



Corporate Compliance Plan and Code of Conduct

Introduction

In furtherance of its vision and mission, Homespace Corporation has established a Compliance Program that promotes an organizational culture that encourages truthfulness, ethical conduct and a commitment to compliance with Federal and State laws, rules and regulations and Homespace Corporation's business practices governing its operations.

The Compliance Plan and Code of Conduct can be found on the Homespace website as well as the Homespace computer server. Written copies are also available in the front offices of all Homespace Corporation sites.

Vision, Mission & Values

Vision: Homespace Corporation strives to be the premier agency in WNY that provides services for at-risk young women and empowers them to be independent members of the community.

Mission: Homespace Corporation supports at-risk young women to achieve independence two generations at a time.

Values: Family ~ Self-Sufficiency ~ Responsibility ~ Security ~ Resiliency

Corporate Compliance Overview

Homespace Corporation has established a Corporate Compliance Plan to enhance ethical behavior, provide quality care and promote the mission of Homespace Corporation. The Compliance Plan is intended to demonstrate in the clearest possible terms the absolute commitment of Homespace Corporation to prevent and detect fraud, waste and abuse as well as misconduct by the company's employees, members of the Board of Directors and interns (agency representatives). Our intent is to implement and enforce an *Effective Corporate Compliance Program* that is active and will detect, disclose and prevent misconduct as well as fraud, waste and abuse. All agency representatives are expected to understand and adhere to this compliance program.

To have an "*Effective Corporate Compliance Program*" an organization shall:

- Promote an organizational culture that encourages ethical conduct and a commitment to compliance with the law
- Exercise due diligence to prevent and detect both intentional criminal conduct and unintentional errors
- Perform Risk Assessments to identify areas of most likely concern and diligently perform audits and monitoring in such a manner that intentional misconduct and unintentional errors would be expected to be discovered
- Ensure that the compliance program is reasonably designed, implemented and enforced so that the program is generally effective in preventing and detecting improper conduct

Homespace Corporation maintains and promotes an effective Compliance Program through adherence to the following eight (8) elements:

1. Development of written policies and procedures, including a Code of Conduct
2. Designation of a Compliance Officer
3. Education and Training
4. Open lines of communication to the responsible compliance position
5. Disciplinary policies to encourage good faith participation
6. Systems for identifying compliance risk areas including self-monitoring and internal auditing
7. Systems for responding to, investigating and correcting compliance issues
8. A policy of non-intimidation and non-retaliation

Board of Directors' Understanding and Commitment

The Board of Directors of Homespace Corporation fully supports that one of their primary responsibilities is to oversee that the operations of the company are guided by policies which foster a culture of integrity. As such, the Board of Directors has adopted this Compliance Plan, and policies and procedures aimed at detecting and preventing Medicaid fraud, waste and abuse as more fully attested to in the Compliance Plan Adoption Certificate.

Code of Conduct

Overview

Homespace Corporation is committed to providing services in compliance with the letter and spirit of applicable laws and regulations. As each agency representative functions as an agent of the company, it is important that each person conduct themselves with absolute integrity at all times. Violation of Federal and State rules and guidelines can result in harsh penalties imposed on the company, its managers and individual employees. The Code of Conduct is designed to provide guidelines to avoid risk for all.

The Code of Conduct is a formal statement of the Agency's commitment to the standards and rules of ethical conduct.

Compliance with legal requirements, company policies and procedures, and this Code of Conduct is a condition of employment. All agency representatives must comply with this Code, immediately report any alleged violations of wrongdoing, and assist management and compliance personnel in investigating allegations of wrongdoing.

If any agency representative has a question regarding this Code of Conduct or whether a situation is in violation of the Homespace Corporation Compliance Plan, Federal and/or State regulations, they should immediately contact their direct supervisor, the Compliance & Quality Assurance Officer (QACO), or call the Confidential Compliance Helpline at 716-220-7538.

Shared Values

Maintaining high ethical and legal standards is not easy and sometimes requires difficult choices. Commitment to these standards should never be compromised for personal, financial, professional or other business objectives. Supporting our Code of Conduct is our commitment to the following shared values:

- We recognize the unique value of each person
- We believe that every person served and all co-workers should be treated with respect
- We believe that our business should be conducted with absolute and unyielding integrity, in accordance with all industry standards and government regulations
- Homespace Corporation is an equal opportunity workforce and no one shall discriminate against any individual with regard to race, religion, sex (including gender identity, sexual orientation, and pregnancy), national origin, age (over 40), disability or genetic information or any other protected category or status

Standards for All Agency Representatives

Honesty and Lawful Conduct: All agency representatives must be honest and truthful in all of their dealings. Agency representatives must avoid doing anything that is, or might be, against the law. Agency representatives must be knowledgeable about, and comply with all applicable laws and regulations, agency codes of conduct, policies and procedures. Any agency representative who is unsure whether an action is lawful, are required, prior to action, to review it with their direct supervisor or the CQAO.

Confidentiality: All agency representatives must keep all information concerning the individuals they serve in strict confidence in keeping with all confidentiality laws and regulations including HIPAA, the HITECH Act, and Homespace Corporation's confidentiality policies and procedures.

Such information shall not be disclosed to anyone unless authorized by the individual or his/her representative, or otherwise as permitted or required by law. Open and closed records, in both electronic and paper formats, must be handled as confidential by the standards cited above. All agency representatives are expected to maintain the integrity of all service records. All questions about these policies and procedures should be directed to the CQAO or the Human Resources department.

Business Information: Agency representatives may not disclose or release any confidential information relating to Homespace Corporation's operations, including pricing data, cost data, operating results, strategic plans, marketing techniques and supplier and subcontractor information.

Billing: All claims submitted for payment must be accurate and truthful, and reflect only those services and supplies that were properly ordered and provided. Suspected errors in coding or billing should be reported to your direct supervisor, the Administrative Director or the CQAO.

Documentation: Agency representatives are required to provide reliable documentation of all services rendered and must not destroy any information which is considered part of the clinical record. Additionally, in accordance with the Sarbanes-Oxley Act, it is a crime to alter, cover up, falsify, or destroy any document with the intent of impeding or obstructing any official proceeding. Agency representatives must record and report all agency, client and financial information fully, accurately, and honestly. Records include, but are not limited to, records of the people we serve, documentation of services, accounting books or records, financial statements, timesheets or records, expense reports, vouchers, bills, payroll, claims payment records, correspondence, and any other method of communication. Agency representatives must not omit or conceal any relevant information. Falsification of service documentation is a reportable offense to the Office of Medicaid General (OMIG). All documents are the property of Homespace Corporation.

Fair Dealing: All agency representatives have an obligation to ensure that services and business activities are conducted in an objective manner and are not motivated by a desire for personal or financial gain. Agency representatives are required to disclose any situation in which financial or other personal considerations may compromise or appear to compromise:

- an employee's business judgment;
- delivery of services;
- the ability for an employee to do his or her job.

Agency representatives are expected to deal fairly with providers, contractors, people we serve, and competitors. Agency representatives are not to accept gifts, gratuities, free trips, personal property, or other items in excess of \$25.00 from an outside person (i.e. salesperson, vendor

representatives, service representatives or client's family member) or organization. It is NEVER permissible to accept a gift of cash in any amount. It is never permissible to accept personal gifts from any client with the exception of gifts of nominal value.

Kickbacks and rebates in cash, credit, or other forms are prohibited. Use of the Agency's funds or assets for any improper purpose is strictly prohibited. If you are aware of, or have reason to believe that funds or assets are being improperly used, you must report this immediately to your direct supervisor or the CQAO.

Credentials: Agency representatives are required to maintain the appropriate credentials and obtain the appropriate continuing education and updates which may be required for them to perform their job and shall be required to provide evidence of such. Additionally, agency representatives must notify the Human Resources department if there is a lapse in, or revocation of, any of the required credentials or licensure, including a driver's license and automobile insurance if it is required for their position within the company. See Credentialing and Licensing Policy and Procedure for additional information.

Employment Environment: Homespace Corporation is committed to creating a safe and professional workplace where employees and others are treated with respect and without regard to their race, religion, sex (including gender identity, sexual orientation, and pregnancy), national origin, age (over 40), disability or genetic information or any other protected category or status. Unlawful discrimination or harassment of any sort including sexual harassment will not be tolerated. Homespace also does not tolerate retaliation against an employee who, in good faith, raises a valid concern regarding harassment or discrimination. All such discrimination, harassment, and/or retaliation is, therefore, strictly prohibited. All agency representatives must exhibit and promote respect, integrity, trust, and teamwork in the workplace and must comply with this policy prohibiting discrimination and harassment in all facets of the Agency's work. See the Employee Handbook for additional information.

Workplace Diversity: Homespace is committed to providing a diverse and equitable workplace, one that enables us to serve our employee's, our client's, and our community effectively. We recognize the disparities faced by marginalized populations throughout our community and the United States. We believe in the value of diversity and the importance of including and respecting all individuals without regard to race, religion, color, gender, nationality, sexual orientation, physical disability and age. We understand that in order to create a genuinely equitable and inclusive environment for all people, it's necessary to identify and eliminate any challenges that exist within our organization.

Health and Safety: Homespace Corporation strives to provide each agency representative with a safe and healthy work environment. Each agency representative has responsibility for maintaining

a safe and healthy workplace for all by following health and safety rules and reporting accidents, injuries and unsafe equipment, practices or conditions.

Violence and threatening behavior are not permitted. No firearms or weapons of any kind will be allowed on Homespace Corporation property at any time. See Firearms and Weapons Policy and Procedure for additional information.

Agency representatives should report to work in the condition to perform their duties, free from the influence of drugs or alcohol. The use of alcohol, marijuana or illegal drugs in the workplace will not be tolerated.

Conflict of Interest: All key employees and directors must disclose any actual or potential conflict of interest to ensure that the integrity of Homespace Corporation's operations is not compromised. All key employees and directors must disclose to the Board of Directors any financial interest that they or a member of their family have in any entity that does business with Homespace Corporation in accordance with Homespace Corporation's Conflict of Interest Policy.

Contact by Regulatory Agencies

From time to time regulatory authorities conduct unannounced audits or visits. All agency representatives are required by Homespace Corporation to fully cooperate, honestly and in a professionally courteous manner with all such regulatory authorities. As indicated in Homespace Corporation's policies, upon contact by any regulatory authority for audit or investigation purposes, the agency representative should immediately contact the CQAO to inform them of the audit or visit and to obtain the CQAO'S assistance in dealing with the audit or visit.

Seeking Guidance and Reporting Violations

Agency representatives must report any actual or suspected violations of this Code of Conduct, any applicable law or regulation, or policy and procedure to their direct supervisor or the CQAO. A Compliance Helpline is also available for confidential reporting of such issues. The Compliance Helpline number is 716-220-7538.

When an actual or suspected violation of this Code of Conduct, any applicable law or regulation, or policy and procedure is reported to any agency representative, it must be promptly referred to the CQAO. Steps will be taken to protect confidentiality and anonymity, when appropriate and warranted. Homespace Corporation will not tolerate any form of retaliation against a person who makes a good-faith report in accordance with this Code of Conduct.

All agency representatives must cooperate fully and honestly in any investigation into a reported violation of this Code of Conduct, any applicable law or regulation, or policy, procedure, or practice.

Corrective Action and/or Discipline

Any agency representative who violates or knowingly fails to report any violation of this Code of Conduct, any applicable law or regulation, or policy, procedure, or practice is subject to appropriate disciplinary action, up to and including termination.

Disciplinary action may range from a warning, to suspension up to and including termination, depending upon the nature of the incident and the relevant surrounding circumstances. Disciplinary policies will be fairly and firmly enforced.

Your Responsibilities

- ✓ Attend required training, and read and understand the Homespace Corporation Corporate Compliance Plan, Corporate Compliance policies and procedures, and Code of Conduct.
- ✓ Follow the Agency's Code of Conduct and abide by all policies and procedures, guidelines, and Federal and State laws and regulations.
- ✓ Be alert to any situation that could violate the Agency's Code of Conduct, policies and procedures, guidelines, and Federal and State laws and regulations.
- ✓ Promptly report any issues, concerns, violations or suspected violations to your direct supervisor, other management staff, the CQAO, or the Executive Director.

Compliance & Quality Assurance Officer

The Compliance & Quality Assurance Officer (CQAO) oversees the Corporate Compliance Program, and the planning and implementation of the agency's general quality assurance/quality improvement program. The CQAO is responsible for the day to day operation of the Compliance Program, reviewing any compliance issues/concerns and conducting investigations when necessary, ensuring the BOD, management team and employees are in compliance with the rules and regulations of Federal and State laws and oversight regulatory agencies and that all corporate policies are accurate, current and being followed in a behavior that complies with the company's Code of Conduct. The CQAO maintains direct lines of communication to both the Executive Director and the Board of Directors.

Corporate Compliance Resource Group

The Corporate Compliance Resource Group supports the CQAO with directing the Compliance Plan. The group is comprised of the CQAO, the Executive Director and members of the management team. The group is a resource for the CQAO and serves as a mechanism for maintaining a healthy compliance program. The Corporate Compliance Resource Group meets as needed to review the status of the Corporate Compliance Plan, present and discuss potential compliance concerns, any ongoing issues, and recommends changes to the program.

Board of Directors' Responsibility

The Board of Directors accepts its ultimate responsibility for ensuring that the company maintains an Effective Corporate Compliance Program, and is guided by policies and procedures that are aligned with the Compliance Program Guidance (CPGs) given by the Office of Inspector General (OIG) and State regulations. Board Members are obligated to exercise general supervision and control over company operations, and while not expected to serve as compliance officers, they are expected to oversee Senior Management's operation of the Compliance Plan. Once presented with information that should cause concerns to be raised, Board Members are then obligated to make further inquiry until such time their concerns are satisfactorily addressed and resolved.

Compliance Training and Education

Homespace Corporation is committed to providing adequate training to all agency representatives so that they are aware of and understand all aspects of the Homespace Corporation Compliance Plan, the Code of Conduct and relevant government regulations. Training is mandatory and a condition of continued employment.

All new agency employees are required to complete Corporate Compliance training during New Employee Orientation. The CQAO or her designee is responsible for all communications and training involving the Compliance Plan. The training includes but is not limited to the nature and scope of the Compliance Plan and Code of Conduct, information on preventing and detecting fraud, waste and abuse, methods to report violations, Whistleblower Protection, disciplinary measures for violating the plan as well as an overview of HIPAA. The training may be supplemented by specific regulatory training. Additionally, staff will review and sign the Confidentiality & Disclosure Agreement at time of hire.

Homespace Corporation Confidentiality & Disclosure Agreement

All organizational information and information on those served is protected by laws and regulations including HIPAA and the HITECH Act, and Homespace Corporation policies and procedures. The intent of these laws, regulations, and policies is to ensure that confidentiality is maintained and information is used for agency purposes only.

In my role, I may see or hear confidential information in any form (oral, written, electronic) regarding individuals receiving services, agency representatives (employees, volunteers, consultants, contractors), and agency practices (i.e. policies, procedures, plans, memos, financial records). All agency information, whether in electronic or written format, is confidential and may not be released or shared with others outside the agency except as required by law or regulation. Only authorized agency representatives may approve the release of information to a third party.

I agree to and acknowledge the following:

- I will protect the privacy of all information relating to clients (including names and all Protected Health Information), employees, and other agency representatives.

- I understand that Homespace may take away my access to confidential information at any time.
- I will not misuse confidential information and will only access information necessary in my role. I will not disclose any confidential information unless required to do so in the official capacity of my relationship with Homespace.
- I will not share, change or destroy any confidential information unless it is in my role to do so. If any of these tasks are part of my role, I will do so in accordance with agency policy.
- I will only print information from a Homespace system when necessary for legitimate work-related purposes. I am accountable for this information until it is properly filed or disposed of.
- If I have access to electronic equipment and/or records, I will not share it with any unauthorized individual. I am responsible to protect my computer password or other access to confidential information. I understand that my use of an electronic system may be periodically monitored to ensure compliance with this agreement.
- I understand that I have an obligation to report to my Supervisor if I think someone is misusing confidential information or is using my password.
- I understand that upon termination of my relationship with the agency, I will return to Homespace all confidential information or data in my possession or control.
- I understand that once I have terminated my relationship with the agency, I have no right to access, use or share agency information.

I understand that failure to comply with this agreement may result in corrective action up to, and including, termination of my relationship with Homespace Corporation. I understand that I must also comply with any laws, regulations, and Homespace Corporation policies.

I have read and understand this Confidentiality & Disclosure Agreement and have had my questions fully addressed.

Reporting Suspected or Known Violations

All agency representatives have a responsibility to report in a timely fashion any suspected violations of the agency's Compliance Plan and Federal, State and local laws and regulations. All Homespace Corporation representatives should report suspected violations of the agency's Compliance Plan, Code of Conduct or illegal activity to their supervisor. Supervisors and managers are required to notify the CQAO of any reported violations. If the violation was reported verbally to the supervisor, the reporting individual, with the assistance of the person they reported it to, shall write up the concern and forward it to the CQAO.

If the agency representative is not satisfied with their supervisor's response, is not comfortable speaking with their supervisor, or if at any time the agency representative prefers, they can contact the CQAO directly.

The agency has established a “Corporate Compliance Helpline”. This reporting system provides agency representatives the ability to report potential Corporate Compliance violations 24 hours a day by leaving a voicemail message regarding a concern. The “Corporate Compliance Helpline” is accessed by calling 716-220-7538 and is a direct line to the CQAO.

Callers do not have to leave their name if they wish to remain anonymous. However, it is helpful if agency representatives give their name so that during an investigation of the report, additional information can be obtained if necessary. Homespace Corporation will preserve an agency representative’s anonymity to the extent possible. While the company will always strive to maintain the confidentiality of an agency representative’s identity, there may be a point where the individual's identity may become known or may have to be revealed in certain circumstances. If the caller does not leave their name, they should leave a telephone number where they can be reached if the company needs additional information.

Agency representatives may also utilize locked compliance drop boxes to make an anonymous written report of a suspected violation. Drop boxes are located in the front offices at 135 Delaware Avenue, the SILP Program at 1030 Ellicott Street and Second Chance Home at 1117 Michigan Avenue. The CQAO checks the locked boxes weekly. Staff may also mail information to the attention of the CQAO to 135 Delaware Avenue, Buffalo, NY 14202. Finally, staff may email the CQAO directly at Samantha.white@homespacecorp.org.

Whistleblower Protection

To encourage individuals to come forward and report misconduct involving false claims, the Federal False Claims Act contains a "Qui Tam" or whistleblower provision. Any Homespace Corporation representative who in good faith reports suspected violations will be protected from threats of retaliation, discharge, or other types of discrimination included but not limited to compensation or terms and conditions of employment that are directly related to the disclosure of such reports. In addition, no agency representative may be adversely affected because the employee refused to carry out a directive which, in fact, constitutes corporate fraud or is a violation of State or Federal law.

Non-Intimidation and Non-Retaliation

Any individual who reports a compliance concern in good faith will be protected against retaliation and intimidation. In such an instance, retaliation is itself a violation of the Code of Conduct and is unlawful. Retaliation and intimidation will not be tolerated.

Non-Intimidation and Non-Retaliation Policy and Procedure

I. Objective

Homespace Corporation is committed to establishing a compliance culture that promotes prevention, detection and resolution of instances of conduct that do not conform to federal and

state requirements as well as the organization's ethical and business practices. To promote this culture, Homespace Corporation has established a reporting process and a strict non-retaliation policy to protect employees who report problems and concerns in good faith from retaliation.

Homespace Corporation encourages reporting of suspected non-compliance issues to management and/or the Compliance Officer. At no time will intimidation or retaliation be tolerated, especially towards anyone who has come forward to make Homespace Corporation aware of a suspected compliance issue, fraud, waste or abuse. Intimidation and retaliation will result in discipline up to and including termination.

Retaliation occurs when an employer punishes an employee for engaging in legally protected activity. Retaliation can include any negative job action, such as demotion, discipline, termination, salary reduction or harassment.

II. Policy

If an employee reported activity or conduct that they suspected was not consistent with the company's Compliance Plan, Federal, State, local laws and regulations (improper or illegal conduct or activity) and they believe that they have been subject to retaliation or intimidation as a result of the report, they should report the suspected retaliation to their direct supervisor. If the employee is not satisfied with their supervisor's response, is not comfortable speaking with their supervisor, or if at any time the employee prefers, he or she can contact the CQAO or Human Resources directly.

The CQAO, Human Resources or supervisory staff will investigate and consider the facts regarding the suspected retaliation or intimidation. Considerations may include the following:

- The facts surrounding the conduct or event that led to the suspected retaliation
- The timing of the suspected retaliation in relation to the reporting of the suspected improper or illegal activity or conduct
- Past performance evaluations
- The documented reason for the demotion or termination

Those who intimidate or retaliate against individuals who in good faith report activity or conduct that they suspect is not consistent with the Compliance Plan, Federal, State, local laws and regulations, will be subject to discipline consistent with Homespace Corporation's Progressive Discipline Policy up to and including termination.

Response & Discipline for Violations

Every agency representative is responsible for conducting themselves according to legal and ethical standards. Investigations resulting in a decision that an agency representative has violated Homespace Corporation's Code of Conduct, policies and procedures or Federal and State laws and

regulations will result in sanctions against the agency representative if necessary. Further, sanctions will be imposed against any agency representative for failing to report suspected compliance problems, participating in non-compliant activity and encouraging, directing, facilitating or permitting non-compliant behavior.

A determination of the appropriate corrective, remedial or disciplinary action will be made based on the specific facts and circumstances of each case. Disciplinary sanctions will follow the Homespace Corporation's Progressive Discipline Policy up to and including termination. Disciplinary policies will be fairly and firmly enforced.

Screening Applicants/Excluded Individuals

Job applicants who have been selected for employment or other positions within the agency must complete a series of background checks to ensure that there are no historical or personal incidents involving the applicant, which would adversely affect their ability to carry out their job duties or call into question their personal character in performing their job. Applicants for positions requiring specific credentials and/or licensure are required to provide verification of such.

Prior to employment all applicants are screened through the following databases: Justice Center Staff Exclusion List, New York State Central Registry and additional Inter-State Central Registries as required by law, Criminal Background Fingerprinting through Morphotrust, NYS Medicaid Exclusion List and the NYS Sex Offender Registry.

Agency representatives are required to inform Human Resources immediately of any changes in their criminal background and child abuse history.

The details of the results of the background checks undertaken by this policy shall be documented and kept by Human Resources.

Compliance Auditing & Monitoring

The CQAO is responsible for ensuring that internal and external corporate compliance auditing takes place on a regular basis. Compliance related audits are conducted as a result of an investigation or as a proactive means of monitoring compliance in areas of actual or potential risk. Auditing and monitoring activities will include reviews of identified risk areas, non-compliance, potential fraud, waste and abuse, audit results, operations, systems, processes, policies, standards and other activities.

Investigations & Corrective Action

Any suspected violations of Homespace Corporation's Code of Conduct, policies and procedures or Federal and State laws will be investigated by the appropriate personnel, typically Compliance or Human Resources personnel. All investigations are overseen by the CQAO or Human Resources. All investigations will be treated confidentially to the extent consistent with corporate interests and legal obligations. Homespace Corporation requires that all agency representatives fully cooperate in any such investigations. Results of investigations into suspected violations will

be documented and submitted to the Executive Director for review. If the results of an investigation indicate that corrective action is required, the agency will decide the appropriate steps to take, including discipline, termination and/or possible legal proceedings. If appropriate, the investigation may be turned over to applicable outside authorities, and outside investigators may assist in the inquiry.

Billing

It is the expectation of Homespace Corporation that all service documentation will be an accurate reflection of services provided and that only those eligible to receive services per regulatory requirements will be billed for. Upon discovery or suspicion that the agency may have wrongly billed for services that were either not rendered or not allowable per regulatory requirements, steps will be taken to investigate the situation and when necessary void or adjust the billing per agency guidelines. This also includes situations where the billing was submitted correctly to the Business Office, however was not processed correctly and thus a billing error occurred. The agency will monitor for situations which may be appropriate for self-disclosure to the Office of the Medicaid Inspector General (OMIG) and Office of the Inspector General (OIG).

Conclusion

The Corporate Compliance Plan has been prepared to outline the broad principles of legal and ethical conduct embraced by Homespace Corporation. It 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 judgement. Should there be any questions, you should contact your direct supervisor or the CQAO.