125 Cutler Pond Road
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Standards of Conduct

Section: Element 1 Written Policies & Procedures	Effective Date: 2005 Last Revision Date(s): 2008, 2014, 2017, 2023, 2025, 2026

PREAMBLE

ACHIEVE has always had a tradition of caring for our individuals, families, employees, and for the communities we serve. As a not-for-profit corporation that provides personal services, we believe that certain global principles should guide us in developing policy and implementing procedures, as we strive to deliver services with compassion and absolute integrity. We are committed to developing and maintaining trust between our agency, and our individuals and families by establishing and adhering to a set of ethical as well as quality standards. We are further committed to change any system in order to meet the needs of the individual rather than changing the individual to fit into a system. It is our intention that these guiding principles will influence the way in which all employees perform their jobs at ACHIEVE.

ACHIEVE has a rich heritage of ideals and values, which are reflected in our Mission. Concurrent with the philosophy of The Arc New York, we embrace the following values as we conduct the day-to-day affairs of our business:

> We value the dreams, aspirations, and goals of persons with intellectual and other developmental disabilities and their right to a full, productive and responsible role in society.
>
> We value the rights of persons with intellectual and other developmental disabilities to make their own choices.
>
> We value diversity in membership and leadership.
>
> We value the dedication and commitment of the staff that support persons with intellectual and other developmental disabilities.
>
> We value being family-led and professionally managed.

While it is understood that no Standards of Conduct can substitute for our agency's own internal sense of fairness, honesty, and integrity, nonetheless, we are equally committed to assuring our actions consistently reflect our values. In this spirit, we want this organization to be a family of men and women of shared values, and it is expected that all of our employees reflect the high standards set forth in the ACHIEVE Standards of Conduct.

MISSION

As a chapter of The Arc New York, it is the mission of ACHIEVE to advocate for an enhanced quality of life through skill advancement, inclusion, integration, and independence of person with intellectual and other developmental disabilities through services provided in Broome, Chenango, Cortland, Madison and Tioga Counties.

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It is the vision of ACHIEVE to be the leading regional resource and premier provider of comprehensive services to individuals with intellectual and other developmental disabilities.

DIRECT SUPPORT PROFESSIONALS (National Alliance for Direct Support Professionals)

In addition to these guidelines, values and commitments, ACHIEVE has adopted the Code of Ethics for our direct support staff, whose work with individuals every day embraces the philosophy of person-centered practice.

- **Person Centered Supports**
  As a DSP, my first allegiance is to the person I support; all other activities and functions I perform flow from this allegiance.
- **Promoting Physical and Emotional Well-Being**
  As a DSP, I am responsible for supporting the emotional, physical, and personal well-being of the individuals receiving support. I will encourage growth and recognize the autonomy of the individuals receiving support while being attentive and energetic in reducing their risk of harm.
- **Integrity and Responsibility**
  As a DSP, I will support the mission and vitality of my profession to assist people in leading self-directed lives and to foster a spirit of partnership with the people I support, other professionals and the community.
- **Confidentiality**
  As a DSP, I will safeguard and respect the confidentiality and privacy of the people I support.
- **Justice, Fairness and Equity**
  As a DSP, I will promote and practice justice, fairness and equity for the people I support and the community as a whole. I will affirm the human rights, civil rights and responsibilities of the people I support.
- **Respect**
  As a DSP, I will respect the human dignity and uniqueness of the people I support. I will recognize each person I support as valuable and help others understand their value.
- **Relationships**
  As a DSP, I will assist the people I support to develop and maintain relationships.
- **Self-Determination**
  As a DSP, I will assist the people I support to direct the course of their own lives.
- **Advocacy**
  As a DSP, I will advocate with the people I support for justice, inclusion and full community participation.

PURPOSE

The purpose of the ACHIEVE Standards of Conduct policy and procedures is to provide guidance to all agency employees and assist them in carrying out their day-to-day activities within appropriate ethical and legal standards. These obligations apply to our relationships

Standards of Conduct

Section: Element 1 Written Policies & Procedures	Effective Date: 2005 Last Revision Date(s): 2008, 2014, 2017, 2023, 2025, 2026

with our stakeholders who include the individuals we support, families, our fellow employees, our third-party payers, our regulators, our vendors, and the communities we serve. To the individuals we support and families, we are committed to providing inclusive, quality care that is sensitive, compassionate, promptly delivered, and cost effective.

To our employees, we are committed to a work setting which treats all employees with fairness, dignity, and respect, and affords them an opportunity to grow, to develop professionally, to have ideas considered, and to work in a professional, team environment.

To our third-party payers, we are committed to engaging in contractual obligations that reflect our shared concern for quality, cost effective, and efficient services, as well as our ethical principles and values. We encourage our payors to adopt their own set of ethical principles that recognize their obligations to the individuals we serve, as well as the need for fairness between providers and payors.

To our regulators, we are committed to an environment in which we look to exceed basic compliance with rules, regulations, and directives. We agree to promote and implement sound business practices and accept responsibility to self-govern and monitor adherence to requirements of the law, our governing units, and our Standards of Conduct.

To our vendors, we are committed to open and fair competition among prospective vendors and commit to assuming responsibility of being a good customer.

To the communities we serve, we are committed to understanding the unique and particular needs of these communities, to participate in and support charitable opportunities, and to promote goodwill and further good causes.

While all ACHIEVE employees and volunteers are obligated to follow our Standards of Conduct, we expect our leadership to set the example, to be in every respect a model. Individuals in leadership roles with decision-making authority are always expected to act for the betterment of ACHIEVE and NYSARC, Inc. They must ensure that those on their team have sufficient information to comply with laws, regulations, and policies, as well as to have the resources to resolve ethical dilemmas. Leaders must help to create a culture within ACHIEVE that promotes the highest standard of ethics, compliance and excellence in service provision. This culture must encourage everyone in the organization to share concerns when they arise. Ethical and compliant behavior must never be sacrificed for the pursuit of business objectives.

Rules of Conduct

ACHIEVE believes that certain rules of conduct must be observed to promote a positive and ethical work environment and pledge to abide by the laws, regulations and ACHIEVE policies and procedures, including, but not limited to those related to ACHIEVE.

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Standards of Conduct

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We also understand that, as individuals working for and on behalf of ACHIEVE, we have the added responsibility of following specific rules of conduct, as described below:

- To work cooperatively and respectfully with all affected individuals to provide the highest quality of services;
- To place the interests of the people we support and their family members first in all aspects of what we do;
- To represent ACHIEVE positively in the community-at-large;
- To conduct all activities in a fiscally responsible manner;
- To work in accordance with applicable laws, regulations and ACHIEVE policies;
- To seek training and assistance in areas that would strengthen the ability to fulfill responsibilities to individuals and ACHIEVE;
- To avoid conflicts of interest, including the acceptance and giving of gifts;
- To conserve resources of ACHIEVE by not engaging in wasteful behavior;
- To treat confidential information related to ACHIEVE and its clients and to respect the privacy of individuals and fellow ACHIEVE employees;
- To complete tasks in a timely manner and meet expectations for the quality of work that ACHIEVE strives to achieve;
- To bill individuals and third-party payors accurately;
- To report to a supervisor or to the Compliance Hotline any potential violation of applicable laws, regulations, and policies, including the Compliance Program;
- To respect the role of the Board and management and to fully implement their decisions; and
- To consult ACHIEVE leadership when questions arise as to the conduct permitted under applicable laws, regulations, and policies, including the Compliance Program.

All affected must refuse to participate in unethical or illegal conduct and must report any unethical or illegal conduct to the Vice President of Corporate Compliance.
Each affected individual is provided with a copy of the Standards of Conduct Policy at the time of hire, execution of contract, annually, and at the discretion of the Vice President of Corporate Compliance.

"Affected Individuals" is defined as all persons who are affected by the provider's risk areas, including employees, the chief executive and other senior administrators, managers, contractors, agents, subcontractors, independent contractors, and governing body and corporate officers.

Training and education on the Standards of Conduct occur within thirty (30) days of hire, Board appointment, or execution of contract, and a signed acknowledgement of the standards of conduct is collected at that time, indicating the recipients understanding and commitment to follow the standards of conduct.

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WORKPLACE CONDUCT AND EMPLOYMENT PRACTICES

Equal Employment Opportunity

ACHIEVE is committed to providing an equal opportunity work environment where everyone is treated with fairness, dignity and respect. ACHIEVE provides employment opportunities without regard to race, religion, color, gender, sexual orientation, age, disability or any other characteristic that would be in violation of any applicable federal, state, or local laws. The agency, at the very minimum, complies with all Federal and State laws, regulations and policies related to non-discrimination in the work place. Such actions include hiring, staff reductions, transfers, terminations, evaluations, recruiting, compensation, corrective action, discipline, and promotions. When reasonable, ACHIEVE will make efforts to accommodate the needs of employees, customers, and vendors with specific physical needs.

Work Conduct

ACHIEVE expects all employees and volunteers to conduct themselves in a professional manner. In normal day-to-day functions, employees are expected to carry out their work responsibilities with integrity, courtesy and respect for each other and the individuals we support. In all instances, individuals are to be honest, and not participate in any activities for personal gain. All employees of ACHIEVE are to consider the welfare of the individuals as the primary mandate in the discharge of their responsibilities. Every effort will be made to assure that the individuals' experiences in all programs are positive.

Fraternization with Individuals Supported

ACHIEVE recognizes the need for employees/volunteers to maintain a professional relationship with the individuals we support. This is considered standard practice in this organization. Fraternization and developing personal relationships with individuals served can interfere with a person's ability to objectively and effectively deal with the individuals on the job. Given the nature of the services we provide, employees do work in close proximity with the individuals served. As a result, there is a tendency to extend to individuals privileges you would extend to any co-worker. It is important however, for employees and volunteers to maintain a professional, therapeutic relationship with individuals we support. In order for this to occur, socialization with individuals after work hours outside of the work environment requires prior administrative approval. Transportation should not be provided to individuals for non-work-related purposes, and employees and volunteers should not offer to do personal "favors" for individuals at their request. Staff are prohibited from engaging in any non-employment related financial transactions with individuals we support.

Conflict of Interest

POLICY

It is the policy of ACHIEVE that Affected Individuals; employees, volunteers, paid consultants and members of the Board of Directors; are strictly prohibited in engaging in any transactions/activities that may be construed as a conflict of interest for the agency.

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Standards of Conduct

Section: Element 1 Written Policies & Procedures	Effective Date: 2005 Last Revision Date(s): 2008, 2014, 2017, 2023, 2025, 2026

The Conflict of Interest Policy includes a provision which sets forth standards of conduct expected and requiring Board Members, management and employees to disclose all interests which could result in a conflict of interest with ACHIEVE, The ACHIEVE Foundation, Country Valley Industries, Country Valley Community Residences Inc., Builders of the Arc Foundation, Cortland Funding Facilities for the Handicapped, Inc., Madison Hostels, Inc., and Madison Community Residential Projects, Inc.

All Affected Individuals shall at all times use their best efforts to avoid the appearance of a conflict of interest. The appearance of a conflict can be as damaging as an undisclosed and/or actual conflict. Every Interested Person shall maintain an attitude of awareness dedicated to recognizing those situations in which an appearance of a conflict may arise.

PROCEDURES

A conflict of interest may arise where or when an Affected Individual has both a duty to protect the Chapter's interest(s) and/or those interests of individuals supported by the Chapter and a simultaneous opportunity to realize a personal gain or benefit for themselves or a family member. All Affected Individuals shall refrain from engaging in those activities.

A conflict of interest is defined as any situation in which financial or other personal considerations may compromise or appear to compromise 1) an individual's business judgment; 2) delivery of services; or 3) ability to do his or her job. An actual or potential conflict of interest occurs when an individual is in a position to influence a decision that may result in personal gain for that individual or for a relative as a result of business dealings. All Affected Individuals shall fully disclose any financial or business transaction with the agency or any direct or indirect interest in any organization providing goods or services to the agency, or a vendor or competitor of ACHIEVE.

These disclosure requirements are intended to provide the Board and management with a systematic and ongoing method of disclosing and ethically resolving potential conflicts of interest. Although it is impossible to list every circumstance giving rise to a possible conflict of interest, the following will serve as a guide to the types of activities that might cause conflicts and that should be fully reported. For further information, please see Element 1, Conflict of Interest Policy

Harassment in the Workplace

Each ACHIEVE employee has the right to work in an environment free of harassment and disruptive behavior. Harassment by anyone based on the diverse characteristics or cultural backgrounds of those who work with us will not be tolerated. Degrading or humiliating jokes, slurs, intimidation, or other harassing conduct is not acceptable in the workplace.

Any form of sexual harassment is strictly prohibited. This prohibition includes unwelcome sexual advances, requests for sexual favors in conjunction with employment decisions, verbal or physical

conduct of a sexual nature that interferes with an individual's work performance or creates an intimidating, hostile, or offensive work environment.

Harassment also includes incidents of workplace violence. Workplace violence acts are defined as, but not limited to, robbery and other commercial crimes, stalking, violence directed at the employer, fellow employees or others, terrorism, and hate crimes committed by current or former employees. The possession of firearms, other weapons, explosive devices, or other dangerous materials is prohibited on the premises of ACHIEVE at any time. Any employee or volunteer who experiences or observes any form of harassment or violence should immediately report the incident to their supervisor, the Human Resources Department, a member of administration, or the Chief Executive Officer

Substance Abuse

ACHIEVE is committed to an alcohol and drug-free work environment. All employees must report for work free of the influence of alcohol and illegal drugs. Reporting to work under the influence of any illegal drug or alcohol; having an illegal drug in one's system; or using, possessing, or selling illegal drugs while on ACHIEVE work time or property will result in immediate termination. ACHIEVE reserves the right to use drug testing as a means of enforcing this policy.

Safety

All ACHIEVE facilities must comply with all government and state regulations and rules, our own organizational policies and procedures, and required facility practices that promote the protection of workplace health and safety. Our policies and procedures have been developed to protect our employees from potential workplace hazards. Employees are required to familiarize themselves with these practices as they apply to their respective work areas.

ACHIEVE is committed to ensuring the safety of the individuals served throughout their program areas. All employees, interns, volunteers, consultants, contractors and members of the governing body will be made aware of the Agency's policies and procedures regarding Abuse, Rights and Reporting. To that end, any person involved in the care, planning or interactions with individuals supported will receive initial and annual training to heighten awareness regarding the prevention, identification and duty to report any and all incidents which affect and/or contribute to situations that can be potentially abusive or harmful.

FINANCIAL

Coding and Billing for Services

ACHIEVE will ensure that all billings to our government payers and customers are true and accurate and conform to all pertinent Federal and state laws and regulations. Any employee or agent of ACHIEVE is prohibited from knowingly presenting or causing to be presented claims for payment or approval that are false, fictitious, or fraudulent.

Standards of Conduct

Section: Element 1 Written Policies & Procedures	Effective Date: 2005 Last Revision Date(s): 2008, 2014, 2017, 2023, 2025, 2026

ACHIEVE will provide oversight systems designed to verify claims are submitted only for services actually provided, and services are billed as provided. These systems will emphasize the critical nature of complete and accurate documentation of services provided. As part of our documentation effort, we will maintain current and accurate records.

Any subcontractors of ACHIEVE must have the necessary skills, quality control processes, systems, and appropriate procedures to ensure all work is accurate and complete. ACHIEVE prefers to contract with such entities that have adopted their own ethics and compliance programs.

Relationships with Subcontractors, Suppliers and Vendors

ACHIEVE manages subcontractor and supplier relationships in a fair and reasonable manner, consistent with all applicable laws and good business practices. Selection of subcontractors, suppliers, and vendors will be made on the basis of objective criteria including quality, technical excellence, price, delivery, and adherence to schedules, service, and maintenance of adequate sources of supply. Purchasing decisions will be made on the supplier's ability to meet the needs of the organization, and not on personal relationships and friendships. ACHIEVE will always employ the highest ethical standards in business practices in source selection, negotiation, determination of contract awards, and the administration of all purchasing activities.

Cost Reports

ACHIEVE is required to submit certain reports of operational costs to regulatory bodies. ACHIEVE complies with all applicable Federal and State laws relating to all cost reports. These laws and regulations define the costs that are allowable and outline the appropriate methodologies to claim reimbursement for the cost of services provided to program individuals. Given their complexity, all issues related to the completion and settlement of cost reports must be communicated through, or coordinated with, our Business Office.

Financial Reporting and Records

ACHIEVE has established and maintains a high standard of accuracy and completeness in the documentation and reporting of all financial records. These records serve as a basis for managing the business of the agency overall, and are important in meeting obligations to individuals served, fellow employees, suppliers, and others with whom the agency has a relationship. They are also necessary for compliance with tax and financial reporting requirements.

All financial information must reflect actual transactions and conform to generally accepted accounting principles. No undisclosed or unrecorded funds or assets may be established. ACHIEVE 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 agency's assets.

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MANAGEMENT OF INFORMATION SYSTEM

Accuracy, Retention, and Disposal of Documents and Records

Each ACHIEVE employee is responsible for the integrity and accuracy of our agency's documents and records, not only to comply with regulatory and legal requirements, but also to ensure records are available to support our business practices and actions. No one may alter or falsify information on any record or document.

Individual and business documents and records are retained in accordance with regulations and the law. Documents include paper documents such as letters and memos, computer-based information such as email or computer files, and any other medium that contains information about the agency or its business activities.

Confidentiality and Information Security

A basic principle and strict requirement for employees and volunteers of ACHIEVE is to maintain confidentiality of business and individual supported related information. Information should be shared on only a legitimate need to know basis. Confidential information includes personnel information, individual supported-related information, financial information, research, computer information including passwords, proprietary computer software, etc. If an employee or volunteer's relationship ends with ACHIEVE, they remain bound to maintain the confidentiality of information viewed during employment.

Employees should refer to the Human Resources Policy and Procedure specific to Confidentiality as it may be updated and/or amended from time to time. Employees, board members, interns and volunteers are required to sign a confidentiality agreement upon hire or at the start of a term/volunteer placement and thereafter on an annual basis as appropriate. The agency is compliant with Federal Health Insurance Portability and Accountability (HIPAA) requirements.

Our business processes rely on timely access to accurate information from our computer systems. Employee passwords act as individual keys to our network and to critical individual care and business application, and they must be kept confidential. It is part of an employee's job to learn about and practice the many ways you can help protect the confidentiality, integrity and availability of electronic information assets.

Electronic Media

All communication systems, including electronic mail, intranet, Internet access, and voice mail, are the property of ACHIEVE, and are to be used for business purposes.

ACHIEVE reserves the right to periodically access, monitor, and disclose the contents of e-mail and voice mail messages. Access or disclosure of individual employee messages may only be done with the approval of the Chief Executive Officer.

Standards of Conduct

Section: Element 1 Written Policies & Procedures	Effective Date: 2005 Last Revision Date(s): 2008, 2014, 2017, 2023, 2025, 2026

Employees and volunteers may not use internal communication channels or access the Internet at work to post, store, transmit, download, or distribute any illegal, disruptive, unethical or unprofessional activities or for any purpose that would jeopardize the legitimate interests of the agency. Additionally, these channels of communication may not be used to send chain letters, personal broadcast messages, or copyrighted documents that are not authorized for reproduction; nor are they to be used to conduct an external job search or to open misaddressed mail.

Employees and volunteers who abuse our communications systems or use them excessively for non-business purposes may lose these privileges and be subject to disciplinary action.

LEGAL AND REGULATORY COMPLIANCE

ACHIEVE provides various human services in many locations. These services are provided only pursuant to appropriate Federal, state and local laws, regulations and conditions of participation. Such laws, regulations and conditions or participation may include subjects such as certificates of need, licenses, permits, accreditation, access to treatment, consent to treatment, record keeping, access to consumer records and confidentiality, individuals' rights, clinical privileges, and Medicaid program requirements. The organization is subject to numerous other laws in addition to these regulations and conditions of participation.

ACHIEVE will comply with all applicable laws and regulations. All employees, consultants, and contract service providers must be knowledgeable about and ensure compliance with all laws, regulations and conditions of participation; and should immediately report violations or suspected violations to their immediate supervisor or other administrative personnel, Vice President of Corporate Compliance or the Chief Executive Officer.

ACHIEVE will be forthright in dealing with any billing inquiries. Requests for information will be answered with complete, factual, and accurate information. Our organization will cooperate with and be courteous to all inspectors and surveyors and provide them with the information to which they are entitled during an inspection or survey.

During a survey, inspection, or investigation, employees must never conceal, destroy, or alter any documents, lie, or make misleading statements to those involved. Employees must never encourage or cause another fellow employee to fail to provide accurate information or obstruct, mislead, or delay to communicate information or records relating to a possible violation of law.

Licensed Independent Professionals

Individuals retained as independent contractors in positions at ACHIEVE which require professional licenses, certification, or other credentials, are responsible for maintaining the current status of their credentials and shall comply at all times with federal and state requirements applicable to their respective disciplines. ACHIEVE requires evidence of the individual having a

current license or credential status. ACHIEVE will not allow any employee or independent contractor to work without a valid, current license or credentials that meet position requirements.

Personal/Community Use of ACHIEVE Resources

Any community use of ACHIEVE resources must be approved in advance by agency administration. Any use of ACHIEVE resources for personal financial gain unrelated to the organization's business is prohibited. It is the responsibility of each employee to preserve our organization's assets including time, materials, supplies, equipment, and information. These assets are to be maintained for business related purposes.

FUND RAISING

ACHIEVE will conduct fund raising activities as approved by the Board of Directors. These activities may include, but are not limited to: annual appeal, speaking engagements in return for honorariums, special events, benefit sales and personal donor visits.

All fund-raising activities shall be conducted in a manner congruent with the mission of ACHIEVE, as well as in accordance with laws and regulations governing such activity. All gifts received from a donor, which are designated for a specific purpose, shall be used for that purpose.

Upon request, the agency Vice President of Community and Donor Relations will provide a full description of fund-raising efforts and full disclosure of fund-raising expenses and the portion of donations that directly serve the charitable purposes of ACHIEVE. Disclosure can include but is not limited to 990 form and annual audit. All donors requesting anonymity will have their desire respected. ACHIEVE will abide by all laws - federal, state and local - when monitoring fund raising activity.

Use of Individuals Supported in Public Relations Activities

Individual participation in any public performance, publicity, or fundraising activity may only occur with the informed and voluntary written permission of the individual/parent/legal guardian.

MARKETING

ACHIEVE may use marketing and advertising activities to educate the public, provide information to the community, increase awareness of our services, and to recruit employees. ACHIEVE will present only truthful, fully informative, and non-deceptive information in these materials and announcements. All marketing materials will reflect services available and the level of licensure and certification required.

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Standards of Conduct

Section: Element 1 Written Policies & Procedures	Effective Date: 2005 Last Revision Date(s): 2008, 2014, 2017, 2023, 2025, 2026

ENVIRONMENTAL COMPLIANCE

ACHIEVE will comply with all environmental laws and regulations as they relate to the organization's operations. The agency will operate each of our facilities with the necessary permits, approvals, and controls. ACHIEVE will diligently employ the proper procedures with respect to handling and disposal of hazardous waste and bio-hazardous waste, including but not limited to medical waste.

In helping ACHIEVE comply with these laws and regulations, employees must understand how job duties may impact the environment, adhere to all requirements for the proper handling of hazardous materials, and immediately alert supervisors to any situation regarding the discharge of hazardous substance, improper disposal of medical waste, or any situation which may be potentially damaging to the environment.

BUSINESS COURTESIES

ACHIEVE discourages staff from soliciting or accepting gifts or favors of any kind from individuals or organizations who do business with or may wish to do business with the agency. Accepting gifts, gratuities, or favors of this nature creates a possible conflict of interest and may result in unethical business practices. If a staff member is offered a gift amounting to more than the value of a small promotional item, agency administration should be notified.

There are times when a current or potential business associate extends an invitation to a social event or offers a promotional item to the agency in order to further develop a business relationship. There are also times when ACHIEVE staff extend similar invitations to current or potential business associates. In either case, such invitations must be reasonable and appropriate.

POLITICAL ACTIVITIES

ACHIEVE employees and representatives will comply with all Federal, state and local laws governing participation in government relations and political activities. ACHIEVE funds and resources will not be contributed to individual political campaigns, political parties or other organizations that intend to use the funds primarily for political campaign objectives. Organizational resources include financial and non-financial donations such as using work time and telephones to solicit for a political cause or candidate or the loaning of property for use in a political campaign. No use of agency resources is appropriate for personally engaging in political activity. One may, of course, participate in the political process on his/her own time and at his/her own expense. However, it is important not to give the impression one is speaking on behalf of or representing ACHIEVE in these activities.

ACHIEVE may at times ask employees and volunteers to make personal contact with government officials or to write letters to present our position on specific issues. In addition, it is part of the role of some ACHIEVE management to interface on a regular basis with government officials.

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ETHICS AND CORPORATE COMPLIANCE PROGRAM

The Ethics and Corporate Compliance Program are intended to demonstrate in the clearest possible terms the absolute commitment of the organization to the highest standards of ethics and compliance in all business practices.

Personal Obligation to Report

ACHIEVE is committed to ethical and legal conduct that is compliant with all relevant laws and regulations and to correcting wrongdoing wherever it may occur in the organization. Each employee and volunteer have an individual responsibility for reporting to his/her supervisor, the Vice President of Corporate Compliance, or in the event the violation involves administrative staff, the Board of Directors directly, any activity by an employee, volunteer, subcontractor, or vendor that appears to violate applicable laws, rules, regulations, or the Standards of Conduct.

Resources for Guidance and Reporting Violations

ACHIEVE encourages employees to resolve issues, including human resource related issues (payroll, fair treatment and disciplinary issues), directly whenever possible. It is an expected good practice to raise concerns first with your supervisor. If this is uncomfortable or inappropriate, or the issue remains unresolved, another option is to discuss the situation with the supervisor's supervisor, Human Resources, or the agency's Vice President of Corporate Compliance, agency administration, the Chief Executive Officer, or the Board directly, if administrative staff are involved.

Confidentiality of Reporting

ACHIEVE will make every effort to maintain, within the limits of the law, the confidentiality of the identity of any employee who reports possible misconduct. There will be no retribution or discipline for anyone who reports a violation in good faith. Any employee who deliberately makes a false accusation with the purpose of harming or retaliating against another fellow employee **will** be subject to discipline.

Employee Discipline

A violation of the Standards of Conduct may result in disciplinary action. The discipline utilized will depend on the nature, severity, and frequency of the violation and may result in any or all of the following disciplinary actions: verbal warning; written warning; written reprimand; suspension; restitution; termination.

Internal Auditing

ACHIEVE is committed to monitoring compliance with its policies. Much of the monitoring of regulations, standards, and policies is provided by the Corporate Compliance Department, which

routinely conducts audits. Additionally, managers routinely undertake compliance monitoring activities as well. ACHIEVE also routinely seeks other means of ensuring and demonstrating compliance as outlined in our Corporate Compliance Program.

Acknowledgement

ACHIEVE requires all employees and volunteers to sign an acknowledgment confirming they have received the Standards of Conduct, understand that it represents mandatory policies of ACHIEVE, and agree to abide by it. New employees and volunteers will be required to sign this acknowledgment as a condition of employment. Current employees and volunteers will be asked to sign the acknowledgement at scheduled staff meetings and annually thereafter during annual update training. Board members are required to sign an acknowledgement at the time of Board orientation and upon renewal of their board seat.

Adherence to and support of ACHIEVE's Standards of Conduct and participation in related activities and training will be considered in decisions regarding hiring, promotion and compensation for all candidates and fellow employees.

SCOPE

This policy and procedure are applicable and made available/accessible to all affected individuals unless a specific exemption is noted within this policy.

REFERENCES

ACHIEVE is governed by several federal, state, and local statutes, rules, and regulations; however, the focus of this policy is on those pertaining to participation in and compliance with the Medical Assistance Program (Medicaid and Medicare). Applicable statutes, rules and regulations used to design this policy include, New York State Title 18 regulations, specifically those under Part 521 that establishes requirements to adopt and implement programs designed to detect and prevent fraud, waste, and abuse in the Medical Assistance program. Social Services Law Part 363-d which establishes expectations for provider compliance programs was also used to design this policy and procedure. The Arc New York Chapter Manual also requires that all operating Chapters shall have in effect a plan for corporate compliance that contains all the elements of a corporate compliance plan required by the OMIG (Section III-15.0: Corporate Compliance, Arc New York Chapter Manual) as well as a Compliance Committee that is a committee of the Chapter Board. (Section 11-5.1: Model Chapter By-Laws, Article XI, Sections 1 8:2).

DEFINITIONS

Affected Individuals: All persons who are affected by ACHIEVE's risk areas including employees, the chief executive and other senior administrators, managers, contractors, agents, subcontractors, independent contractors, governing body and corporate officers. (N.Y. Comp. Codes R. & Regs. tit. 18, § 521-1.2)