

# **RECCO HOME CARE SERVICE, INC.**

## **Compliance Program Code of Conduct**

### **Program Description**

The **RECCO HOME CARE SERVICE** compliance program embodies its commitment to conducting business in the manner proscribed by the applicable laws, rules, regulations, and other directives of the federal, state, and local governments and agencies. An expression of this commitment is the code of conduct ("Code") described herein which is applicable to all individuals, including **RECCO HOME CARE SERVICE's** managers, members, officers, directors, employees, volunteers, and independent contractors working for or providing services to **RECCO HOME CARE SERVICE** ("staff members").

This Code is intended to provide general guidelines to assist staff members in understanding and appreciating the high standards with which **RECCO HOME CARE SERVICE** conducts its business. Although the Code of Conduct can neither cover every situation in the daily conduct of our many varied activities nor substitute for common sense, individual judgment, or personal integrity, it is the duty of every staff member to adhere, without exception, to the principles set forth herein.

The Code includes information regarding the program and its implementation, and the investigation and resolution process.

The Code identifies the Compliance Officer as the employee responsible for monitoring the program on a daily basis and performing periodic audits of its policies and procedures and outlines the additional duties of the position as pertains to the Code. How **RECCO HOME CARE SERVICE** shall respond to and investigate issues brought to its attention, via employee reports or company audits are detailed within. How actual or potential issues will be addressed in the present and what steps shall be taken to mitigate their impact in the future is also contained in the Code. Policies regarding the appropriate methods for reporting issues to the overseeing agencies, and procedures related to overpayments are also included.

Included in the Code are details of the training and education programs offered by **RECCO HOME CARE SERVICE** through which all staff members can ensure they understand their responsibilities and duties under the Code, and the professional standards which **RECCO HOME CARE SERVICE** expects all its employees to conduct themselves. Training curricula will include information regarding compliance issues, expectations, and the compliance program operation. Sessions will be conducted on a periodic basis, as dictated by necessity, and will be included in employee orientations.

The Code articulates the expectations for reporting compliance issues and assisting in their resolution and the procedures by which employees can fulfill these duties. Specifics of the reporting process - how employees may make reports and to whom - are outlined as well. Further enumerated are the lines of communication via which reports may be made and the protections afforded employees in this process. Information regarding the disciplinary policies of the code is included as well.

The Code of Conduct shall be emended and updated as necessary. At such times **RECCO HOME CARE SERVICE** will notify all staff members that changes have been made, and the policy shall be made available for all employees to review if they wish. A staff member will be made available to assist any employee in accessing and understanding the changes. However, the final responsibility to comply with the standards, policies and procedures contained in this Code falls on everyone. As such all **RECCO HOME CARE SERVICE** staff members must take great care to understand the Code and conduct and the high standards expected of them.

**RECCO HOME CARE SERVICE** encourages members, managers, officers, directors, employees, contractors, and agents to raise questions or concerns, and seek clarification regarding these laws or related policy issues with the Compliance Officer or designated party.

This compliance program is more fully described and can be found in its entirety in the **RECCO HOME CARE SERVICE** Compliance Program Manual ("Compliance Manual"), available for review in the office of the Executive Director or Compliance Officer.

**RECCO HOME CARE SERVICE** expects that the Code of Conduct will be a part of the daily activities of its staff members. The Code of Conduct is in addition to, and does not limit, specific policies and procedures of **RECCO HOME CARE SERVICE**. Staff members must perform their duties in accordance with all such policies and procedures.

It is the duty of every manager, member, officer, director, employee, independent contractor, volunteer and agent to uphold the standards set forth in the Code of Conduct and to report violations by following the reporting procedures outlined in the Compliance Manual. Alleged violations of the Code of Conduct or other policies and procedures of **RECCO HOME CARE SERVICE** will be investigated by persons designated by, and pursuant to procedures established by **RECCO HOME CARE SERVICE**. **RECCO HOME CARE SERVICE** will make efforts to maintain the confidentiality of the identity of any individual who reports perceived or actual violations. However, confidentiality of identity cannot be guaranteed.

It shall be a violation of the Code of Conduct to take any action in reprisal against anyone who reports suspected violations of the Code of Conduct or other **RECCO HOME CARE SERVICE** policies and procedures, assists in the investigation of a compliance issue or assists with remedial actions in good faith.

Failure to abide by the Code of Conduct or the guidelines for behavior which the Code of Conduct represents may lead to disciplinary action. Disciplinary action, up to and including termination, will be determined on a case-by-case basis. If **RECCO HOME CARE SERVICE** determines that a violation may have included criminal violations of law or regulation, **RECCO HOME CARE SERVICE** will seek the advice of counsel and cooperate with law enforcement authorities in connection with the investigation and prosecution of the offender.

While the duty remains the responsibility of everyone, **RECCO HOME CARE SERVICE** shall implement programs necessary to foster further awareness of applicable laws and regulations and to monitor and promote compliance of such laws and regulations. Any questions about the legality or propriety of any actions undertaken by, or on the behalf of **RECCO HOME CARE SERVICE** should be referred immediately to the Compliance Officer.

### **Application**

It is the duty of **RECCO HOME CARE SERVICE** and its staff members to uphold all applicable Federal, State and Local laws, rules, regulations, and standards ("laws and regulations"). Everyone must be aware of the legal requirements and restrictions applicable to his or her respective position and duties. To ensure all incoming hires are aware of the scope of these regulations, a packet containing the laws will be made available to them at their orientation. The **RECCO HOME CARE SERVICE** employees who conduct employee orientations have been educated in the specifics of the laws so they can answer any questions new hires may have. The Compliance Officer will be available in the event further assistance is required. Training and educational sessions will be conducted as needed, but no less frequently than annually, to ensure all employees are aware of their responsibilities under the law.

The following policies and procedures govern the application of this code of conduct.

### **Reporting Procedures:**

It is the policy of **RECCO HOME CARE SERVICE** to provide all its members, managers, officers, directors, staff, contractors, and agents with the means to report actual or perceived violations of **RECCO HOME CARE SERVICE's** Code of Conduct, Compliance Program, policies and procedures and applicable laws and regulations.

Anyone with knowledge of an event, occurrence or activity that appears to violate applicable laws and regulations, **RECCO HOME CARE SERVICE**'s Code of Conduct or any of its policies or procedures should promptly communicate the actual or perceived violation to the Compliance Officer. Reports can be made directly to **Taryn Birkmire, Compliance Officer at: [tbirkmire@reccohomecare.com](mailto:tbirkmire@reccohomecare.com) or 516 798-6888 Ext. 129** or anonymously by calling our Compliance Hot Line at **516-798-6959** or utilizing the Compliance Reporting box located in each office.

In compliance with law, **RECCO HOME CARE SERVICE** policy prohibits retaliatory action, in any form, against any individual who makes a report, in good faith, to the agency or any governmental official or agency. The Federal False Claims Act, New York False Claims Act, and New York State Labor Law §740 specifically prohibit and provide remedies for such retaliatory action. Improper retaliation includes actual or threatened discharge, demotion, suspension, harassment, discrimination, or other adverse employment action. Activities protected against retaliation by Federal and State law and regulation include disclosing or reporting - or making a threat of such - to a supervisor, the agency or to a governmental official or agency an activity, policy, or practice that is in violation of the law; testifying or providing information for a hearing, investigation or inquiry; initiating or assisting in any action or investigation; and/or objecting to or refusing to participate in any such illegal activity.

**RECCO HOME CARE SERVICE** has a zero-tolerance policy regarding retaliation and will aggressively investigate such matters and disciplinary action will be taken when appropriate. **RECCO HOME CARE SERVICE** expects its staff members, managers, officers, directors, employees, contractors, and agents to promptly report any possible instances of retaliatory action immediately to the Administrator the Compliance Officer or other designated party.

All members, managers, officers, directors, employees, contractors, and agents are required to promptly report all known or suspected violations of **RECCO HOME CARE SERVICE**'s billing and claims -submission policies to the CEO, Compliance Officer, immediate supervisor -or other designated party, in writing or directly to **Taryn Birkmire, Compliance Officer at: [tbirkmire@reccohomecare.com](mailto:tbirkmire@reccohomecare.com) or 516 798-6888 Ext. 129** or anonymously by calling our Compliance Hot Line at **516-798-6959** or utilizing the Compliance Reporting box located in each office.

If an issue does arise, it is the policy of **RECCO HOME CARE SERVICE** to promptly disclose all relevant information to all appropriate agencies.

#### **Investigation and Resolution Processes:**

It is the policy of **RECCO HOME CARE SERVICE** to make a prompt and thorough inquiry into any report concerning activity which may be contrary to applicable laws or regulations. Upon receipt of a report which suggests that improper conduct has occurred, and investigation either under the direction and control of legal counsel or the Compliance Officer shall be commenced. The investigative techniques used shall be implemented to facilitate the correction of any practices not in compliance with applicable laws or regulations.