



**The Jewish Board**

Health and Human Services for All New Yorkers

# **CODE of CONDUCT**

Last reviewed: October, 2020

## **Values and Professionalism**

JB is a voluntary, not-for-profit mental health and social services agency with origins in the Jewish tradition of responsibility for those in need. JB is committed to enhancing and maintaining the mental health and social functioning of individuals, families, and targeted groups, both in the Jewish community and the broader community.

JB is dedicated to providing the highest possible quality of service to each of its clients. Towards that end, it is committed to providing:

- Differential and on-going assessments
- Accurate diagnoses
- Appropriate referrals
- Person-centered, strength-based care
- Responsive treatment and service planning
- Community-based and residential services
- Continuity of Care
- An interdisciplinary approach
- Professional supervision, consultation, and training
- Program and performance evaluations
- Service and management characterized by transparency, integrity, fairness
- Accountability to clients and funders
- Innovative solutions to complex situations

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## **I. Corporate Compliance Program Overview**

JB's Corporate Compliance Program established this Code of Conduct so that trustees, management, staff, volunteers and vendors understand expectations of behavior and know the resources available to them to resolve questions. Each one's willingness is essential to the ability of JB to deliver the highest quality services.

This responsibility may include asking questions or raising concerns about client care, questionable behavior, and/or administrative practices. Employees are encouraged to discuss concerns first with an immediate supervisor or department manager. If necessary, matters should be raised through the organization's management structure and/or to the compliance hotline or corporate compliance office.

Employees are expected to:

- Promote professional conduct that advances client care.
- Promote a work environment that is safe and based on dignity, trust and respect.
- Are familiar and comply with legal and regulatory requirements relevant to our duties.
- Are responsible for reporting all safety concerns to a supervisor in a timely manner.
- Manage agency resources in a manner that supports the mission and enhances services.
- Protect the confidentiality of client information.
- Accurately code and bill for services provided and fully documented in clients' records.
- Avoid conflicts of interest and the appearance of conflicts of interest.
- Avoid using one's position for any personal gain.
- Respect the cultural values and religious beliefs of clients and family members, trustees, co-workers, staff members and visitors.
- Prevent and/or refrain from discrimination or harassment of any kind, including racial, cultural, religious, age, differing abilities, and/or sexual orientation and gender identity.
- Maintain professional boundaries with clients.
- Ensure all internal and external communications are professional, accurate and truthful.
- Assess if actions meet agency expected standards
- Report possible violations of law, regulations and the code of conduct to the appropriate areas of management, and/or as necessary, the compliance office.

- Follow up, review and investigate complaints
- Do not retaliate against those who report concerns in good faith

## **II. Quality of Service**

JB is committed to meeting the mental health and human service needs of individuals and families, both in the Jewish community and the broader community. In accordance with our standards of practice which are consistent with our accreditation body, the Council on Accreditation (COA) we:

- Provide access to treatment and care to clients, regardless of culture, race, ethnicity, religion, gender identity, age, sexual orientation, and differing abilities.
- Obtain written consents from our clients to provide services.
- Provide required services that meet the assessed and prioritized needs of clients, as determined by the client and his/her family, working with qualified and competent staff.
- Cooperate and collaborate with other service providers involved with our clients' care.
- Document all services provided in a timely and professional manner.
- Begin discharge planning early with on-going modifications as service progresses.
- Provide an accessible process for clients to report and resolve grievance.
- Take all reasonable steps necessary to ensure that those employees retained or hired into positions with clinical responsibilities have appropriate and current credentials.
- Provide professional supervision, consultation and training to maintain and enhance our staff's ability to meet the needs of clients.
- Provide and document on-going evaluation and modification of our services through our agency's performance improvement program.
- Are accountable to government regulatory bodies and the public for the proper use of public funding and to benefactors to private support.

*Acknowledge when we cannot meet the service needs of a client and make an appropriate referral.*

### **III. Human Resources**

JB acknowledges that our staff is our most valued resource. We are committed to a work environment based on dignity, trust and respect. We:

- Recognize that each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits discriminatory employment practices, including but not limited to harassment.
- Investigate all incidents and good faith complaints thoroughly in a confidential, timely manner without retaliation or retribution.
- Employ managers who are competent and listen to employee concerns.
- Protect the confidentiality of information pertaining to employees, such as an address, health, finances, etc. Confidential information will not be shared with others unless there is a legitimate business-related reason.
- Seek employees, vendors and business partners who have not been sanctioned by regulatory agencies and who are able to perform their designated responsibilities.
- Support and maintain a workplace free of alcohol, drug use, smoking and weapons.
- Offer training opportunities and other learning forums for staff to develop skills.
- Provide supervision that supports employees as they learn and perform their duties and consider promotional opportunities.

### **IV. Compliance with Laws and Regulations**

JB conducts all activities in an honest, ethical and professional manner in compliance with applicable federal, state, and local laws, as well as with agencies policies. We:

- Do not solicit, receive, give or offer anything of value for the referral of clients or for the purchase of goods and services.
- Prohibit kickbacks, bribes, rebates or any kind of benefits.
- Do not engage in any business activity that is unethical or illegal.
- Are truthful and straightforward in our advertising, fund raising and marketing activities.
- All communications, disclosures of information, and data are clear, accurate, and complete to avoid misleading statements.

- Are responsive to inquiries by government auditors, investigators, or other officials.
- Comply in full with state laws mandating reports of alleged child abuse, neglect and/or maltreatment.
- Comply with laws that require reporting alleged abuse, neglect and/or maltreatment of any client.
- Comply with all federal, state and local regulations concerning the prescription of medications.

## **V. Safety**

JB is committed to providing a safe and comfortable work and living environment for all staff, clients and visitors. We:

- Are responsible for becoming familiar with and following emergency safety plans and procedures in our work sites and client residences including facility safety assessments and reports and evacuation and fire drills.
- Are responsible for reporting all safety concerns to a supervisor in a timely manner.
- Are responsible to address safety concerns in a timely manner.
- Are responsible for displaying our JB' identification card when required while at any agency program or building.
- Strive to maintain a workplace that is free of violence.
- Do not permit any unauthorized person access to agency sites.
- Do not permit any unauthorized person to possess any firearm or weapon while in any building, or on the grounds of any site at which there is a program operated by the JB.
- Establish policies, practices and training on these policies and practices within our areas of responsibility to safeguard JB' assets including property, intellectual property, cars, equipment, materials, products, plans, client and fiscal records and reports, ideas and data.

## **VI. Resource Management**

JB is committed to managing its resources in a manner that supports the mission and enhances services. We:

- Bring to the attention of the Program Director or Executive Program Director, Corporate Compliance office or any agency senior manager, any instances of corruption or inappropriate use of agency resources.
- Report time and attendance accurately on time sheets.
- Use JB's electronic and telephonic systems to maximize work efficiency for legitimate business purposes only.
- Do not use agency resources to knowingly transmit, retrieve, or store any communication of a discriminatory, obscene, threatening or harassing nature.
- Do not use agency property (vans, cars, administrative or client supplies, equipment, program space) for unauthorized and/or personal use.

## **VII. Confidentiality, Privacy and Security**

To protect the privacy of all clients and employees, past, present and future, as well as to maintain JB security regarding the content of paper and electronic files, employees all have a responsibility not to reveal or release any confidential information or materials to any unauthorized personnel. We:

- Respect the privacy of our clients and colleagues. We access and share background information as required by law and on a "need to know" and "minimally necessary" basis only.
- Do not reveal medical, clinical and/or business information unless such release is supported by a legitimate clinical or business purpose, client request, court order, or agency order and is in compliance with applicable laws, rules, regulations, and our policies and procedures.
- Do not disclose confidential and/or private information without guidance from a department director or as needed in special circumstances, from the Chief Legal & Strategy Officer.
- Do not discuss client identifiable information in any public area, including elevators, hallways, rest rooms, lobbies or dining areas
- Do not share client information including photos via electronic transaction and/or social media.



- Maintain current and accurate paper and electronic client records in accordance with procedures outlined in all division and department manuals.
- Store case and financial paper and electronic records in a safe and secure location for the period of time required by law and organize our records in programs and in archives to permit prompt retrieval.
- Records are retained as required by federal, state and local law; JB agency Record Retention Policy outlines when records and information can be destroyed.
- Archive records in accordance to the agency policy including the use of an electronic bar coding system.
- Provide clients access to their case records as required by the law.
- Respond to any violations of confidentiality immediately and aggressively to determine the source of the breach, to repair the damage, to inform those involved, and to sanction those responsible.

## **VIII. Billing and Coding**

JB is committed to accurate and appropriate billing and coding of services. We:

- Bill only for services that have been provided and that are fully documented in our clients' records.
- Prepare and maintain all claims, billing records and financial reports accurately, honestly, and in accordance with generally accepted accounting principles.
- Use billing codes that accurately describe our services. We strictly prohibit improper coding or bundling/unbundling charges to increase reimbursement.
- Do not double bill.
- Submit claims in a timely manner and only for services that we believe are clinically necessary.
- Promptly report any concerns or errors to the appropriate supervisor or manager.
- Will notify payers of improper charges and refund overpayments promptly and in accordance with established procedures, rules and regulations.
- Do not waive co-payments and deductibles.
- Do not provide any fiscal benefits to clients in return for their admission or continued treatment.

- Offer sliding scale fees for clients in our clinics that have documented financial needs.

## **IX. Conflicts of Interest**

JB's conflict of interest statement applies equally to everyone associated with the organization including **employees, volunteers, vendors, trustees, and members of advisory and divisional boards**. Failure to disclose and/or engage in actions that are in violation of the agency's Conflict of Interest Policy may subject an employee to disciplinary actions up to and including termination, depending on the nature and severity. All are expected to avoid conflicts of interest and the appearance of conflicts of interest by:

- Disclosing any actual or potential conflict and seeking guidance.
- Discouraging any business arrangement by employees, volunteers, trustees and members of advisory and divisional boards with clients or relatives of clients when a client's case is active.
- Making timely and good faith disclosures of any direct or indirect interest related to any contractor with which JB has or is contemplating a transaction or business relationship.
- Making timely and good faith disclosures of any direct or indirect benefit related to doing business with JB or being affiliated with the agency.
- For those in decision making roles, reporting to the Chief Compliance Officer in writing any information about a close relative who is doing business with JB or in any way benefiting from an affiliation with the agency.
- Gifts: The Jewish Board discourages the acceptance of personal gifts, rewards, bonuses, or any items of significant value from clients and family members or friends of clients. We also discourage accepting gifts from other employees, volunteers, trustees, members of advisory and divisional boards, and vendors.
- There are circumstances that may arise in which a staff member believes that accepting a gift is appropriate. In those circumstances, gifts from a client, former client, or a friend or family member of a client should only be accepted if 1) the gift is a modest (defined as \$50 in value or less) token of appreciation or a reflection of the client's cultural tradition and 2) the circumstances are such that refusal may cause undue hurt or harm to the client, or be counterproductive to the worker-client relationship.
- Staff should inform their supervisor if they are offered, or choose to accept, any gift from a client. If a staff member accepts a gift from a client, they should 1) note it in the client chart including a description of the gift, including a photo if possible and 2) inform their supervisor in writing a description and circumstance of the gift.

- Contracts: Employees should not participate in the selection, award, or administration of a contract supported by a Federal, State or City award if s/he has a real or apparent conflict of interest.
- Such a conflict of interest would arise when: 1) the employee, volunteer, vendor, trustee, and member of advisory and divisional boards employs, or is about to employ, any of the parties indicated herein, or 2) has a financial or other interest in or a tangible personal benefit from an organization considered for a contract.
- Immediately notifying an appropriate person such as a supervisor or the Chief Compliance Officer, if a gift or reward was offered or presented; the Corporate Compliance department can help determine if the gift should be returned or perhaps made available to a program or for the benefit of a client or clients.
- Not soliciting any vendor, supplier, client or client family member for contributions on behalf of JB without the expressed written permission of the agency's Chief Executive Officer.
- Only awarding contracts and/or soliciting goods from firms or individuals who meet and abide by all agency requirements and who demonstrate a commitment to operate according to all local, state and federal laws and regulations.
- Not using confidential information acquired in the course of performing agency related duties for any personal gain or in any manner contrary to law or regulation.
- Not taking an agency client, case or applicant into private practice without prior written approval.
- Not permitting employees to supervise their relatives or work in the same unit as relatives.
- Reporting conflict or the appearance of any conflict of interest to the appropriate supervisor or the Chief Compliance Officer in a timely manner.
- Recusing oneself in a contract selection process if the vendor is a personal friend or relative.
- Ensuring if and when trustees, advisory and divisional board members are approved by the board or its executive committee to conduct business with JB, it is under these conditions:
  - The terms of the transaction or business arrangement are fair and reasonable to JB and
  - A more advantageous transaction or business relationship is not reasonably available to JB.
- Ensuring independent contractors are not administratively accountable to an employee who is a relative.
- Ensuring all employees, volunteers, advisory and divisional board members and board members receive periodic reviews of the Code of Conduct and shall sign that they have been made aware of it.
- Ensuring JB major vendors are advised of the Code of Conduct annually

## **X. Employee-Client Conduct**

At JB, professional conduct includes behavior that advances a client's course of treatment, and establishes appropriate boundaries in the employee-client relationship. We:

- Recognize sound clinical practices and do not accept purchased gifts from clients, former clients, and/or their family members. However, an item made by a client during the therapeutic process may be accepted by the worker so long as acceptance of the gift is determined to be in the best clinical interests of the client. Such determination is made by the worker in consultation with his/her supervisor. Accordingly, all gifts received must be reported to the employee's immediate supervisor.
- Do not establish relationships that extend outside of the normal client-worker relationship, or include any off-site contact with a client, a former client and a client's family member via telephone, e-mail, social media, or face-to-face contact, without the knowledge and expressed consent of an employee's supervisor.
- Do not ask or instruct a client, either explicitly or implicitly, "not to tell" information regarding any incident.
- Avoid giving blanket promises to clients about not sharing information a client provides to an employee. However, we maintain confidentiality in accordance with agency policy and procedures.
- Do not have sexual relationships with a client, a former client, and/or a client's family member.
- Do not borrow money and/or accept money from a client, a former client, and/or a client's family member.
- Do not give gifts, loan or give money to a client, a former client, and/or a client's family member.
- Do not have clients, former clients and/or a client's family member in our homes on or (for residential programs) off grounds, or vehicles without obtaining prior written authorization, from the Program Director to do so.
- Do not give a client, a former client, and/or a client's family member our personal telephone number, email address and/or social media contact information which may include but not be limited to cellular phone number, home telephone number, Facebook, home or personal e-mail address, and any other telephone numbers, e-messaging, or means of access unrelated to JB programs, without the knowledge and expressed consent of our immediate supervisor.
- Prohibit asking or instructing a client, a former client, and/or a client's family member to perform a personal task for pay, or as a favor, without the Program Director's prior written consent.

- Do not possess contraband of any kind, at any time, while on duty, or on JB property.
- Do not offer to, or provide, a client with contraband, and do not “hold” a client’s contraband. Any contraband obtained from a client must be turned over to the employee’s immediate supervisor as soon as possible.
- Enforce the requirement of duty to warn.

## **XI. How Employees Assess the Need to Report an Issue and/or Concern**

### **A. Asking yourself important compliance questions**

To know if your personal actions meet the expected standards for ethical behavior ask yourself these questions:

- Is my action consistent with JB’s practices and legal or regulatory requirements?
- Will my action cause harm?
- Could my action give the appearance of impropriety or wrongdoing?
- Will my action bring discredit to any employee or to my employer if disclosed fully to the public?
- Can I defend my action to my supervisor, other employees and the general public?
- Is my action in the best interest of JB?

## **B. Reporting and Investigating Possible Violations of the Code of Conduct**

Reporting violations enables the potential problem to be investigated promptly and addressed in a timely and appropriate manner. Each and every employee is required to make good faith reports of possible violations of law or ethical standards through the chain of command and/or to the Chief Compliance Officer or Compliance Hotline. Failure to do so can result in disciplinary action.

### **How to report**

Reports of suspected or actual violations can be made in person, by telephone or in writing. It's often helpful for employees to report concerns to their supervisors or department managers and then to the Program Director or Executive Program Director. Reports may also be made to the Chief Human Resources Officer, Chief Legal & Strategy Officer, or to the Chief Compliance Officer.

In addition, we have established a Compliance Hotline to enable employees to report problems and concerns or ask questions anonymously or confidentially. The hotline number is 1-844-961-4303.

### **Concerns About Reporting**

The Hotline is part of a national hotline service. It is not answered by a JB employee. No employee will be disciplined for, or retaliated against, because s/he made a report in good faith—that is, when a report is not made for personal retaliation. To the extent possible, the identity of the employee making the report will be kept confidential.

### **Compliance Hotline**

The toll-free Compliance Hotline 1-844-961-4303 has been made available so that employees who have a question or concern and don't feel comfortable discussing the matter with their supervisor, director, program director or other management representatives have someplace to turn to address the matter. Trained personnel from an outside firm answer calls to the Compliance Hotline 24 hours a day, 7 days a week except for national holidays. Calls are not recorded and cannot be traced. Reports will be kept anonymous to the extent permitted by law.

Information from hotline calls will be communicated to JB's Chief Compliance Officer for review, investigation, and response. Requests for information or action will be handled promptly, discreetly and professionally.

Employees may choose to identify themselves or make an anonymous report to the Compliance Hotline.

The Compliance Hotline is not a substitute for the established grievance protocol.

### **C. Non-Retaliation and False Allegations**

No disciplinary action or other types of retaliation will be taken against any employee who in good faith reports any instances of suspected fraud, waste or abuse, a concern, issue, problem, or violation of law, regulation or the Code of Conduct to management, the Chief Human Resources Officer, the Chief Legal & Strategy Officer, the Chief Compliance Officer or the Compliance Hotline. “Good faith” does not mean that the caller has definitive proof, but that the caller has objective reason(s) for the inquiry or allegation.

Any employee who believes that s/he has suffered retaliation for making a report should contact the Chief Compliance Officer or the Chief Human Resources Officer as soon as possible.

JB is also committed to protecting employees from the intentional misuse of the Compliance Hotline. Deliberately making a false accusation is a serious violation of JB policy and may lead to disciplinary action, up to and including termination of employment.