



COMPLIANCE TRAINING and CODE OF CONDUCT

Initial Orientation and Annual Mandatory

Introduction

Providers of healthcare in the United States hold an important public trust to provide safe, effective treatment in a manner which is beneficial to the client and respectful of all laws and regulations which govern healthcare. Denver Recovery Group (DRG) is committed to ethical business activities and to compliance with all applicable laws and regulations governing our services. The Compliance Program is a program which DRG has implemented in order to assure that our employees have the training, the information, and the resources to make the right legal and ethical decisions in carrying out their job responsibilities.

Denver Recovery Group has established and endorsed the following Code of Conduct which establishes a baseline of ethical standards required of all DRG leaders, employees, contractors, and associates.

The Standards / Code of Conduct

Table of Contents

Introduction	1
1) We comply with laws and regulations.	1
2) We are dedicated to high ethical and moral standards.	1
3) We are accurate in our records and reporting.	2
4) We avoid conflicts of interests.	3
5) Company assets are used wisely.	4
6) We believe in quality client care.	5
7) We are cooperative in all government interactions.	6
8) Our contacts with outside agencies and individuals are professional.	7
9) We maintain a safe and positive work environment.	7
10) We conduct our relationships with referral sources and physicians in accordance with the law and ethical standards.	8
11) We follow the law regarding clinical services and billing.	9
12) We are committed to our compliance program.	9

1) We comply with laws and regulations.

Denver Recovery Group has established policies for use in our facility which address common legal and regulatory requirements. It is impossible to cover all variations of requirements in a single set of policies and therefore, it is the responsibility of the agency leadership to be familiar with all applicable regulations pertaining to the facility and to comply with all applicable laws and regulations.

Fraud and abuse laws pertaining to healthcare and especially important:

Medicare-Medicaid Anti-Fraud and Abuse:

The government considers “fraud” to be “any intentional deception or misrepresentation an individual makes – knowing it to be false – which could result in some unauthorized benefit to them.” The following are some examples of fraud and abuse related to healthcare:

Fraud:

- misrepresenting the diagnosis of the client to justify services
- altering claim forms to obtain a higher rate of payment
- altering documentation to justify services
- billing for non-covered services
- billing for services not rendered

Abuse:

- excessive charges for services provided
- failure by a provider to make reasonable attempts to collect co-payments
- upcoding
- claims for services that are not medically necessary or are not necessary to the extent provided.

2) We are dedicated to high ethical and moral standards.

Denver Recovery Group is dedicated to conducting business operations with fairness and honesty in accordance with high ethical and moral standards.

- **Employees and independent contractors:** We are committed to fair and lawful human resources policies and practices, as well as equal employment opportunities, without regard to race, color, religion, national origin, financial status, disability, marital status, veteran status, or sexual orientation in recruiting, hiring, training, evaluating, compensating, promoting, and terminating.
- **Investors:** We are committed to high standards of professional management, which will create unique efficiencies and innovative healthcare approaches to obtain favorable returns on investments made into DRG.
- **Clients:** We are committed to the care and improvement of human life by providing quality care. We treat our clients with respect and dignity and provide appropriate and necessary care without regard to race, color, age, religion, national origin, financial status, disability, marital

status, veteran status, or sexual orientation. We honor our client's rights and are dedicated to maintaining an honest and ethical relationship while providing quality services.

- **Physicians:** We are honest and fair in our dealings with our physicians and show respect for their competence. We are dedicated to providing the assistance and technology required for quality care, the opportunity for professional growth and support of research and education efforts.
- **The Communities We Serve:** Compassion and care are a part of our commitment to the communities we serve. We strive to provide health education, wellness promotion, and illness prevention programs as part of our efforts to improve the quality of life in our communities.

3) We are accurate in our records and reporting.

Financial Records

It is our policy to comply with the recording requirements of applicable laws, established financial standards, and generally accepted accounting principles. In particular, our practices shall comply with the following requirements:

- All financial information must reflect actual transactions.
- No undisclosed or unrecorded funds or assets may be established.
- All items are accurately and adequately described as appropriate for legitimate business expenses.
- Denver Recovery Group maintains a system of internal controls to provide reasonable assurances that all transactions are executed in accordance with management's authorization and are recorded in a proper manner so as to maintain accountability of the organization's assets.
- Reports submitted to governmental authorities are accurately made in all respects.

Medical Records

- No record may be falsified, backdated, intentionally destroyed or otherwise tampered with to gain a real or perceived advantage for DRG.
- Medical record entries must be legible.
- If you find a medical record or chart that is not accurate, it must be reported to your supervisor.

Record Retention

- Medical and business documents include paper documents such as letters and memos, computer-based information such as e-mail or computer files on disk or tape, and any other medium that contains information about the organization or its business activities.
- It is important to retain and destroy records appropriately according to policy.

4) We avoid conflicts of interests.

Our relationships with competitors, suppliers, and subcontractors should be consistent with all applicable laws and good business practices. We promote competitive procurement and our selection of suppliers and subcontractors will be made on the basis of objective criteria, not on the basis of personal relationships or friendships.

It is Denver Recovery Group's policy that conflicts of interest should not be allowed to exist or remain in place in those instances where actions or activities of an individual on behalf of DRG also involved:

- obtaining of personal gain or advantage by such individual,
- an adverse effect upon the interests of DRG, or
- obtaining by a competitor of any gain or advantage to the detriment of DRG, or the clients we serve.

The following are examples of potential conflicts of interest situations:

- Holding a financial interest in, or engaging in, activities on a consulting basis with a firm which provides services, supplies, or equipment to DRG.
- Speculating or dealing in services, equipment, or supplies which are purchased by DRG or if the individual stands to gain financially due to his/her position with DRG.
- Preferentially placing business with any individual, company, or entity in which there is an ownership interest of a family member or close personal relationship which could constitute a conflict of interest or create the appearance of a conflict of interest.
- Acquisition by purchase or lease of real estate in which it is known that DRG might have an interest, or which may appreciate in value because of DRG's possible interest in nearby property.
- Holding employment or consulting with any competitor in a role which would compromise confidential business-related information of either DRG or the competitor.
- Acquiring any financial interest in a facility or business when the acquisition of such is or could be under consideration by DRG.

Obligation to Disclose Potential Conflicts of Interest

If you have any relationships outside of employment with a DRG facility which could potentially constitute a conflict of interest, or if you have any questions about potential conflicts of interest, you should make such inquiries known to your supervisor or Program Director. We will evaluate whether an actual conflict of interest exists and, if so, corrective actions generally will include focus on eliminating the conflict of interest between the individual and DRG.

Gifts and Business Courtesies

Acceptance of any favor, gifts, or entertainment which others could perceive to be substantial enough to influence such individual's selection of goods or services for DRG or to influence such individual's judgment in representing DRG.

Accepting Gifts

- Acceptance of perishable or other gifts of a nominal value or reasonable personal entertainment is not improper, but care must be exercised to be sure that continuation of such matter does not gradually build up into an embarrassing obligation.
- No employee should accept a gift or entertainment which exceeds \$20 in value. In the case of gifts that are substantial in nature, these should be refused or returned to the donor with the explanation that DRG's policy prohibits acceptance. DRG will bear the expense of returning such gifts.

Offering Gifts or Business Courtesies

- To avoid the appearance of impropriety, employees must not provide any referral source or purchaser with anything of value that has more than a nominal value of over \$20 per individual or over \$60 per year (e.g. pens, calendars, small gifts).

Political Activity

- No payment, gift, or contribution may be made or authorized to be made with DRG funds or resources to any candidate for public office, campaign fund, political party, or organization, unless such payment, gift, or contribution is expressly permitted by state and federal law. Any such actions must be approved in advance by DRG's Program Sponsor and/or Program Director.
- Each employee should exercise care to comply with all applicable laws, rules, and regulations related to lobbying or attempting to influence government officials. Employees who make personal contact or write letters on behalf of DRG to elected officials or employees supporting or opposing legislation or government action may be engaging in regulated activities. Employees should discuss such contacts with DRG's Program Sponsor and/or Program Director.
- As an employee, you should exercise caution to separate your personal political activities from your professional role as an employee of DRG.
- Occasionally, individuals within DRG may endorse or contribute to Political Action Committees (PAC) which promote fair and progressive legislation related to healthcare. Participation in PACs is entirely voluntary and no employee, at any level, is obligated to participate.

5) Company assets are used wisely.

Proprietary Information

Every organization owns or develops assets and information that it wants to protect. Confidential information about our company's strategies and operations is a valuable asset.

- Although you may use proprietary information to perform your job, it must not be shared with others outside of DRG.
- Proprietary information includes company personnel data, referral source lists, pricing and cost data, information pertaining to acquisitions, divestitures, affiliations and mergers, financial data, research data, strategic plans, marketing strategies, techniques, supplier and subcontractor information, and proprietary computer software.

Phone, E-mail, and Internet

- Our communications systems, electronic mail, internet access, or voicemail are the property of the organization and are to be primarily used for business purposes.
- Highly limited reasonable personal use of the DRG communications systems is permitted; however, you should assume that these communications are not private.

Intellectual Property

- Any product, service, program, patent, or device which you develop for DRG in the course of your employment is a company work product and remains the property of DRG.

6) We believe in quality client care.

DRG is committed to providing quality care that is compassionate, promptly delivered, and cost effective.

Medically Necessary Treatment

- We only admit clients who need and can, reasonably, benefit from the treatment we provide.
- Our admission, treatment, and discharge criteria are based solely on medical necessity and not a client's ability to pay.

Individualized and Informed Care

- Treatment should be offered in accordance with an individualized plan of care.
- The client will be involved in care decisions to the full extent that they are capable. We inform clients about care alternatives available to them, the risks associated with the care, and the consequences of refusing treatment.

Client Rights

- Clients have a right to treatment in a safe environment free of abuse, neglect, or intimidation.
- All clients are apprised of their rights upon admission.

Confidentiality of Client Information

- We believe that our clients are entitled to their privacy.
- The use, disclosure, or release of this sensitive information is highly regulated by laws and ethical guidelines.
- We comply with all applicable laws and guidelines (HIPAA) regarding the confidentiality of clients admitted to DRG and the confidentiality of client records.
- Denver Recovery Group is responsible to maintain 42 CRF Part 2 in addition to HIPAA.
- It is your responsibility to preserve and protect the confidentiality of any client information you may have access to.

Therapeutic Boundaries

- In all dealings with clients, employees must adhere to professional relationships that maintain appropriate boundaries.

- Employees must not become emotionally or physically involved with any client in a manner that transcends the boundaries of a therapeutic relationship and are not to associate with or date former clients.
- Employees must not become involved in relationship with clients that are used for their own personal gain or emotional fulfillment.

Contracts

- Our business relationships with physicians, vendors, and others who provide goods or services on our behalf must be in writing and based upon fair and reasonable terms and conditions.
- In our contract negotiations and bid processes, our statements, communications, and representations are truthful and accurate.

Anti-Trust Laws

It is DRG's policy to strictly comply with federal and state anti-trust laws in order to promote free and fair competition.

Anti-trust laws prohibit collusion with competitors to fix prices, agree on labor costs, allocate markets, engage in group boycotts, or attempt to create or maintain a monopoly.

- Employees should not discuss or exchange information with any competitor concerning these issues as well as non-pricing information (marketing/development plans).
- Avoid discussing any prohibited or sensitive subjects with a competitor.
- Do not provide company information in response to oral or written inquiries concerning an anti-trust issue without first contacting DRG's Program Sponsor and/or Program Director.

Anti-trust laws are very complex. Because it is not always clear whether or not particular aspects of a business practice may violate anti-trust laws, employees should consult DRG's Program Sponsor and/or Program Director for advice whenever they face an issue raising possible concerns.

7) We are cooperative in all government interactions.

Investigations

It is our policy to cooperate with government investigations, searches, and external audits. At the same time, it is important that our legal rights and the rights of our personnel be appropriately protected.

- If you receive a visit or inquiry from a governmental agency regarding DRG business, or you receive a subpoena or other legal document, you should notify your supervisor as soon as possible.
- Managers should promptly report any government or law enforcement investigations to the DRG's Program Sponsor and/or Program Director.

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- **Our contacts with outside agencies and individuals are professional.**

The information we publicly communicate about our agency must be accurate and reliable, whether in connection with our marketing campaigns or in response to requests for information from members of the media and other third parties.

- To ensure accuracy and reliability, we have spokespersons that are assigned to handle information requests and respond to questions.
- Because we wish to keep our lines of communication clear and our message consistent, you should not respond to requests for information or inquiries from third parties other than to refer them to the DRG spokesperson for further handling.
- Any contacts from the media (i.e. radio, television, or newspaper reporters), attorneys, or competitors regarding our clients, clinical services, or business of DRG should be referred to the DRG spokesperson.

8) We maintain a safe and positive work environment.

Workplace Safety

Maintaining a safe environment for clients, staff, and others depends on promptly communicating concerns to those in a position of responsibility, so corrective measures can be taken.

- Report any health or safety concerns to your supervisor or the Program Director.
- Immediately report any workplace injuries to a supervisor.
- Report any situation presenting a danger of injury.
- Report any concerns regarding the proper handling or disposal of environmental waste.
- We are all responsible for observing universal precautions when it is applicable and is expected to observe posted warnings.

Security of Controlled Substances

Authorized professionals (pharmacists, nurses, and doctors) are responsible for the safe storage, monitoring, disbursement, and accounting of drugs, pharmaceuticals, and controlled substances.

- Authorized professionals must abide by agency policy in handling, dispensing, accounting, and destroying controlled substances.
- Illegal diversion of controlled substances is a criminal act and will result in legal and professional sanctions against those who engage in such activities.
- Report any concerns of known or suspected drug diversion or improper handling to agency leadership.

Alcohol and Drugs

We are committed to an alcohol and drug free workplace:

- Alcohol and illicit drugs are not permitted on DRG property.
- Report any concerns of on-the-job alcohol or illicit drug use by any employee or contractor to a supervisor.
- All employees are expected to perform work duties safely, effectively, and with unimpaired mental capacity. Anyone taking prescription medications which may significantly impair mental acuity or impair safe and effective work performance should report this concern to their supervisor.

Workplace Conduct

We are committed to maintaining a work environment that is free of inappropriate and disrespectful conduct and will not tolerate verbal or physical harassment by anyone associated with our company. Inappropriate conduct includes:

- Sexual harassment, including unwanted sexual advances.
- Racial slurs or any other offensive or derogatory statements intended to personally offend others.
- Verbal intimidation or threats.
- Behavior which is deliberately or persistently disruptive to the workplace.
- Workplace violence.

Employment Practices

- *Non-discrimination:* We are committed to providing a fair and equal-opportunity work environment where every employee is treated with courtesy, dignity, and respect without regard to race, nationality, gender, sexual orientation, age, or religion.
- *Ineligible Persons:* We may not employ or contract with any individual who has been suspended, excluded, or otherwise prohibited from participation in federal healthcare programs as a result of fraud or abuse.
- *Hiring Government Employees:* The recruitment and employment of former or current government employees (or their immediate family) by private industry is subject to complex rules which change frequently. Each situation is carefully considered on a case-by-case basis to ensure compliance with conflict of interest laws. Employees should consult with DRG's Program Sponsor, and/or Program Director related to recruitment and employment of such individuals.

9) We conduct our relationships with referral sources and physicians in accordance with the law and ethical standards.

Kickbacks and Remuneration:

We do not pay for client referrals.

- Clients are accepted for admission based entirely upon the needs of the client and our ability to provide the necessary services.

We do not accept payment for clients we refer to others.

- No employee is allowed to solicit or accept any form of payment or any other form of remuneration for referring a client to another provider.
- Referrals to outside providers are based upon client need, continuity of care, and appropriate choice of viable providers, and not upon the volume of referrals any such provider may make to us.

Written Contracts:

- In order to ensure compliance with the law, it is DRG's policy that every agreement between DRG and a physician (or other referral source) must be in writing and must be approved in accordance with the company's guidelines for such contracts.
- Under no circumstances should agreements be tied expressly, by implication or "private understanding" to referrals of business.

10) We follow the law regarding clinical services and billing.

Because of the trust placed in DRG by its clients, payers, and providers, it is the policy of DRG to make every effort to produce and submit to the clinic accurate and timely documentation of services performed by our departments.

- Only medically necessary services actually rendered and documented in the clients' records will be billed.
- DRG will not misrepresent the type or level of service provided to our clients or the diagnosis.

11) We are committed to our compliance program.

Responsibility in Supporting Compliance:

- Our Code of Conduct applies to everyone who is associated with DRG.
- It is your personal responsibility to abide by the principles outlined in the Standards/Code of Conduct and the policies that are applicable to your role in the company and the performance or your duties.
- You are required to cooperate with any investigation related to potential compliance concerns as directed by the Program Director.
- You are required to sign and date the attached acknowledgment, which will certify that you have read, understand, and agree to abide by the Standards/Code of Conduct.
- Positive commitment to the Standards/Code of Conduct and our compliance objectives will be considered in making our hiring decisions and in completing performance evaluations.

How to Address Compliance Questions or Concerns

If you are unsure whether a particular situation constitutes a compliance issue, err on the side of caution by reporting it.

1. Bring any questions or concerns to either your supervisor or other trusted manager.

Compliance Officer - Jacqueline Brandt

- a. Also feel free to express compliments or concerns to Ryan Mueller with the **Colorado State Opiate Treatment Authority** at 720-215-8384.

Confidentiality and Non-Retribution

Our policy is to protect employees who report alleged violations of the law, the Standards/Code of Conduct, or DRG's policies. We will take all reasonable steps to keep the identity of reporters confidential, consistent with our obligation to investigate alleged misconduct.

You will not face retribution or retaliation if you act in good faith in making a report, even if the reported activity does not violate the law, the Standards/Code of Conduct, or relevant policies. DRG absolutely prohibits retaliation against any employee who makes a good faith report of a compliance issue. However, filing a compliance concern does not absolve any reporter of accountability to fulfill all job and performance-related responsibilities.