



VTC ANNUAL TRAINING

2020 ANNUAL VOLUNTEER/STAFF/BOARD OF DIRECTORS EDUCATION

WHAT IS CORPORATE COMPLIANCE?

A corporate compliance program is:

- Internal control policies and procedures
- Guidelines to detect and prevent fraud
- Written compliance plan
- Designated compliance officer with dotted line to the Board of Directors

WHY DO WE HAVE A CORPORATE COMPLIANCE PLAN?

Federal government reacted to several cases of fraud in the 1990s by instituting a “good citizenship” oversight program.

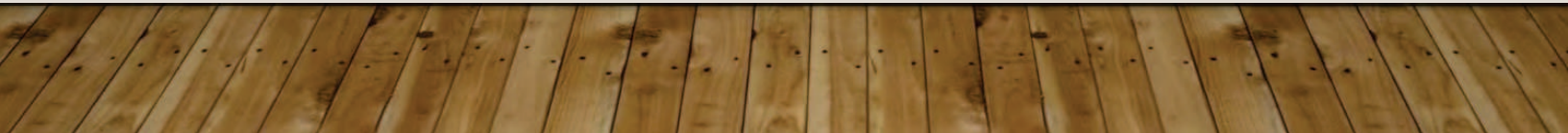
Now the Federal and State governments require agency billing more than \$500,000 per year in Medicaid dollars establish and follow a corporate compliance plan.

WHO REGULATES THE COMPLIANCE PLAN?

Office of Inspector General
Office of Medicaid Inspector General
Corporate Compliance Team

Executive Director
Compliance Officer
Finance Director
Program Director(s)

...and **YOU**



7 AREAS OF CONCERN

1. **Standards & Procedures**
2. **Oversight**
3. **Education & Training**
4. **Audit & Monitoring**
5. **Reporting**
6. **Enforcement & Discipline**
7. **Response & Prevention**

Reference: <http://ethicsline.com/pdf/7-pillars-of-effective-ethics-and-compliance-program.pdf>

WHAT DOES THIS MEAN TO VTC?

Volunteer Transportation Center, Inc. (the agency) seeks to operate in accordance with the highest level of business and community ethics and in compliance with all applicable laws and regulations.

The agency is committed to preventing, detecting and correcting any unintentional or deliberate conduct that is inconsistent with these principles.

WHAT DOES THIS MEAN CONT....

This plan is intended to:

- prevent accidental and intentional noncompliance with applicable laws
- detect such noncompliance as it occurs
- discipline those involved in noncompliant behavior
- remedy the effects of non-compliance and
- prevent future noncompliance

Accident or No Accident

Non-compliance is a violation of the law.



What is the responsibility of the Board of Directors?

The Board...

- Holds a seat on the Corporate Compliance Team.
- Provides oversight of the agency's business practices.
- Assists with decision making, to include Corporate Compliance reports and findings

WHERE CAN I FIND THE CORPORATE COMPLIANCE PLAN?

The Corporate Compliance Plan is available to all employees on the server and by request.

HOW DO I REPORT A VIOLATION?

Your Supervisor or the Executive Director

Corporate Compliance Officer

Corporate Compliance Hotline
www.FRAUDHLL.com (code:VTCORG)

ALL reports are investigated and recorded.

HOW DOES THE WHISTLEBLOWER POLICY FIT INTO CORPORATE COMPLIANCE?

The Agency Commitment

To fostering a workplace with open communication regarding the agency's business practices and to protecting employees from unlawful retaliation and discrimination for having properly disclosed or reported illegal or unethical conduct.

Policy

- To protect employees of Corporations, including nonprofits from retaliation of any kind for reporting fraud or unethical business practices
- Establishes guidance for providing agency employees a means to make reports in a confidential and anonymous manner
- Makes clear the agency's intention to discipline, up to and including termination of employment, any person determined to have engaged in retaliatory behavior.

HIPAA

HIPAA:THE PRIVACY RULE 1996

The HIPAA Privacy Rule:

- gives an individual rights over how their health information may be used or disclosed
- protects the unauthorized disclosure of certain medical information known as Protected Health Information (PHI)
- requires PHI to be handled very carefully
- sets rules on who can view and receive health information
- holds violators accountable with civil and criminal penalties

DOES HIPAA APPLY TO THE VTC AND YOU?

Yes!

The VTC and volunteers that use or disclose PHI are governed by HIPAA requirements.

EXAMPLES OF PROTECTED HEALTH INFORMATION (PHI)

PHI can be found on VTC documents such as:

- Trip vouchers
- Trip schedules
- Trip reports
- MAS reports
- Client applications
- Volunteer applications
- Electronic devices (cell phones and computers)

PROTECTING PHI

- Disclose confidential information only to those who have a need to know it to do their job;
- Speak in an appropriate tone of voice (lower your voice if others are nearby and could overhear you)

WHAT IS A BREACH?

- Lost, stolen or improperly disposed of (i.e. paper or device upon which information is recorded cannot be accounted for)
- “Hacked” into by people or mechanized programs that are not authorized to have access
- Communicated or sent to others who have no official need to receive it (gossip about information learned from or about a client, driver or fellow staffer)

WHAT IF A BREACH OCCURS?

Report the suspected violation to:

1. Supervisor
2. Compliance Officer
3. Executive Director
4. Anonymous Corporate Compliance hotline (315) 788-0422 ext. 2902
5. Log it at www.FRAUDHL.com (VTCORG is the agency code).

Employees and volunteers of the VTC may not threaten or take any retaliatory action against an individual for exercising his or her rights under HIPAA or for filing a HIPAA report or complaint, including notifying of a privacy or security breach.

PENALTIES FOR BREACHES

Breaches in the HIPAA Privacy and Security Rules have serious consequences for all involved.

- Progressive discipline, up to and including termination
- Local fines, state fines, federal fines
- Exclusion from accepting any federal dollars—for work, reimbursement, or personal need (DSS benefits)

SEXUAL HARASSMENT

SEXUAL HARASSMENT IN THE WORKPLACE

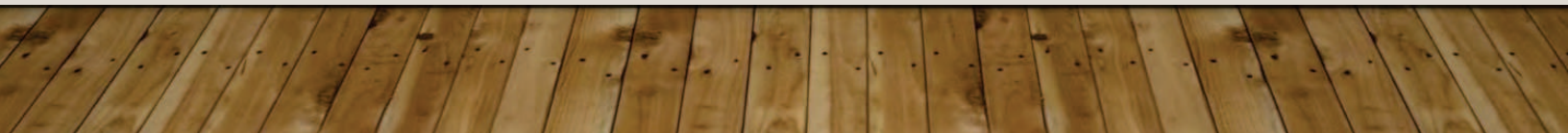
NYS has long been committed to ensuring that all individuals have an equal opportunity to enjoy a fair, safe and productive work environment. Laws and policies help ensure that diversity is respected and that everyone can enjoy the privileges of working in New York State.

Preventing sexual harassment is critical to our continued success.

Sexual harassment will not be tolerated.

This interactive training will help you better understand what is considered sexual harassment.

It will also show you how to report sexual harassment in our workplace, as well as your options for reporting workplace sexual harassment to external state and federal agencies that enforce anti-discrimination laws.



WHAT IS HARASSMENT?

Harassment is a form of discrimination that consists of words, signs, jokes, pranks, intimidation, physical actions or violence that is directed at an employee due to any protected characteristic.

- These include age, race, creed, color, national origin, sexual orientation, military status, sex, disability, marital status, domestic violence victim status, gender identity and criminal history.
- Harassment includes offensive behavior based on stereotypes about a protected class and behavior that is intended to cause discomfort or humiliation because of a protected characteristic.
- It also includes any expression of contempt or hatred for the group to which the victim belongs based on a protected characteristic.

ZERO TOLERANCE

- We have a zero tolerance policy toward harassment.
- Any harassing behavior will be investigated and the perpetrator or perpetrators will be told to stop.
- Disciplinary action will be taken, if appropriate. If the behavior is sufficiently serious, disciplinary action may include termination.
- Repeated behavior, especially after an employee has been told to stop, is particularly serious and will be dealt with accordingly.
- Discrimination on the basis of pregnancy

HOSTILE ENVIRONMENT

A hostile environment on the basis of sex may be created by words, signs, jokes, pranks, intimidation, physical actions or violence, either of a sexual nature or not of a sexual nature, directed at an individual because of that individual's sex.

- Hostile environment sexual harassment includes:
 - Sexual or discriminatory displays or publications anywhere in the workplace, such as displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials or other materials that are sexually demeaning or pornographic.
 - This includes such sexual displays on workplace computers or cell phones and sharing such displays while in the workplace.

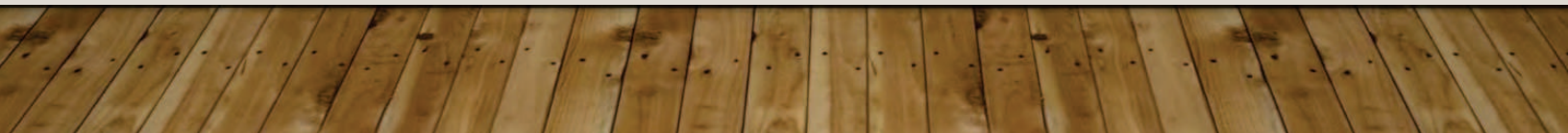
INVESTIGATION AND CORRECTIVE ACTION

Anyone who engages in sexual harassment or retaliation will be subject to remedial and/or disciplinary action, up to and including termination.

All employers must investigate all reports of harassment, whether information was reported in verbal or written form.

A confidential investigation of any complaint should be completed within a reasonable timeframe, for example, within 30 days.

Retaliation for reporting a harassment claim is illegal.



INVESTIGATION PROCESS

Our organization also has a duty to take appropriate steps to ensure that harassment will not occur in the future. Here is how we will investigate claims.

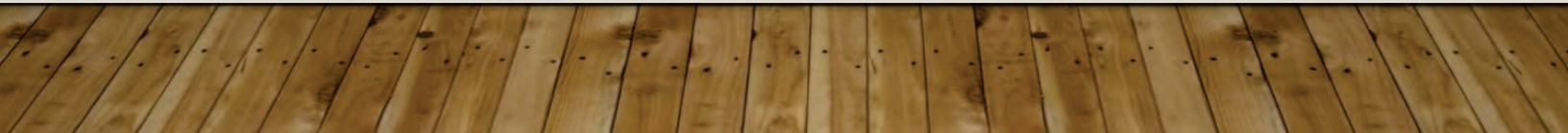
The Corporate Compliance Officer will conduct an immediate review of the allegations, and take any interim actions, as appropriate

Relevant documents, emails or phone records will be requested, preserved and obtained.

Interviews will be conducted with parties involved and witnesses

Investigation is documented as outlined in the sexual harassment policy

The individual who complained and the individual(s) accused of sexual harassment are notified of final determination and that appropriate administrative action has been taken.



OTHER AVENUES FOR REPORTING

If you feel you have been or are being harassed you may consult with local law enforcement.

Division of Human Rights-

- A complaint alleging violation of the Human Rights Law may be filed either with DHR or in New York State Supreme Court within one year of the alleged discrimination. You do not need to have an attorney to file.
- If an individual can sue directly in state court within three years of the alleged discrimination.
- An individual may not file with DHR if they have already filed a Human Rights Law complaint in state court.
- For more information, visit: www.dhr.ny.gov.

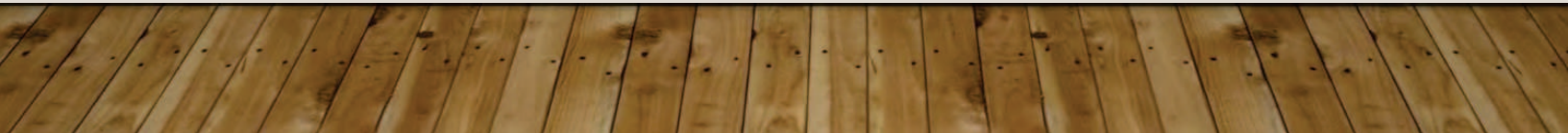
EEOC-

An individual can file a complaint with the EEOC anytime within 300 days from the alleged discrimination. You do not need to have an attorney to file.

A complaint must be filed with the EEOC before you can file in federal court.

For more information, visit: www.eeoc.gov.

NOTE: If an individual files an administrative complaint with DHR, DHR will automatically file the complaint with the EEOC to preserve the right to proceed in federal court.



VTC expects every person who provides services to our clients and partnering agencies to do so with the highest ethical standards and promote honesty and good moral behavior at all times.