

The Arc of the Ozarks

Corporate Compliance Plan 2022

Introduction:

Corporate compliance is the sum of all actions, policies, procedures, reviewed audits, prevention strategies, corrective actions, modifications, staff training efforts, reporting systems, etc., that are developed and implemented by an organization and its employees to prevent and detect illegal or unethical activity and/or fraud, waste, and abuse.

Any organization receiving public sector funds and found guilty of fraud is subject to the sentencing guidelines established by the U.S. Sentencing Commission which was created by The Sentencing Reform Act of 1984 (Title II of the Comprehensive Crime Control Act, 28 U.S.C. 99). Corporate Compliance programs must be “effective” as defined by the guidelines and should be “...reasonably designed, implemented and enforced so that it generally will be effective in preventing and detecting criminal conduct. The mere establishment of a “paper program” will not satisfy either the spirit or intent of the U.S. Sentencing Guidelines. An effective Corporate Compliance Program serves as an insurance policy against excessive fines and penalties since federal judges are obligated to recognize the proactive efforts of the organization.

The Arc of the Ozarks’ Corporate Compliance Plan consists of the following components:

1. **Policies and Procedures** that “are reasonably capable of reducing the prospect of criminal conduct”.
2. **Dedicated personnel** assigned to monitor and enforce the Corporate Compliance Plan.
3. **Staff training** which effectively communicated corporate compliance requirements to all levels of staff. Training on corporate compliance is included with new employee orientation, and on an ongoing basis. A review of applicable policies is located in the employee handbook. Policies are accessible electronically on any device.

4. **Monitoring** to ensure that the organization's Corporate Compliance Plan, and the policies and procedures defined herein, are being followed on a day-to-day basis.
5. **A "No reprisal" system** for reporting suspicious activities so that employees and others can report criminal conduct and/or suspicious activity without fear of retaliation or reprisal.
6. **Consistent enforcement and discipline** for violators of the organization's Corporate Compliance Plan, including a "progressive discipline" policy that provides disciplinary sanctions of increasing severity with each subsequent offense and applied equally to all employees without regard to their position within the organization.
7. **Response and prevention** initiatives which require that, after an offense has been detected, the organization must take all reasonable steps to respond appropriately to the offense and prevent further offenses, including any necessary modifications to the program.

Corporate Compliance Plan

2022

1. Written Compliance Standards and Procedures

A. Corporate Compliance Policy (Arc Policy 1.113)

B. Code of Ethics (Arc Policy 1.109)

C. Policy on Fraud (Arc Policy 6.810)

D. Compliance Policies in Specific Risk Areas

(1) Quality Assurance (Arc Policy 1.307)

The Arc of the Ozarks is committed to providing quality services in accordance with the organization's mission and values. Quality assurance assessments are conducted on a frequent basis by the Vice-President of Quality Management and are conducted in all program areas, human resources, training, maintenance and accounting functions of the organization. Programs of the Arc of the Ozarks are also audited and reviewed by the Department of Mental Health, Vocational Rehabilitation, and CARF for ongoing quality improvement.

(2) Rights of Persons Served (Arc Policy 2.001)

The Arc of the Ozarks is committed to protecting the rights of persons served. The organization is further committed to ensuring that the fundamental principles of dignity, choice, respect and self-determination are adhered to in the process of service delivery. Clients rights are reviewed with persons served on an annual basis and are included in the consumer handbook.

(3) Human Rights Committee (Arc Policy 2.002)

The organization has a Human Rights Committee that meets twice a month to ensure that the human, civil and legal rights of persons served are preserved.

- (4) Risk Management (Arc Policy 5.207)
The Arc of the Ozarks has a comprehensive risk management plan that identifies loss exposure and includes strategies to minimize risk and reduce the severity of a loss if one were to occur. The organization retains appropriate comprehensive insurance, which adequately protects all assets from reasonable claims for which the organization might be liable.

- (5) Financial Planning and Management (Arc Policy 5.001)
Fraudulent and abusive billing practices can result in criminal, civil, and administrative enforcement actions which would have a profound adverse impact on the Arc of the Ozarks. The organization employs a Vice-President of Finance to oversee the accounting department with the responsibility of monitoring and auditing all financial practices to ensure compliance with all legal requirements. The Arc of the Ozarks operating policies includes policies for internal controls and internal auditing/monitoring procedures. Periodic audits are conducted by the Department of Mental Health and Vocational Rehabilitation. An independent review of The Arc's financial status is obtained from a certified public audit, on an annual basis.

- (6) Health and Safety (Arc Policy 3.001 & 3.002)
The Arc of the Ozarks is committed to ensuring that all facilities are located, constructed, equipped, and operated to promote the efficient and effective conduct of programs and to protect the health and safety of persons served, as well as staff. The Arc of the Ozarks has an active health and safety program that is monitored by the Health and Safety Committee.

- (7) Employee Screenings (Arc Policy 8.10)
The Arc of the Ozarks conducts a series of employee screening prior to an individual being hired. The human resources department conducts pre-employment drug screenings, a criminal background check, abuse and neglect screening, report from the Department of Motor Vehicles, screening from the Children's Division, Department of Mental Health check, and a screening from the Family Care Safety Registry. In addition,

The Arc of the Ozarks conducts background screenings in which the list of excluded individuals/entities (LEIE) is verified prior to an individual being hired.

- E. Record-keeping, Documentation, and Retention of Records Policy (Arc Policy 7.001; 7.002; 7.008; 7.101)

The Arc of the Ozarks has policies and procedures that provide for the creation, distribution, retention, and destruction of documents pertaining to the services for persons served, accounting, and human resources.

- E. Compliance as an Element of Employee Performance

Corporate compliance is an overall expectation in every employee's performance.

II. Designation of Compliance Officer

The Vice-President of Human Resources & Staff Development, Marybeth Kleinsasser, has been designated by the President/CEO as the Corporate Compliance Officer. She is responsible for investigating all reports of waste, fraud, and illegal activity. Through a risk management process, accountability is assigned for specific areas and follow-up is monitored to capture potential exposure.

III. Training and Education

All employees of the Arc of the Ozarks will be given a copy of the organization's Code of Ethics and Corporate Compliance policy. They will also be asked to sign a statement that they agree to abide by such requirements.

IV. Effective Lines of Communication

In order for the compliance program to work, employees must be able to ask questions and report problems. The Arc of the Ozarks has an open-door

policy and encourages employees to ask questions and seek information from management staff about current practices so that a framework exists to help guide them in their decisions. Specific procedures are in place that guide personnel in responding to external investigation, the news media, subpoenas, search warrants, and other legal actions. (Arc Policy 1.201, 1.202, 1.203, 1.204, 1.205, 1.206, and 1.207)

V. Auditing and Monitoring

The Arc of the Ozarks promotes a zero-tolerance policy in regard to fraud, waste, and illegal activity. Quality assurance, monitoring and auditing functions previously laid out in this plan will be comprehensive and ongoing. Regular reports to the President/CEO and the Board of Directors will be made as outlined in Policy 1.113.

VI. Enforcement of Standards through Well Publicized Disciplinary Guidelines

The Arc of the Ozarks has a corporate compliance policy (Arc Policy 1.113) that includes disciplinary actions for violating the organization's standards of conduct, policies, and procedures.

VII. No Reprisal Reporting System

The Arc of the Ozarks employs a no-reprisal process for reporting suspicious activities so that employees and others can report criminal conduct and/or suspicious activity without fear of retaliation or reprisal.

VIII. Risk Assessment

The Arc of the Ozarks continually evaluates the risk of fraud, waste and misuse of funds across the organization. The Corporate Compliance Officer works closely with the Safety and Risk Management officer to develop, evaluate, and edit the risk management plan of the organization. The plan is reviewed periodically. The risk management plan identifies potential risks, mitigation strategies, contingency plans, and proposed action items in all areas of the organization. Audits, cyber security, and training of the

workforce are areas of focus within the plan. The details are laid out in the Risk Management Plan.