's integrity and commitment to compliance, to encourage good faith participation and reporting, and to prevent occurrences of fraud, waste, abuse, and other misconduct or wrongdoing. This disciplinary policy will be enforced firmly and fairly and will apply equally to all affected persons (i.e. staff, managers, executives, and board members).

The resolution of compliance-related disciplinary issues for CHOICE employees, managers, volunteers, and interns will be determined through the Human Resources Department, the Service/Department Director, and the Compliance Officer.

The resolution of compliance-related disciplinary actions for executives will be determined by the CEO, Director of Human Resources, and the Compliance Officer (to the extent they are not involved), and the Board of Directors when appropriate.

The resolution of compliance-related disciplinary actions for board members will be determined by the Executive Committee (to the extent they are not involved).

CHOICE may seek legal counsel for guidance as it relates to compliance-related discipline. In such instances, the Compliance Officer, Director of Human Resources, Chief Executive Officer, and/or the

Board Chair (as applicable and appropriate) will be included in privileged communications with counsel. The level of discipline will vary in relation to the severity of the compliance violation as well as the individual's relation to the violation and may consist of:

- Extending an orientation period,
- Verbal Warning,
- Written Warning,
- Suspension from employment with or without pay for a period of up to ten (10) regularly scheduled workdays,
- Demotion, and/or
- Termination.

There is no pre-determined sequence of type or number of actions prior to termination of employment. Nor is CHOICE required to follow progressive discipline in disciplining and/or discharging an employee. If a verbal or written warning is issued, it will include the reasons for the action, performance expectations and consequences of failure to meet the expectations.

CHOICE shall enforce its disciplinary standards fairly and consistently, and the same disciplinary action will apply to all levels of personnel. Disciplinary actions and sanctions will be more substantial if instances of non-compliance are discovered to be intentional, or made with reckless disregard to appropriate laws, rules, regulations, or CHOICE policy.

*Suspension from Employment: A suspension of employment with pay for up to five (5) regularly scheduled workdays may be implemented for investigating an employment-related incident. It is not considered disciplinary action, although disciplinary action may follow the suspension if the findings of the investigation warrants such action.

CHOICE is committed to training, educating, and empowering its employees and agents to detect, prevent, and report suspected incidents of fraud, waste, abuse, and other acts of misconduct or wrongdoing. In accordance with the Training and Education Policy, annual compliance training is mandatory for all employees, volunteers, managers, executives, board members, and other agents and will, in part, cover this policy and procedure.

Any questions about the Discipline Policy should be directed to the employee's supervisor or the Compliance Officer.