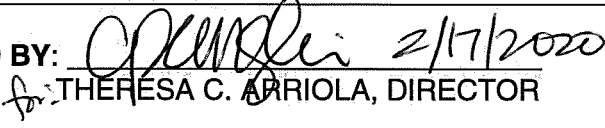


GUAM BEHAVIORAL HEALTH AND WELLNESS CENTER		
TITLE: Corporate Compliance Program	POLICY NO: AD-ORG-12	Page 1 of 5
RESPONSIBILITY: Regulatory Affairs		
APPROVED BY:  for: THERESA C. PRIOLA, DIRECTOR	DATE OF ORIGINAL APPROVAL: 6/15/2017	
	LAST REVIEWED/REVISED:	

PURPOSE:

To establish the Guam Behavioral Health and Wellness Center (GBHWC) Corporate Compliance program. To provide standards by which employees of the Center must conduct themselves in order to protect and promote agency-wide integrity. To enhance the delivery of consumers services by ensuring that Guam Behavioral Health and Wellness Center (GBHWC) is in compliance with and stays abreast of CARF accreditation standards, other regulatory agency and legal requirements.

COMPLIANCE PROGRAM

GBHWC Compliance program encourages ethical and sound ways to do business in compliance with federal and state law, contractual requirements, policies and accreditation standards. Compliance provides training and manages GBHWC's policies and procedures, conducts internal audits, monitoring and investigations to prevent, detect and remediate non-compliance. The Office of Compliance Program conducts fraud and abuse prevention and detection activities and reports suspected credible allegations of fraud to the Deputy Director who is designated as the Corporate Compliance Officer. The Deputy Director shall have the authority and responsibility for employee discipline under the provisions of § 4105, title 5 of the Guam Code Annotated. Any disputes regarding violation of the code of ethics that is not resolve within GBHWC shall be brought to the Guam Ethics Commission for hearing and determination.

POLICY:

- A. Guam Behavioral Health and Wellness Center has adopted a Compliance Program that reflects its commitment to provide high quality of care and effective risk management. GBHWC is committed to preventing, detecting, and correcting any improper or unethical conduct or conduct that does not conform to federal and state law, payer program requirements and GBHWC's business practices.
- B. GBHWC Code of Ethical and Legal Behavior set forth by the Dept. of Administration personnel rules and regulations shall guide employees in all that they do. It is intended to support GBHWC's mission to provide the highest quality services to all consumers and to promote a culture of honesty and integrity.
- C. All employees are required to attend a brief overview of corporate compliance as part of the Employee Orientation and Compliance Training as necessary, and shall be responsible to ensure that their behavior and activity is consistent with applicable sections of the Department of Administration Personnel Rules and Regulations, Chapter 3 Code of Conduct;; 4 GCA, Chapter 15 (Standards of Conduct); 5 GCA,

Chapter 56, Article 11 Ethics in Public Contracting and 21 GCA, Sec 63105 Conflict of Interest.

- D. As part of corporate compliance plan implementation, GBHWC will undergo an annual Gov. Guam financial audit, and routine contract compliance audits.
- E. GBHWC shall follow a Non- Retaliation Policy and “Good Faith” reporting. No retaliation action shall be taken against an employee for reporting in “good faith” any compliance concerns. “Good faith” requires that the employees report information, as they understand it to be true, without fabrication. If an employee feels that they have suffered retaliation, they should report this to the designated Corporate Compliance Officer, Deputy Director and/or the Director.
- F. All violations of the Department’s and Government of Guam Corporate Compliance Policy and Ethical Codes of Conduct shall be thoroughly investigated before any disciplinary action or reporting is brought to the Civil Service Commission which has jurisdiction over ethics violation by government employees.

COMPLIANCE WITH THE CODE

- A. All GBHWC staff, interns, and volunteers are expected to comply with this code. The following standards provide definitive expectations and examples of unacceptable behavior.
 - 1. **Disclose Potential Conflicts of Interest** – Conflict of interest occurs in situations where a person has the potential to direct or influence a decision to his/her own gain.
 - a. Examples of Code Breach:
 - i. Accept gift of significant value that could influence work-related decision making, including preferential treatment.
 - ii. Use business information resources for personal gain or profit.
 - iii. Engage in business transactions, outside of GBHWC with the consumers we serve.
 - iv. Solicit donations/ sell products for outside organizations on GBHWC premises or during business hours.
 - b. Example of expected conduct
 - i. An employee who receives a gift of significant value (>\$25) from a vendor or contractor should share the gift with the entire department, if possible, or notify their supervisor or compliance officer in the event that it is not possible to share the gift.
 - ii. In general staff should not accept gifts of any value from the consumers we serve, but there are specific DOA and Gov. Guam policies that address this issue in greater detail. You may speak with your supervisor or the Compliance Officer if you are unclear about the details in your departmental policy.
 - 2. **Adhere to all Agency Policies and Procedures** – Agency policies and procedures were developed to ensure quality, fairness, and safety for all employees.
 - a. Examples of Code Breach:
 - i. Create a harassing work environment.
 - ii. Fail to comply with Equal Employment Opportunity Commission (EEOC) rules and regulations.

- iii. Improperly record timesheet or knowingly approve a timesheet that was falsified.
 - b. Example of expected conduct:
 - i. Employees, interns and volunteers should familiarize themselves with all agency and departmental policies. Any questions should be directed to their supervisor, a member of the HR team or a member of the Compliance/QI section.
- 3. Maintain Accurate Documentation, Billing, Coding, and Reporting Procedures and Practices, both operational and financial:** Data integrity and accuracy, as well as retention, are critical for support of the consumers we serve and regulatory compliance. GBHWC will only bill for services and accept revenues for which it is entitled.
- a. Examples of Code Breach
 - i. Bill for services an individual did not receive.
 - ii. Bill and receive funds for a service that is more expensive than that which was provided.
 - iii. Falsify records/attendance sheets including signatures and dates.
 - iv. Postdate a document or modify the date on a document.
 - v. Document information in a consumer's chart that is inaccurate.
 - b. Examples of expected conduct:
 - i. Staff should always document information that they know or believe is accurate and date the documentation with the date that the documentation was created/ completed.
 - ii. If staff is ever asked to falsify dates or falsify records in any way, they are expected to bring this matter to the attention of their supervisor, a member of the HR team or a member of the Compliance/QI section. Staff will never be prevented from making a good faith report and will not be retaliated against for reporting such conduct.
- 4. Understand and Adhere to the Client's Bill of Rights:** The Consumer's Bill of Rights sets forth the minimum guidelines for ensuring that no individual shall be deprived of any civil or legal right solely because of a diagnosis of a disability.
- a. Examples of Code Breach
 - i. Provide differential care due to race, religion, national origin, sexual orientation, etc.
 - ii. Disclose information contained in the individual's records without proper authorization.
 - iii. Deny a client the right to see their treatment records.
 - iv. Prevent a client from voicing a complaint about services.
 - b. Examples of expected conduct:
 - i. Staff should familiarize themselves with the Client Bill of Rights for the specific program or service they provide and should seek guidance if they are uncertain about how to make sure that clients' rights are upheld in the provision of services.
- 5. Represent the Agency in a Fair and Honest Manner in all Interactions, Including Marketing–**
- a. Examples of Code Breach
 - i. Offer illegal inducements for referrals to GBHWC
 - ii. Misrepresent GBHWC services and functions – Truth in Advertising.
 - iii. Alter GBHWC documentation, or forge signature.
 - b. Example of expected conduct

- i. Staff should always represent the services offered by GBHWC in an honest and truthful manner.
6. **Safeguard GBHWC Assets** – GBHWC resources are to be used for job-related purposes and not for personal gain.
 - a. Examples of Code Breach:
 - i. Use of GBHWC equipment/supplies for personal gain.
 - ii. Falsification of timesheets or approval of a timesheet that has been falsified.
 - iii. Theft of GBHWC equipment/supplies.
 - b. Examples of Expected Conduct
 - i. Staff will use GBHWC supplies and equipment for job related functions. Staff will speak with their supervisor if a need arises for incidental use of GBHWC supplies or equipment for personal use.
7. **Comply with All Applicable Laws, Regulations, Codes, And Policies— Including City, State And Federal Laws.**
 - a. Examples of Breach of Code:
 - i. Commit an unlawful act on facility premises or during work hours.
 - ii. Report to work under the influence of alcohol or drugs or use drugs or alcohol during work time.
 - iii. Fail to renew or maintain good standing with professional licensure or certification.
 - iv. Fail to report instances of fraud, waste or abuse of government funds.
 - v. Fail to report suspected breaches of GBHWC data or suspected breaches of client information.
 - b. Examples of expected conduct:
 - i. Staff will familiarize themselves with GBHWC policies as well as federal, state and local laws that govern their job duties.
 - ii. Staff will report suspected misconduct or suspected illegal actions that they believe have occurred at GBHWC or during the provision of services by GBHWC.
8. **Be Good Stewards of the Community Trust** – As a Government multi-service agency, the resources entrusted to us are to be used for the benefit of the community and fiduciary decisions are to be made in the best interest of the community.
 - a. Examples of Breach of Code:
 - i. Wastefulness of resources.
 - ii. Inappropriate risk taking in financial investments.
 - iii. Failure to consider community need when planning new programs
 - b. Examples of expected conduct
 - i. Staff will act in and make decisions in the best interest of GBHWC and in the best interest of the individuals and communities that we serve.
 - ii. Staff will use a variety of available resources when making fiduciary or programmatic decisions that affect GBHWC.
9. **Protect Confidentiality of the Consumers We Support, the Staff Who Serve Them, and Agency-Sensitive Information** – All GBHWC employees are responsible to safeguard and respect the confidentiality and privacy of the consumers we serve in accordance with the rules and regulations of HIPAA and other federal and state statutes.
 - a. Examples of Breach of Code:
 - i. Breach of confidentiality during an investigation.

- ii. Inappropriate release of information regarding an individual we serve.
 - iii. Obtain an individual's diagnosis or test result without consent.
 - iv. Release names of clients outside of the workplace.
 - v. Discussions about or conduct directed toward colleagues that is harassing or discriminatory in nature.
 - vi. Disclosing intellectual property or proprietary information without proper approval.
- b. Examples of expected conduct:
- i. Staff will protect the privacy of consumers and ensure that the appropriate authorization or consent is in place when disclosing information about a consumer we serve. If you have questions about when to disclose information speak with your supervisor or the Compliance officer.
 - ii. Staff will treat their colleagues and the individuals we serve with respect. Any questions or concerns should be brought to your supervisor, the HR department or the Compliance Officer.

10. Uphold the Code of Ethics Relative to Human Service Professionals – Many positions such as Direct Support Professionals, Nurses, and Social Workers have their own Code of Ethics related to that particular profession. Awareness, familiarity, and use of codes are expected in employment at GBHWC.

RESPONSIBILITY:

A. Corporate Compliance Officer shall:

1. Chair the organization's corporate compliance team and serve as the primary point of contact for all corporate compliance issues, including scheduling team meetings, reporting on team activities, and making recommendations to the Director as required;
2. On a regular basis, develop, implement and monitor the organization's corporate compliance plan, including all internal and external monitoring, auditing, investigative and reporting processes, procedures, and systems;
3. Ensure that internal policies and procedures designed to prevent and detect violations of applicable law, regulations, rules and ethical standards by employees, agents and others are in place.
4. Prepare, submit and/or present quarterly reports to the Director and/or Conduct corporate risk assessment and prepare risk assessment report at least annually.
5. The CCO shall submit an annual report to the Director and/or the Advisory Council. Annual reports will include, at a minimum:
 - a. A summary of allegations, investigations, and/or complaints received in the preceding 12 months in conjunction with the corporate compliance program;
 - b. A complete description of corrective action(s) taken; and
 - c. Any recommendations for changes to the organization's policies and/or procedures.

SUPERSEDES: AD-F-01 Corporate Compliance Policy, June 15, 2017; Rey M. Vega

REFERENCE(S):

ATTACHMENT(S):

Reviewed/Revised 12/22/2019

**GUAM BEHAVIORAL HEALTH AND WELLNESS CENTER
REVIEW AND ENDORSEMENT CERTIFICATION**

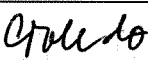

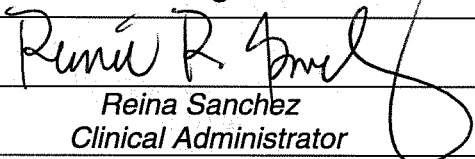



The signatories on this document acknowledge that they have reviewed and approved the following:

- Policies and Procedure
- Program plan
- Protocol/Form

Submitted by: Cydsel Victoria Toledo

Policy No: AD-ORG-12

Title: Corporate Compliance Program

Reviewed/Endorsed Title	Date	Signature
	11/14/2020	 Cydsel Victoria Toledo Quality Improvement Coordinator/Regulatory Compliance Officer
Reviewed/Endorsed Title	Date	Signature
	01/15/2020	 Dr. Ariel Ismael Medical Director
Reviewed/Endorsed Title	Date	Signature
	1/14/2020	 Reina Sanchez Clinical Administrator
Reviewed/Endorsed Title	Date	Signature
	01.21.20	 Annie Unpingco Administrator Children Adolescent Services Division
Reviewed/Endorsed Title	Date	Signature
	1-14-2020	 Leonora Urbano RN Administrator Nursing Services Division
Reviewed/Endorsed Title	Date	Signature
	2/17/2020	 Carissa Pangelinan Deputy Director

