

LifeSpan Code of Conduct

The Code of Conduct outlines the ethical standards and expectations of conduct the agency feels constitutes the highest level of quality business practices. The Code of Conduct provides LifeSpan employees, agents, consultants, and volunteers with information necessary to adhere to the ethical principles the agency lives by. The Code of Conduct is part of new hire and on-going training for all personal, Board members, and volunteers. LifeSpan...A Community Service (LifeSpan) stakeholders are accountable for compliance not only with the Code of Conduct but also with the Corporate Compliance Plan and the laws and regulations applicable to our activities, and other policies and procedures prepared by our agency and oversight bodies.

A. Standards of Conduct

Acceptance of employment implies that the stakeholder is in agreement with the general policies and procedures and ethical standards of LifeSpan as presented in the Code of Conduct and other related guidelines.

LifeSpan representatives are expected to comply with the following standards:

B. Honesty and Integrity

Honest and Integrity are what this Code of Conduct is all about; they define our relationships with consumers, outside agencies, business partners, and each other. By maintaining the highest level of corporate integrity through open, honest, and fair dealings, we earn trust for our services and ourselves from everyone with whom we come in contact.

C. Business Principles

1. Maintain Stakeholder Privacy and the Confidentiality of Agency Records

The agency is responsible and accountable for the integrity and protection of its business information. All agency records and documents (in any form or media) are the sole property of the agency and thereby considered confidential in nature, except as provided by law or regulation. No agency stakeholder shall disclose to others any confidential information obtained during the course of employment, work (paid or unpaid) or receipt of reports, which have not been published or disclosed, to the public. Documents and electronic media containing sensitive information on consumers, staff, consultants, volunteers, board members, and other representatives of the agency must be carefully handled and properly secured. If any LifeSpan representative observes or becomes aware of a breach of this policy including misuse of confidential information, or an unauthorized or

unrecognized individual breaching confidentiality in any way must immediately contact a supervisor.

2. Avoid Unauthorized Use of Agency Assets

It is the obligation of all agency representatives to protect the assets of the agency. Agency property, such as office supplies, office equipment, and property, may not be used for personal reasons. Any misuse or misappropriations of agency funds, information, equipment, facilities, or other assets may be considered criminal behavior and can result in disciplinary action.

3. Refrain from Fraud, Waste and Abuse

LifeSpan is committed to the proper stewardship of public dollars and efficient business practices. It is the policy of LifeSpan to detect, investigate, and report any suspected fraud and abuse within agency operations. Agency stakeholders are to refrain from falsifying claims, misrepresenting service time, bill for services not rendered, bill for duplicated services, falsely report timesheets, or otherwise intentionally cause a false billing claim. Stakeholders who knowingly submit, or cause the agency to submit, a fraudulent claim may be subject to disciplinary action under the Michigan False Claims Act and agency policy. Stakeholders who suspect incidents of fraud, waste, or abuse are expected to report their concerns to the Corporate Compliance Officer and/or the Executive Director. Those who report in good faith are protected from retaliation under the Federal Whistleblower's Protection Act.

4. Maintain the Corporate Image

The agency's reputation and identity are among its most valuable assets. All agency representatives are expected to conduct themselves in a manner that reflects positively on the agency's image and identity at all times. No one should act in a way that adversely affects the reputation or image of the agency with employees, volunteers, consumers or with the community at large.

D. Professional Responsibilities

1. Have Job Accountability

Each agency stakeholders are responsible for knowing and executing the responsibilities of his or her job. This means the individual is held accountable for the quality of the work he or she produces. In addition, management is responsible for ensuring that they have provided their agency representatives with the necessary information to do their jobs.

Stakeholders in supervisory positions must be aware of the limitations of staff they are supervising, helping them to acquire knowledge and skills for their professional

development. Supervisory staff shall not ask staff to carry out responsibilities outside those they are privileged, trained, or licensed to perform.

Stakeholders shall demonstrate a regard for their colleagues through understanding areas of competence of other professionals, making use of all professional and technical resources that serve the best interests of the consumer, assigning proper credit to the professionals involved in an action, and by reporting known ethical violations of other staff/colleagues to the LifeSpan Recipient Rights Advisors and Administrators.

2. Avoid Conflicts of Interest

Each agency stakeholder has a primary business responsibility to the agency and is expected to avoid any activity that may interfere, or have the appearance of interfering, with their performance. A conflict of interest exists if a representative's outside business or other interests may affect adversely, or have the potential to affect adversely, his or her motivation, objectivity, loyalty, or performance. In addition, a potential conflict of interest occurs when an individual's personal or private interests might lead an independent observer to reasonably question whether the individual's professional actions or decisions are influenced by significant personal interest, financial or otherwise.

Some additional situations in which agency representatives might encounter conflicts of interests are:

- Having a relationship with a consumer outside of the workplace and/or employment by a consumer or family member of a consumer
- Using the LifeSpan affiliation to recruit consumers for a private practice or for church, or political party membership
- Stakeholders in supervisory positions shall not engage in dual/exploitative relationships with staff they are supervising
- Using agency assets, including agency time, name, information equipment or facilities, for personal use
- Misuse of information obtained by an agency representative during the course of his or her employment
- Soliciting personal cash or non-cash gifts of any amount or value from any person or business that has a relationship with the agency
- Accepting personal cash gifts of any amount from any person or business that has a relationship with the agency
- Accepting personal non-cash gifts valued at more than \$5.00 from any person or business that has a financial relationship with the agency, or accepting any non-cash gift from a person or business that expects that they may receive preferred services or business from the agency representative or the agency.

If any matter exists that might be a conflict of interest, or creates the appearance of a conflict of interest, agency representatives should consult their supervisor or Human Resources Representative to assess whether a problem exists.

3. Maintain a High Level of Professionalism

Employees shall make a continuous effort to improve professional skills by submitting to supervision, review, and evaluation; being guided by the findings; participating in in-service/continuing education seeking consultation/supervision when their skill level or personal objectivity is questionable or the scope of practice is exceeded.

Stakeholders shall not compromise or reduce the public trust in mental health professionals. Practices that are inhumane, are illegal or discriminatory are not permissible. Stakeholders shall be of good moral character.

4. Witnessing of Documents

Personal may be asked to witness documents including power of attorney, guardianship, and advanced directives while employed through LifeSpan. If an employee makes a personal choice to witness a document, they must understand that they are doing so not as a LifeSpan representative, but as an individual.

E. Service Delivery

1. Refrain from Abuse

Agency stakeholders shall not engage in any activities that constitute abuse of persons receiving services as defined in the Michigan Mental Health Code. Failure to exercise one's duty to intercede or failure to report any activity that may be considered abuse can result in charges brought against the individual.

Stakeholders must respect the dignity and worth of each individual, striving for the protection and preservation of fundamental human rights and rights to mental health treatment per Public Act 258 of 1974, as amended.

2. Follow a Consumer's Service Plan

Agency employees are expected to stay current with and follow the staff intervention described in a consumer's service plan and communicate any changes in the plan to the necessary parties in accordance with regulatory requirements and program policies and procedures.

It is not acceptable for consumers to carry out the duties of employees unless such tasks are described in their plan of services by their program planning team and for increasing their skills. Therapy techniques not supported by the Michigan Mental Health Code or are considered experimental are not permitted.

Use of seclusion and restraint in general are not permitted. Any restraint must be in compliance with the plan of service as well as Certified Physical Interventions (CPI). Seclusion in any form may not be used. See RIGHTS OF PERSON'S SERVED – Policy J02.

3. Maintain Appropriate Interactions with Consumers

Agency stakeholders must maintain professional relationships with the consumers they serve. There shall be no personal financial transactions between agency representatives and consumers. Financial transactions, which may be construed as exploitation or result in greater benefit to the agency representative than the person receiving services will be considered abuse. However, agency representatives may purchase goods or services from the consumer at fair market value. Additionally, supervisors must be notified of the terms of such a purchase.

Stakeholders shall not befriend, lend money, provide gifts or engage in personal social activities with the current LifeSpan consumers. Such relationships with former consumers are prohibited prior to one (1) year post-discharge and are discouraged thereafter.

Stakeholders shall not engage in activities that seek to meet their own need at the expense of the consumer. Dual/exploitative relationships with consumers must be avoided, such as engaging in sexual intimacy, borrowing money, or personal items. Employees shall not coerce, intimidate, retaliate or harass any current or previous program participant.

The receipt of any gift or cash by any agency stakeholder from any consumer must be disclosed to the supervisor to determine whether the gift may or may not be accepted to avoid inappropriateness. However, cash donations to the agency may be accepted, but must be promptly forwarded to the Business Office.

All agency representatives are expected to maintain a professional demeanor with consumers. It is also expected that agency representatives shall model appropriate and acceptable behavior while in the presence of consumers.

4. Safeguard Consumer Privacy

Stakeholders shall respect the confidentiality of information as defined in Michigan Law and LifeSpan's policies, taking special care to protect the "best interest" of the consumer. Stakeholders shall not access the confidential information of relatives, friends, acquaintances, etc. When a consumer's condition indicates clear and imminent danger to the consumer or others, the stakeholder must take reasonable action by notifying authorities.

Agency representatives shall treat all clinical and program information as confidential and utilize such information in a professional manner at all times. Access to consumer

information must be limited to the extent permitted by the agency policies and procedure pursuant to state and federal law. In addition, release of information pertaining to HIV/AIDs is subject to additional regulatory requirements and should not be released without first obtaining the proper authorization to do so. LifeSpan stakeholders who engages in unauthorized disclosure, access to, or misuse of information in violation of the privacy rights of our consumers, or others may be subject to disciplinary action in addition to civil or criminal sanctions. Any agency stakeholder who becomes aware of such unauthorized disclosure should immediately report this to their supervisor or Corporate Compliance Officer.

5. Advocacy and Corporate Citizenship

LifeSpan leadership promotes full program and service access for all persons. Advocacy and promoting awareness includes: considering socioeconomic status and ensuring that language and cultural differences are not barriers to participating in services. LifeSpan's culture incorporates the values and beliefs that all persons is included in all aspects of organizational and community activities and events. This includes participation on all LifeSpan Quality Teams, input for system change, fundraisers, and involvement in community improvement groups and clubs.

LifeSpan makes every effort to implement strategies to recruit, retain and promote, at all levels of the organization, a diverse staff and leadership team that are representative of the demographic characteristics of the community. LifeSpan tracks employee demographical information and includes it in its annual outcomes report. LifeSpan also has a non-discrimination in hiring and promotion policies. Employees are trained at orientation and annually in cultural competency, limited English proficiency and includes overall awareness of cultural competency/LEP and issues involved, including ethnic/ racial backgrounds, gender culture, socioeconomic/education status, sexual orientation, physical capacity, age/generation, personality type, spiritual/ religious beliefs, regional perspectives, multi-cultural influences, and LEP.

Completion of the cultural competency and LEP training is required as part of the initial and on-going credentialing and accreditation processes at LifeSpan. Documentation of the training is maintained that includes the employees' names and dates of training.

LifeSpan also ensures that any person receiving services who believes that he or she has been excluded from the participation in, denied the benefits of, or subjected to discrimination under any program or activity within LifeSpan, understands that they may file a Recipient Rights Complaint with the CMHPSM designated Recipient Rights Officer or Customer Services as well as an internal complaint within the LifeSpan organization.

If a participant requires assistance with interacting with the conflict resolution process due to cross-cultural conflicts, every effort will be made by LifeSpan to ensure that conflict resolution, grievance, and appeals processes are culturally and linguistically sensitive and capable of identifying, preventing, and resolving cross-cultural conflicts or complaints by consumers

F. Marketing

1. Refrain from Misrepresentation

Honesty based on clear communication is the cornerstone of ethical disclosure of information. LifeSpan stakeholders shall be honest and make no representation or dishonest statements in conducting agency business affairs. LifeSpan stakeholders must report and record all information accurately and honestly including all marketing materials, consumer records, requests for payment, time sheets, financial reports, and other similar documents, which relate to business activities. Marketing materials will accurately reflect certification, licensure, and services available.

In addition, representatives must not make false statements with respect to the conditions or operations of any program nor make false statements with respect to information regarding ownership and control of a facility or program.

2. Comply with Fundraising Standards

The agency adheres to acceptable fundraising standards. Only fundraising activities that benefit the agency, programs or services are allowed, and must be specifically authorized by the Executive Director or designee.

Any LifeSpan representative that obtains funds as a result of fundraising activities on behalf of the agency must promptly deposit the funds with the Business Office for appropriate record keeping and cash controls. A receipt for funds deposited must be obtained from the appropriate Business Office Personnel.

Fundraising reports are issued regularly and comply with applicable laws and regulation associated with the agency licenses and not-for-profit law.

3. Refrain From Accepting Kickbacks

The term “kickback” is defined as the giving of remuneration of any kind, which is interpreted under the law as “anything of value”. In the United States it is illegal to provide, offer or accept a kickback or bribe. A kickback or bribe may be defined as any money, fee, commission, credit, gift, gratuity, thing of value or compensation of any kind that is provided directly or indirectly, and that has as one of its purposes, the improper obtaining or rewarding of favorable treatment in a business transaction.

Stakeholders shall not give or accept monetary gifts in any circumstances and non-monetary gifts in excess of \$5.00 from consumers or agencies connected with the performance of the providers job function.

G. Human Resources

1. Comply with Labor & Employment Laws

The agency fully complies with all applicable labor laws and statutes regarding employee-employee relationships and workplace environment.

The agency employs only persons who are legally authorized to work in the United States consistent with federal laws. Individuals who are perspective candidates and who are U.S. citizens or who possess a “green card” or work visa are entitled to be hired. The appropriate documentation of citizenship status must be presented to the Human Resources Department at the time of hire.

2. Screening of Applicants

Job applicants and other agency representatives who have been selected for employment must complete a series of background checks to assure that there are no historical/personal incidents involving the applicant, which would adversely affect their ability to carry out their job duties. State of Michigan fingerprinting, clearances or liens from the Department of Human Services, and criminal background checks are completed at hire. Agency representatives are required to inform Human Resources immediately of any changes in their driving record (if an agency-approved driver), criminal background and child abuse history. Supervisors must inform the Executive Director of any change reported.

3. Comply with Payroll Deductions

The agency fully complies with the salary basis requirements of the Fair Labor Standards Act (FLSA). Therefore, the agency prohibits all company Management Staff as well as the Payroll Office from making improper deductions from the salaries of employees.

If an employee believes that an improper deduction has been made to their salary, that employee should immediately report this information to their direct supervisor, or to the Business Manager.

Reports of improper deductions will be promptly investigated. If it is determined that an improper deduction has occurred, the employee will be promptly reimbursed for any improper deductions.

4. Embrace Diversity/Anti-Discrimination

The agency respects and welcomes diversity in its employees, consumers, contractors, and other representatives.

There shall be no discriminatory activity against any person for any reason, including but not limited to: race, religion, national origin, creed, age, gender, ethnic background, sexual orientation, or disability. Determinations for employment, promotions, contracts or other endorsements shall be made based solely on an individual's ability to execute the duties required.

LifeSpan encourages stakeholders to report any suspected or known violations of this nature to their supervisor, Corporate Compliance Officer or Executive Director. Individuals who report incidents of discrimination are protected from reprisal or retaliation as per policy and applicable laws.

5. Display Ethical Personal Conduct

Ethical personal conduct on the job means treating oneself and others with respect and fairness. Workplace harassment includes both sexual harassment and harassment in a more general nature. Sexual harassment includes both quid pro quo and hostile work environment scenarios. Other forms of harassment include unwelcome or unwanted attention or discrimination conduct based on an individual's race, color, creed, religion, national origin, gender, sexual preference, marital status, age, and/or disability. Examples of harassment include, but are not limited to inappropriate jokes, offensive body language such as finger pointing, or offensive materials such as sexually explicit pictures. It can include verbal, nonverbal or physical abuse. Something considered harmless by one individual may be perceived as harassment by another. The agency expects all agency representatives to conduct themselves in a manner appropriate to the workplace and to keep all work environments free of harassment.

6. To Maintain Agency Representative Privacy

Every agency representative has the right to confidentiality of certain employment or other records as well as the privacy of personal activities outside of business hours. In turn, the agency has rights of access to all agency property and communication, records and information created in the business setting. By using agency property and/or creating such records and information, the agency representative consents to such access.

The agency will not release information regarding our current agency representatives without written consent unless it is required by a program survey, subpoena, or is public record. An internal investigation may at times require the review and/or release of certain personnel or consumer related information to agency personnel, law enforcement, and/or oversight bodies. A request for information as it pertains to court cases, warrants, investigations, or other legal actions and subpoenas is to be treated as private. Responses to requests such as these are to be the sole responsibility of the Executive Director and/or designee. Releases of information and documentation are to be approved through the Executive Director with the support of court orders or other verifiable information. Confidentiality of requests of this nature is expected of all employees.

The agency emphasizes the need for balance between work, personal and family life, and encourages agency representatives to pursue interests and activities outside the workplace. Personal interests and beliefs, however, must not be imposed on other agency representatives or consumers. The agency recognizes the agency representative's right to become involved in political or religious activities of their choice. However, activities should not interfere with the agency representative's ability to perform their job and should not imply participation on the part of the agency or stakeholders.

7. Refrain from Substance Abuse and Unsafe Workplace Behavior

In order to provide a safe and healthful workplace for agency representatives and consumers, and to promote an efficient and productive workforce, LifeSpan representatives are prohibited from: selling, purchasing, transferring, using or possessing illegal drugs, narcotics, or other unlawful substances or materials on the agency premises, or while conducting business for the agency.

LifeSpan representatives are required to report to the workplace if their ability to perform their job is impaired by the use of alcohol, a controlled substance, an illegal substance, or prescribed medication.

Agency representatives are subject to random and for cause drug tests at any time. Upon notification of required tests, the person must report for screening immediately to complete the test. Failure to do so may result in immediate termination of employment or relationship with the agency.

H. Reporting Suspected or Known Violations

As detailed in the Corporate Compliance Plan, all LifeSpan representatives have a responsibility to report, in a timely fashion, any violations of the Agency's Code of Conduct or other policies or laws. LifeSpan encourages individual responsibility for reporting any activity by any agency representative or affiliate that reasonably appears to violate applicable laws and regulations.

The Executive Director and other administrators have an open door policy that encourages agency representatives to share their questions, concerns, suggestions, or complaints with someone who can address them properly. Supervisors and managers are required to notify the Corporate Compliance Officer or Executive Director of any reported violations of the Agency Code of Conduct or other laws. All reports made verbally or via "GO" Form will receive follow-up in 10 days and action within 30 days, if required.

Any LifeSpan stakeholder found to be in violation of any provision of this Code of Conduct may have their relationship with LifeSpan discontinued. This action will be determined after investigation of the allegation of wrongdoing by the agency leadership.

Non-reprisal Reporting Policy

Questions or concerns about any ethical, legal, and/or regulatory issues may be raised without concern for disciplinary action as long as they are made in good faith and there are reasonable grounds for believing the information disclosed indicates a violation of the Agency Code of Conduct or other laws and regulations.

Agency stakeholders will not be subject to reprisals for reporting or supplying information about potential violations, except in cases where those agency representatives are responsible for the violation or when deliberate false reporting has occurred. Agency representatives are also protected under this provision and the False Claims Acts against any form of retaliation for filing a False Claim lawsuit. It protects an agency representative who files a false claims lawsuit from being fired, threatened, harassed, or other forms of retaliation.

Any allegations that prove not to be substantiated and that prove to have been made maliciously or knowingly to be false will be viewed as a serious disciplinary offense.

Any agency representative who retaliates or harasses someone who has reported a violation in good faith is subject to disciplinary action up to and including termination of employment, there will be no reprisal against the reporting individual. It is expected that all LifeSpan representatives will fully cooperate with any investigation of potential violation.

Conclusion

The Code of Conduct in conjunction with the Corporate Compliance Plan has been prepared to outline the broad principles of legal and ethical business conduct embraced by LifeSpan...A Community Service. This is not a complete list of legal or ethical questions you might face in the course of business, and therefore this plan must be used together with your common sense and good judgment. In addition, for specific guidance in certain areas covered by this plan LifeSpan has adopted detailed policies and procedures. If you are in doubt or have a specific question, you should contact your supervisor or the agency Human Resources.

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