



<b>Policy Name:</b>	<b>Section: 1 ASPIRE to Excellence</b>	<b>Programs:</b> All
<b>Code of Conduct</b>	Assess the Environment A. Leadership	<b>Review Date:</b> 1/09, 4/10, 7/10, 7/13, 5/14, revised 6/14, revised 4.17, 7.29.25
File: II.5 Code of Conduct Policy	<b>Effective Date:</b> 3/8/07	<b>Board review:</b> 5/1/08, 4/10, 6/14, 4/17, 12/22

## I. INTRODUCTION:

Martha's Vineyard Community Services (MVCS) is committed to providing quality services and to conducting its business lawfully and ethically. In order to do this, all of MVCS's employees must meet high professional standards of care and service and must also meet the highest standards of legal and ethical conduct. All applicable laws, rules, and regulations must be strictly followed at all times. These standards must be followed in dealing with consumers of MVCS services and their families, other MVCS staff, contractors, payers, vendors, and the general public. Violations of these standards jeopardize MVCS's ability to provide its services and the welfare of the agency and its staff. To assure uniformity in standards of conduct and prevent waste, fraud, abuse and other wrongdoing, MVCS has established this Code of Conduct as part of its Corporate Compliance Program. The MVCS mission statement and core values guide our attitudes and actions in all that we do when providing services to our communities and are reflected in this Code of Conduct.

### **Mission Statement:**

Martha's Vineyard Community Services' mission is to enhance the lives of those it serves by meeting the comprehensive needs of individuals, families, and the community through a partnership of programs that provides accessible education and health and human services of the highest quality.

### **Core Values:**

- We believe that the dignity, health, safety and wellbeing of each individual and family we serve are human rights, not privileges.
- We believe in human potential and are committed to empowering individuals to make informed choices.
- We are committed to excellence, professionalism and accountability in our service to individuals, families, and the community.
- We value and foster partnerships with community agencies, programs, funders, and individuals that improve the quality of life in our community.
- We embrace cultural competency, and the principles of equal access and non-discriminatory practices in service delivery.
- We respect the privacy and confidentiality, the dignity and diversity of our employees and the people we serve.
- We value our employees by creating a caring work environment that is respectful of all staff, nurtures professional growth and open communication, fosters teamwork, and builds trust.
- We support the governance of the Agency through the oversight and policies of the Board and through the responsibility and authority of management.
- We are committed to integrity, accountability and transparency in our use of money and other resources.
- We value the generosity of our donors, funders and volunteers who help provide our resources.



## **II. POLICY:**

It is the policy of MVCS that all employees, volunteers and members of the Board are expected to perform their designated functions in a manner that reflects the highest standards of ethical behavior. The ethical standards contained in this policy shape the culture and norms of MVCS's administrative operations and practices, and staff, volunteers and members of the Board will be held fully accountable to these standards. In addition to the specific guidelines contained in the policy, professionals are expected to follow the ethical standards required by their specific licensing and certification boards. Board members comply with the MVCS Board Code of Conduct and Board Conflict of Interest policies. This policy addresses only those volunteers and students who are involved in sustained interaction with the people we serve in our programs.

The Code of Conduct Policy is to ensure that all employee and volunteer actions reflect a competent, respectful, and professional approach when serving our clients, their families and/or representatives, working with other providers of services, and interacting within the communities we serve. It is expected that staff, volunteers, and members of the Board will perform their duties in compliance with all federal, state, and local regulations in accordance with guidelines set forth in this policy. Violation of guidelines within the Code of Conduct Policy can lead to disciplinary actions, including termination of employment.

## **III. PROCEDURES:**

### **A. Professional Conduct:**

- 1) MVCS employees and volunteers will respect the rights of our clients by demonstrating full integration of the guidelines contained in the Rights and Responsibilities Policy. This includes the right of the client to make autonomous decisions and fully participate in every aspect of the service delivery process.
- 2) MVCS employees and volunteers will provide services in a manner that fully respects the confidentiality of clients, by demonstrating a functional knowledge of confidentiality policies and guidelines.
- 3) MVCS employees and volunteers will be fair and honest in their work. They will not exploit or mislead, and will be faithful to their contractual obligations and their word.
- 4) To prevent and avoid unethical conduct, MVCS employees will consult with, refer to, and cooperate with other professionals. MVCS employees will clarify their professional roles and obligations and be accountable for upholding professional standards of practice.

### **B. Personal/Professional Conduct:**

- 1) All prior personal relationships between employees or volunteers and persons entering the organization's programs shall be disclosed by the staff member or volunteer and subject to review by the appropriate supervisor.
- 2) Employees should limit relationships with clients to their defined professional roles.
- 3) Employees and volunteers will not establish ongoing personal or business relationships with clients receiving services.
- 4) Employees and volunteers will conduct themselves in a professional, ethical, and moral manner.
- 5) Sexual relationships between employees/volunteers and clients are never appropriate. Sexual relationships include, but are not limited to the following: engaging in any type of sexual activity,



flirting, advances and/or propositions of a sexual nature, comments of a sexual nature about an individual's body, clothing, or lewd sexually suggestive comments.

- 6) Small gifts (no more than \$50.00 in value) given as a token expression of appreciation from a client, family member, or stakeholder may be accepted by Agency employees. Employees and volunteers cannot accept personal favors or benefits that may reasonably be construed as influencing their conduct. If in doubt, employees/volunteers should consult their immediate supervisor, program director, or Human Resources for additional guidance.
- 7) Employees and volunteers shall respect and safeguard the personal property of clients, visitors, and other personnel as well as the property of MVCS. Employees and volunteers will not take, borrow or remove agency property or personal property not belonging to them from the agency without permission of the property owner. Theft and destruction of property may be addressed through treatment planning (clients), disciplinary action (personnel), and/or by contacting law enforcement, as appropriate.
- 8) Employees and volunteers will not solicit clients for personal causes including but not limited to; soliciting funds for a personal or community cause, political fundraising, selling candy and cookies for their children, friend's children or other such fundraising item's for the staff's children.
- 9) Employees shall not act as a witness to documents such as Power of Attorney, guardianship, advance directives, and/or Agency contracts without the express written approval of the CEO. Personnel are authorized to countersign documents such as intake forms, authorizations (i.e. release of information form), treatment plans, etc. as directly related to their job duties.
- 10) Employees and volunteers are encouraged to use personal social media accounts responsibly. While personal accounts are separate from organizational accounts, individuals should avoid posting content that could harm MVCS's reputation. If discussing work-related topics or mentioning MVCS on personal social media accounts, clearly state your relationship with the organization (e.g., "The views expressed are my own").

#### **C. Business Practices:**

- 1) MVCS will utilize the Corporate Compliance Officer to ensure that it conducts business in an ethical manner and ensure that any business practices that are questionable are thoroughly investigated using the ethical investigation procedures that follow in this policy.
- 2) All financial, purchasing, personnel, facility development and information technology practices shall comply with local, state, and federal law and guidelines.
- 3) All employees and volunteers shall adhere to MVCS's Human Resource Policies and Procedures.

#### **D. Marketing Practices:**

- 1) MVCS will conduct marketing practices in an honest and factual manner. Marketing materials and practices will in no way mislead the public or misrepresent MVCS's abilities to provide services. MVCS will not claim any service outcomes unless represented by valid and reliable outcome data and/or research studies.
- 2) MVCS will utilize clear and consistent methods of communicating information to clients, family members, third-party entities, referral sources, funding sources, and community members, and will exhibit sensitivity to the educational and reading levels of all persons when distributing information.
- 3) MVCS will not utilize monetary rewards or gifts to any potential consumer of services in an attempt to entice them to enter programs.



**E. Professional Practices:**

- 1) Employees will adhere to all professional codes of conduct and ethical standards for his/her specified professional discipline.
- 2) As part of new employee orientation, staff will read the organization's Code of Conduct and demonstrate knowledge of the guidelines.

**F. Quality of Care:**

- 1) MVCS will provide quality care in a manner that is appropriate, determined to be necessary, efficient, and effective.
- 2) All MVCS employees/volunteers will follow current ethical standards regarding communication with clients and their representatives regarding services provided.
- 3) MVCS will inform clients about alternatives and risks associated with the care they are seeking and obtain informed consent prior to any clinical interventions.
- 4) MVCS recognizes the right of clients to make choices about their own care, including the right to do without recommended care or to refuse care.

**G. Necessity of Care:**

- 1) MVCS shall submit claims for payment to governmental, private, or individual payers for those services or items that are clinically necessary and appropriate.
- 2) When providing services, MVCS employees shall only provide those services that are consistent with generally accepted standards for treatment and are determined by the professional to be clinically necessary and appropriate.
- 3) Service providers may determine that services are clinically necessary or appropriate; however, the client's funding source may not cover or approve those services. In such a case, the client may request the information needed for the client to submit a claim for the services to protect his/her rights with respect to those services or to determine the extent of coverage provided by the payer.
- 4) Coding and documentation will be consistent with the standards and practices defined by the organization in its policy, procedures, and guidelines.

**H. Coding, Billing, and Accounting:**

- 1) MVCS employees involved in coding, billing, documentation and accounting for client care services for the purpose of governmental, private or individual payers will comply with all applicable state and federal regulations and organizational policies and procedures.
- 2) MVCS will only bill for services rendered and shall seek the amount to which it is entitled.
- 3) Supporting documentation will be prepared for all services rendered. If the appropriate and required documentation has not been provided, then the service has not been rendered.
- 4) All services must be accurately and completely coded and submitted to the appropriate payer in accordance with applicable regulations, laws, contracts, and organizational policies and procedures. Federal and state regulations take precedence, and organizational policies and procedures must reflect those regulations.
- 5) Clients shall be consistently and uniformly charged.



- 6) Government payers shall not be charged in excess of the provider's usual charges.
- 7) Billing and collections will be recorded in the appropriate accounts.
- 8) An accurate and timely billing structure and medical records system will ensure that MVCS effectively implements and complies with required policies and procedures.

**I. Cost Reports:**

- 1) MVCS will ensure that all preparation and cost reports submitted to governmental and private organizations are properly prepared and documented according to all applicable federal and state laws.
- 2) All cost reports will be submitted and prepared with all costs properly classified, allocated to the correct cost centers, and supported by verifiable and auditable cost data.
- 3) All cost report preparation or submission errors and mistakes will be corrected in a timely manner and, if necessary, clarify procedures and educate employees to prevent or minimize recurrence of those errors.

**J. Personal and Confidential Information:**

- 1) MVCS will protect personal and confidential information concerning the organization's system, employees, and clients.
- 2) MVCS personnel shall not disclose confidential client information unless at the client's request and/or when authorized by law. Appropriate use of client information for research purposes must be obtained with the full informed consent of participants in the research.
- 3) Confidential information will only be discussed with or disclosed to persons and entities outside the organization through the request of the client. Persons outside the organization include the family, business, or social acquaintances of the client.
- 4) Clients can request, and are entitled to receive copies or summaries of their records with the exception of minors and clients being treated for alcohol and drug abuse, who may be provided with copies of their record if it is judged appropriate by the provider charged with their care. MVCS employees will comply with all MVCS and program specific policies and procedures regarding requests for client records.
- 5) MVCS personnel will be familiar with all organizational policy and procedures regarding confidentiality.

**K. Creation and Retention of Client and Institutional Records:**

- 1) Records are the property of the organization. Personnel responsible for the preparation and retention of records shall ensure that those records are accurately prepared and maintained in a manner and location as prescribed by law and organizational policy.
- 2) Employees will not knowingly create records that contain any false, fraudulent, fictitious, deceptive, or misleading information.
- 3) Employees will not delete any entry from a record. Records can be amended and material added to ensure the accuracy of a record in accordance with policy and procedures. If a record is amended, it must indicate that the notation is an addition or correction and record the actual date that the additional entry was made.



- 4) Employees will not sign someone else's signature or initials on a record.
- 5) Records shall be maintained according to specific organizational policy and procedure.
- 6) Employees shall not destroy or remove any record from the organization's premises.
- 7) The organization will maintain record retention and record destruction policies and procedures consistent with federal and state requirements regarding the appropriate time periods for maintenance and location of records. Premature destruction of records could be misinterpreted as an effort to destroy evidence or hide information.

**L. Government Investigation:**

- 1) MVCS employees shall cooperate fully with appropriately authorized governmental investigations and audits.
- 2) MVCS will respond in an orderly fashion to the government's request for information through employee interviews and documentation review.
- 3) The organization will respond to the government's request for information in a manner that enables the organization to protect both the organization and client's interests, while cooperating fully with the investigation.
- 4) When a representative from a federal or state agency contacts a MVCS employee at home or at their office for information regarding the organization or any other entity with which the organization does business, the individual will contact the CEO immediately. If the CEO is not available, the individual will contact the Chief Operations Officer.
- 5) MVCS employees will ask to see the government representative's identification and business card, if the government representative presents in person. Otherwise, the employee should ask for the person's name, office, address, phone number, and identification number and then contact the person's office to confirm his/her identity.

**M. Prevention of Improper Referrals or Payments:**

- 1) MVCS employees will not accept, for themselves or for the organization, anything of value in exchange for referrals of business or the referral of clients.
- 2) Employees must not offer or receive any item or service of value as an inducement for the referral of business or clients.
- 3) Federal law prohibits anyone from offering anything of value to a Medicare or Medicaid client that is likely to influence that person's decision to select or receive care from a particular behavioral health care provider.
- 4) The organization shall establish procedures for the review of all pricing and discounting decisions to ensure that appropriate factors have been considered and that the basis for such arrangements are documented.
- 5) Development or initiation of joint ventures, partnerships, and corporations within the organization must be reviewed and approved by the organization's management to ensure compliance with organizational policy and federal regulations.

**N. Antitrust Regulations:**





- 1) MVCS will comply with all applicable federal and state antitrust laws.
- 2) Employees should not agree or attempt to agree with a competitor to artificially set prices or salaries, divide markets, restrict output, or block new competitors from the market, share pricing information that is not normally available to the public, deny staff privileges to qualified practitioners, or agree to or participate with competitors in a boycott of government programs, insurance companies, or particular drugs or products.

**O. Avoiding Conflicts of Interest:**

- 1) All MVCS employees shall conduct Agency and personal business in a manner that avoids potential or actual conflicts of interests.
- 2) Employees shall not use their official positions to influence an organizational decision in which they know, or have reason to know, that they have a financial interest.
- 3) *Honoraria:* Individuals, with the permission of the CEO or Chief Operating Officer, (or in the case of the CEO or Chief Operating Officer, from the Board) may participate as faculty and speakers at educational programs and functions to the extent that they are participating as MVCS representatives. Salaried employees are prohibited from individually accepting honoraria for activities occurring within their general work schedule. All job-related honoraria must be signed over to MVCS.
- 4) *Improper Influence on Awarding and Administration of Contracts:* No employee, officer or agent shall participate in the selection, award or administration of a contract supported by Federal Funds if a real or apparent conflict of interest would be involved. Such a conflict would arise when the employee, officer, or agent, or any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in the firm selected for an award. The officer, employees and agents of the recipient shall neither solicit nor accept gratuities, favors, or anything of monetary value from contractors, or parties to sub agreements. However invitations to social events (meals and other entertainment) and gifts that are unsolicited, infrequent and of nominal value (so long as such invitations or gifts do not include payment for travel costs or overnight lodging) may be accepted. Disciplinary actions will be applied for violations of such standards by officers, employees or agents of the recipients.
- 5) *Improper Influence on Conduct of Audits:* No compensation of any kind: gifts, entertainment, meals, except for light refreshments or meals in connection with a business meeting, or anything of more than nominal value, may be provided or offered to any employee or contractor. No officer, director, or any other person acting under the direction thereof, shall take any action to fraudulently influence, coerce, manipulate, or mislead any independent public or certified accountant engaged in the performance of an audit of the financial statements of the Agency for the purpose of rendering such financial statements materially misleading.
- 6) *Political Activities:* MVCS funds and resources are not to be used to contribute to political campaigns or for gifts or payments to any political party or any of their affiliated organizations. Organization resources include financial and non-financial donations, such as using work time and telephones to solicit for a political party or candidate, or the loaning of MVCS property for use in a political campaign. MVCS employees who participate individually in the political process must not give the impression they speak on behalf of MVCS.
  - a. From time to time, MVCS may ask employees to make personal contact with government officials or to write a letter to present our position on specific issues. Employees making these communications on behalf of MVCS should seek guidance from senior management and/or the Compliance Officer to ensure regulatory constraints are observed.



- b. Any activity conducted on behalf of MVCS in support of or against any legislative issue requires the approval of the CEO.
- 7) Employees must obtain approval from the CEO prior to serving as a member of the Board of Directors/Trustees of any organization whose interests may conflict with those of MVCS. MVCS retains the right to prohibit membership on any Board of Directors/Trustees where such membership might conflict with the best interest of MVCS.
- 8) No client will be hired or placed in an employee/employer relationship with MVCS while an active participant in that program.
- 9) No staff shall engage in any other employment or activity on the organization's premises or to an extent that affects, or is likely to affect, his or her usefulness as an employee of the organization.
- 10) Employees must be knowledgeable about activities that may be an actual or potential conflict of interest. Examples of such activities may include, but are not limited to the following:
  - a. Giving or receiving gifts, gratuities, loans, or other special treatment of value from third parties doing business with or wishing to do business with the organization. Third parties may include, but are not limited to, clients, vendors, suppliers, competitors, payers, carriers, and fiscal intermediaries.
  - b. Using MVCS facilities or resources for other than organization sanctioned activities.
  - c. Using MVCS's name to promote or sell products or personal services.
  - d. Contracting for goods or services with family members of the organization directly involved in the purchasing decision.

**P. External Relations:**

- 1) MVCS employees shall adhere to fair business practices and accurately and honestly represent themselves and the organization's services.
- 2) MVCS employees will be honest and truthful in all marketing and advertising practices pertaining to the business practices of the organization's service delivery system.
- 3) Vendors who contract to provide goods and services to the organization will be selected on the basis of quality, cost-effectiveness and appropriateness for the identified task or need, in accordance with organization policy.

**Q. Human Resources:**

- 1) MVCS prohibits discrimination in any work-related decision on the basis of race, color, national origin, religion, sex, physical or mental disability, ancestry, marital status, age, sexual orientation, gender identity, genetics, citizenship, or status as a covered veteran. The organization is committed to providing equal employment opportunity in a work environment where each employee is treated with fairness, dignity, and respect.
- 2) MVCS will make reasonable accommodations to the known physical and mental limitations of otherwise qualified individuals with disabilities.





- 3) MVCS does not tolerate harassment or discrimination by anyone based on the diverse characteristics or cultural backgrounds of those who work for the organization pursuant to the organization's affirmative action policy.
- 4) Any form of sexual harassment is prohibited.
- 5) Any form of workplace violence is prohibited.

**R. Code of Conduct Procedures:**

- 1) All employees and volunteers as part of the organization's initial orientation will review the Code of Conduct, including the procedures for investigating and acting on conduct violations.
- 2) All staff will receive a copy of the Code of Conduct, sign a form acknowledging their review and full understanding of the code, and return the form to be filed in the employee's personnel file.
- 3) To assure an awareness of ethical practices, reviews of the Code of Conduct and continued training will be conducted on an annual basis.

**S. Procedures for Investigating and Acting on Violations of The Code of Conduct:**

- 1) When any client, family member, authorized representative, advocate or other person believes that an ethical violation has occurred within the operations of the organization, they may report such suspicion directly to any employee, or management staff.
- 2) When employees or volunteers believe a violation of the Code of Conduct has occurred they are obligated to report the violation in one of the following ways:
  - a. Immediate notification of the incident or violation through the organization's corporate compliance program and reporting mechanisms.
  - b. Immediate reporting to their supervisor or the corporate compliance officer or corporate compliance committee member if the suspected violation involves their supervisor.
- 3) Supervisors who have been informed of a suspected violation are required to immediately inform the corporate compliance officer or corporate compliance committee member of the suspected violation.
- 4) If the violation involves a direct and immediate threat to the safety of a client, staff member, or clinic visitor, employees are obligated to report the alleged violation immediately to their supervisor.
- 5) Staff is required to report any suspected violation of the Code of Conduct; however, staff does not need to know for certain that a violation has occurred and should not investigate.
- 6) Once the questionable behavior has been brought to the attention of the supervisor or reported through the corporate compliance procedures, staff reporting the situation will no longer have a responsibility for being involved with the investigation other than providing additional information through a requested interview by the investigator.
- 7) Staff must report each suspected violation of the Code of Conduct separately, should a violation that has been reported occur again.
- 8) When any suspected violation of the Code of Conduct is reported to a supervisor, program sponsor or the corporate compliance officer or corporate compliance committee member, the corporate compliance officer or corporate compliance committee member will begin an investigation of the matter



within 24 hours. While investigating the complaint, the following issues should be considered and action taken depending on the situation:

- a. Is any client in any harm or potential harm because of this behavior?
  - b. Does the complaint require immediate action to remove the employee from contact with a client?
  - c. Does the complaint put MVCS or its employee in a potentially liable situation that needs legal consultation?
- 9) Code of Conduct investigations will follow the guidelines outlined in the MVCS Corporate Compliance Policy.

**T. General Ethical Guidelines and Considerations:**

- 1) All clients are given a copy of the MVCS mission statement and core values and are informed about the MVCS Corporate Compliance Program and Code of Conduct during orientation.
- 2) MVCS believes in the importance of ethical practices within the organization. Any employee or volunteer who reports waste, fraud, abuse or any other questionable practices will not be subject to reprisal by management of the organization. To assure that reprisal is not used, the organization's governance authority will serve as advocates for any employee or volunteer who reports questionable practices. The Corporate Compliance Officer will provide assurance and oversight that there are no adverse actions toward the employee or volunteer.
- 3) The following violations of the Code of Conduct will result in termination of employment: Theft of funds, and/or physical, emotional, or sexual abuse of a client, employee or volunteer.