

## PATHWAYS CMH

<b>POLICY TITLE:</b> Mission of the Compliance Program	<b>CATEGORY:</b> Compliance	
<b>EFFECTIVE DATE:</b> 06/05/14	<b>BOARD APPROVAL DATE:</b> 06/04/14	
<b>REVIEWED DATE:</b> 10/17/18	<b>REVISION(S) TO POLICY STATEMENT:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>OTHER REVISION(S):</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>RESPONSIBLE PARTY:</b> Compliance Manager	<b>CEO APPROVAL:</b> Mary Swift, CEO	

### **APPLIES TO:**

Pathways Personnel  
Contract Providers

### **POLICY:**

The mission of Pathways is “We serve and empower people with Severe Mental Illnesses, Severe Emotional Disturbances, or Developmental Disabilities to enhance their quality of life”. In fulfilling this mission, Pathways is dedicated to adhering to the highest ethical standards. Therefore, Pathways complies with applicable state and federal laws, external quality reviews, and accreditation standards. If state or federal requirements conflict with accreditation standards, Pathways will follow the most stringent requirements. To evidence this dedication, the Pathways Board of Directors has adopted, developed, and implemented the Corporate Compliance Program.

### **PURPOSE:**

The purpose of this policy is to:

1. Articulate Pathways’ commitment to a process that meets the Federal Sentencing Guidelines, and,
2. To effectively prevent and detect criminal conduct and to reduce the likelihood of being found to have recklessly disregarded or deliberately violated the law.

### **DEFINITIONS**

1. *Ethical Standards:* A set of principles of right conduct when followed, promote values such as trust, good behavior, fairness, and/or kindness. Examples of ethical standards include Pathways Code of Conduct and Professional Codes of Ethics.

### **REFERENCES:**

- BBA Section 438.608
- Federal Sentencing Guidelines, Chapter 8
- Deficit Reduction Act of 2005; Public Law 109-171- Feb 8, 2006
- Federal False Claims Act
- Whistleblowers’ Protection Act 469 of 1980
- Anti-Kickback Law
- Stark Law
- Specialty Supports and Services Contract Sections I.15, II.5 and II.6.9
- Michigan False Claims Act

- Medicaid Provider Manual
- NorthCare Compliance Program Plan and Policies
- Pathways Compliance Program Plan and Policies

**HISTORY:**

REVISION DATE: 04/08/15; 04/13/16; 02/13/17; 01/17/18; 10/17/18

CEO APPROVAL DATE: 04/08/15; 04/13/16; 02/13/17

BOARD APPROVAL DATE: 06/04/14

## **PROCEDURES:**

1. Pathways will maintain a formal compliance program.
2. Pathways requires all contract providers billing or paying out \$5 million or more to Medicaid annually, to have a formal compliance program. [Provision of the Deficit Reduction Act of 2005, signed into law Feb. 8, 2006] Providers not meeting this threshold are strongly encouraged and expected to have formal compliance efforts documented and implemented.
3. Pathways ensures all reported violations are investigated and will strive through constant attention to ensure that the Compliance Plan is effective in preventing, detecting, and eliminating fraud, waste, and abuse and other violations. In addition, promotion of and adherence to the Compliance Plan will be part of the performance evaluation / site review criteria for all Pathways Personnel and Contract Providers.
4. Neither Pathways Personnel nor any Contract Providers have the authority to act contrary to any provision of the Compliance Plan or to condone any such violation by others. Any Pathways Personnel or Contract Provider with knowledge of information concerning a suspected violation of law or violation of a provision of the Compliance Plan is required to report promptly such violations in accordance with Pathways *Responsibilities for Reporting Non-Compliance Issues Policy*.
5. Pathways Personnel who violate any provision of the Compliance Plan, including the duty to report suspected violations, shall be subject to disciplinary measures as set forth in Pathways Personnel Policies and Procedures using the Compliance Plan.
6. Pathways Contract Providers who violate any provision of the Compliance Plan, including the duty to report suspected violations, shall be subject to Pathways *Sanctions Policy*.
7. Pathways Compliance Plan also applies to Contract Providers.