

Code of Conduct/Ethics

I. POLICY:

It is the policy of Hughes Behavioral and Mental Health Services, Inc. that all full and part-time employees, contractors, students, volunteers (collectively referred to as “staff”), and members of the governing authority are expected to perform their designated functions in a manner that reflects the highest standards of ethical behavior. The ethical standards contained in this policy shape the culture and norms of Hughes Behavioral and Mental Health Services, Inc.’s administrative operations and clinical practices, and both staff and members of the governing authority will be held fully accountable to these standards. In addition to the specific guidelines contained in the policy, professionals are expected to follow the ethical standards required by their specific licensing and certification boards. The Code of Conduct Policy is to ensure that all employees’ actions reflect a competent, respectful, and professional approach when serving our consumers, their families and/or representatives, working with other providers of services, and interacting within the communities we serve. It is expected that staff and members of the governing authority will perform their duties in compliance with all federal, state, and local regulations in accordance with guidelines set forth in this policy. Violation of guidelines within the Code of Conduct Policy can lead to disciplinary actions, including termination of employment.

II. PROCEDURES:

A. Professional Conduct:

- 1) Staff will respect the rights of our consumers by demonstrating full integration of the guidelines contained in the Rights and Responsibility Policy. This includes the right of the consumer to make autonomous decisions and fully participate in every aspect of the service delivery process.
- 2) Hughes Behavioral and Mental Health Services, Inc. employees will provide services in a manner that fully respects the confidentiality of consumers, by demonstrating a functional knowledge of confidentiality policies and guidelines.
- 3) Hughes Behavioral and Mental Health Services, Inc. employees will be fair and honest in their work. They will not exploit or mislead, and will be faithful to their contractual obligations and their consumer.
- 4) To prevent and avoid unethical conduct, Hughes Behavioral and Mental Health Services, Inc. employees will consult with, refer to, and cooperate with other professionals. Hughes Behavioral and Mental Health Services, Inc. employees will clarify their professional roles and obligations and be accountable for upholding professional standards of practice.

B. Personal/Professional Conduct:

- 1) All prior personal relationships between staff and persons entering the organization's programs shall be disclosed by the staff member and subject to review by the appropriate supervisor.
- 2) Staff will limit relationships with persons served to their defined professional roles.
- 3) Staff will not establish ongoing personal or business relationships with consumers receiving services.
- 4) Staff will conduct themselves in a professional, ethical, and moral manner.
- 5) Sexual relationships between staff and person's served are never appropriate. Sexual relationships include, but are not limited to the following: engaging in any type of sexual activity, flirting, advances and/or propositions of a sexual nature, comments of a sexual nature about an individuals body, clothing, or lewd sexually suggestive comments.
- 6) Staff will not accept gifts of value from a consumer, family member, or stakeholder, and cannot accept personal favors or benefits that may reasonably be construed as influencing their conduct.

C. Business Practices:

- 1) Hughes Behavioral and Mental Health Services, Inc. will utilize the Corporate Compliance Officer to ensure that it conducts business in an ethical manner and ensure that any business practices that are questionable are thoroughly investigated the ethical investigation procedures that follow in this policy.
- 2) All financial, purchasing, personnel, facility development and information technology practices shall comply with local, state, and federal law and guidelines.
- 3) All employees shall adhere to Hughes Behavioral and Mental Health Services, Inc.'s Human Resource Policies and Procedures.

D. Marketing Practices:

- 1) Hughes Behavioral and Mental Health Services, Inc. will conduct marketing practices in an honest and factual manner. Marketing materials and practices will in no way mislead the public or misrepresent Hughes Behavioral and Mental Health Services, Inc.'s abilities to provide services. Hughes Behavioral and Mental Health Services, Inc. will not claim any service outcomes unless represented by valid and reliable outcome data and/or research studies.
- 2) Hughes Behavioral and Mental Health Services, Inc. will utilize clear and consistent methods of communicating information to consumers, family members, third-party

entities, referral sources, funding sources, and community members, and will exhibit sensitivity to the educational and reading levels of all persons when distributing information.

- 3) Hughes Behavioral and Mental Health Services, Inc. will not utilize monetary rewards or gifts to any potential consumer of services in an attempt to entice them to enter programs.

E. Clinical Practices:

- 1) Staff will adhere to all professional codes of conduct and ethical standards for his/her specified professional discipline.
- 2) As part of new employee orientation, staff will read the organization's Code of Conduct and demonstrate knowledge of the guidelines.

F. Potential Conflicts of Interest:

- 1) No consumer will be hired or placed in an employee/employer relationship with Hughes Behavioral and Mental Health Services, Inc. while an active participant in programming.
- 2) Any programming that involves a work task, and remuneration for the task, will be therapeutic in nature and will be documented as such by programming guidelines based on theoretical constructs.
- 3) Hughes Behavioral and Mental Health Services, Inc. employees will not engage in outside professional mental health services that are incompatible or in conflict with job duties within the organization.
- 4) Private practice must be done on the staff's own time and outside the organization, as long as such activities are not adverse to the interests and goals of Hughes Behavioral and Mental Health Services, Inc. and have met the organization's guidelines on conducting a private practice.
- 5) Staff will not recruit clients for their private business within their professional roles as Hughes Behavioral and Mental Health Services, Inc. staff members.
- 6) No staff shall engage in any other employment or activity on the organization's premises or while working to an extent that it affects, or is likely to affect, his or her usefulness as an employee of the organization.

G. Quality of Care:

- 1) Hughes Behavioral and Mental Health Services, Inc. will provide quality behavioral health care in a manner that is appropriate, determined to be necessary, efficient, and effective.

- 2) Employees will follow current ethical standards regarding communication with consumers and their representatives regarding services provided.
- 3) Hughes Behavioral and Mental Health Services, Inc. will inform consumers about alternatives and risks associated with the care they are seeking and obtain informed consent prior to any clinical interventions.
- 4) Hughes Behavioral and Mental Health Services, Inc. recognizes the right of consumers to make choices about their own care, including the right to do without recommended care or to refuse care.

H. Necessity of Care:

- 1) Hughes Behavioral and Mental Health Services, Inc. shall submit claims for payment to governmental, private, or individual payers for those services or items that are clinically necessary and appropriate.
- 2) When providing services, Hughes Behavioral and Mental Health Services, Inc. employees shall only provide those services that are consistent with generally accepted standards for treatment and are determined by the professional to be clinically necessary and appropriate.
- 3) Service providers may determine that services are clinically necessary or appropriate; however, the consumers funding source may not cover or approve those services. In such a case, the consumer may request the submission of a claim for the services to protect his/her rights with respect to those services or to determine the extent of coverage provided by the payer.
- 4) Coding and documentation will be consistent with the standards and practices defined by the organization in its policy, procedures, and guidelines.

I. Coding, Billing, and Accounting:

- 1) Hughes Behavioral and Mental Health Services, Inc. employees involved in coding, billing, documentation and accounting for consumer care services for the purpose of governmental, private or individual payers will comply with all applicable state and federal regulations and organizational policies and procedures.
- 2) Hughes Behavioral and Mental Health Services, Inc. will only bill for services rendered and shall seek the amount to which it is entitled.
- 3) Supporting clinical documentation will be prepared for all services rendered. If the appropriate and required documentation has not been provided, then the service has not been rendered.

- 4) All services must be accurately and completely coded and submitted to the appropriate payer in accordance with applicable regulations, laws, contracts, and organizational policies and procedures. Federal and state regulations take precedence, and organizational policies and procedures must reflect those regulations.
- 5) Consumers shall be consistently and uniformly charged.
- 6) Government payers shall not be charged in excess of the provider's usual charges.
- 7) Billing and collections will be recorded in the appropriated accounts.
- 8) An accurate and timely billing structure and medical records system will ensure that Hughes Behavioral and Mental Health Services, Inc. effectively implements and complies with required policies and procedures.

J. Cost Reports:

- 1) Hughes Behavioral and Mental Health Services, Inc. will ensure that all preparation and cost reports submitted to governmental and private organizations are properly prepared and documented according to all applicable federal and state laws.
- 2) All cost reports will be submitted and prepared with all costs properly classified, allocated to the correct cost centers, and supported by verifiable and auditable cost data.
- 3) All cost report preparation or submission errors and mistakes will be corrected in a timely manner and, if necessary, clarify procedures and educate employees to prevent or minimize recurrence of those errors.

K. Personal and Confidential Information:

- 1) Hughes Behavioral and Mental Health Services, Inc. will protect personal and confidential information concerning the organization's system, employees, and consumers.
- 2) Hughes Behavioral and Mental Health Services, Inc. personnel shall not disclose confidential consumer information unless at the consumer's request and/or when authorized by law. Appropriate use of consumer information for research purposes must be obtained with the full informed consent of participants in the research.
- 3) Confidential information will only be discussed with or disclosed to persons and entities outside the organization through the request of the consumer. Persons outside the organization include the family, business, or social acquaintances of the consumer.
- 4) Consumers can request, and are entitled to receive copies or summaries of their records with the exception of minors and consumers being treated for alcohol and

drug abuse, who may be provided with copies of their record if it is judged appropriate by the provider charged with their care.

- 5) Hughes Behavioral and Mental Health Services, Inc. personnel will be familiar with all organizational policy and procedures regarding confidentiality.

L. Creation and Retention of Consumer and Institutional Records:

- 1) Records are the property of the organization. Personnel responsible for the preparation and retention of records shall ensure that those records are accurately prepared and maintained in a manner and location as prescribed by law and organizational policy.
- 2) Employees will not knowingly create records that contain any false, fraudulent, fictitious, deceptive, or misleading information.
- 3) Employees will not delete any entry from a record. Records can be amended and material added to ensure the accuracy of a record in accordance with policy and procedures. If a record is amended, it must indicate that the notation is an addition or correction and record the actual date that the additional entry was made.
- 4) Employees will not sign someone else's signature or initials on a record.
- 5) Records shall be maintained according to specific organizational policy and procedure.
- 6) Employees shall not destroy any record.
- 7) The organization will maintain record retention and record destruction policies and procedures consistent with federal and state requirements regarding the appropriate time periods for maintenance and location of records. Premature destruction of records could be misinterpreted as an effort to destroy evidence or hide information.

M. Government Investigation:

- 1) Hughes Behavioral and Mental Health Services, Inc. employees shall cooperate fully with appropriately authorized governmental investigations and audits.
- 2) Hughes Behavioral and Mental Health Services, Inc. will respond in an orderly fashion to the government's request for information through employee interviews and documentation review.
- 3) The organization will respond to the government's request for information in a manner that enables the organization to protect both the organization and consumer's interests, while cooperating fully with the investigation.

- 4) When a representative from a federal or state agency contacts a Hughes Behavioral and Mental Health Services, Inc. employee at home or at their office for information regarding the organization or any other entity with which the organization does business, the individual will contact the Executive Director immediately. If the ED is not available, the individual will contact the Corporate Compliance Officer.
- 5) Hughes Behavioral and Mental Health Services, Inc. employees will ask to see the government representative's identification and business card, if the government representative presents in person. Otherwise, the employee should ask for the person's name, office, address, phone number, and identification number and then contact the person's office to confirm his/her identity.

N. Prevention of Improper Referrals or Payments:

- 1) Hughes Behavioral and Mental Health Services, Inc. employees will not accept, for themselves or for the organization, anything of value in exchange for referrals of business or the referral of consumers.
- 2) Employees must not offer or receive any item or service of value as an inducement for the referral of business or consumers.
- 3) Federal law prohibits anyone from offering anything of value to a Medicare or Medicaid consumer that is likely to influence that person's decision to select or receive care from a particular behavioral health care provider.
- 4) The organization shall establish procedures for the review of all pricing and discounting decisions to ensure that appropriate factors have been considered and that the basis for such arrangements are documented.
- 5) Development or initiation of joint ventures, partnerships, and corporations within the organization must be reviewed and approved by the organization's management to ensure compliance with organizational policy and federal regulations.

O. Antitrust Regulations:

- 1) Hughes Behavioral and Mental Health Services, Inc. will comply with all applicable federal and state antitrust laws.
- 2) Employees should not agree or attempt to agree with a competitor to artificially set prices or salaries, divide markets, restrict output, or block new competitors from the market, share pricing information that is not normally available to the public, deny staff privileges to qualified practitioners, or agree to or participate with competitors in a boycott of government programs, insurance companies, or particular drugs or products.

P. Avoiding Conflicts of Interest:

- 1) All Hughes Behavioral and Mental Health Services, Inc. employees shall conduct clinical and personal business in a manner that avoids potential or actual conflicts of interests.
- 2) Employees shall not use their official positions to influence an organizational decision in which they know, or have reason to know, that they have a financial interest.
- 3) Employees must be knowledgeable about activities that may be an actual or potential conflict of interest. Examples of such activities may include, but are not limited to the following:
 - a. Giving or receiving gifts, gratuities, loans, or other special treatment of value from third parties doing business with or wishing to do business with the organization. Third parties may include, but are not limited to, consumers, vendors, suppliers, competitors, payers, carriers, and fiscal intermediaries.
 - b. Using Hughes Behavioral and Mental Health Services, Inc. facilities or resources for other than organization sanctioned activities.
 - c. Using Hughes Behavioral and Mental Health Services, Inc.'s name to promote or sell products or personal services.
 - d. Contracting for goods or services with family members of the organization directly involved in the purchasing decision.

Q. External Relations:

- 1) Hughes Behavioral and Mental Health Services, Inc. employees shall adhere to fair business practices and accurately and honestly represent themselves and the organization's services.
- 2) Hughes Behavioral and Mental Health Services, Inc. employees will be honest and truthful in all marketing and advertising practices pertaining to the business practices of the organization's service delivery system.
- 3) Vendors who contract to provide goods and services to the organization will be selected on the basis of quality, cost-effectiveness and appropriateness for the identified task or need, in accordance with organization policy.

R. Human Resources:

- 1) Hughes Behavioral and Mental Health Services, Inc. prohibits discrimination in any work related decision on the basis of race, color, national origin, religion, sex, physical or mental disability, ancestry, marital status, age, sexual orientation,

citizenship, or status as a covered veteran. The organization is committed to providing equal employment opportunity in a work environment where each employee is treated with fairness, dignity, and respect.

- 2) Hughes Behavioral and Mental Health Services, Inc. will make reasonable accommodations to the known physical and mental limitations of otherwise qualified individuals with disabilities.
- 3) Hughes Behavioral and Mental Health Services, Inc. does not tolerate harassment or discrimination by anyone based on the diverse characteristics or cultural backgrounds of those who work for the organization pursuant to the organization's affirmative action policy.
- 4) Any form of sexual harassment is prohibited.
- 5) Any form of workplace violence is prohibited.

S. Code of Conduct Procedures:

- 1) All employees, students, volunteers and governing authority members, as part of the organization's initial orientation, will review the Code of Conduct, including the procedures for investigating and acting on conduct violations.
- 2) All staff will receive a copy of the Code of Conduct, sign a form acknowledging their review and full understanding of the code, and return the form to be filed in the employee's personnel file.
- 3) To assure an awareness of ethical practices, reviews of the Code of Conduct and continued training will be conducted on an as needed basis.

T. Procedures for Investigating and Acting on Violations of The Code of Conduct:

- 1) When any consumer, family member, authorized representative, advocate or other person believes that an ethical violation has occurred within the operations of the organization, they may report such suspicion directly to any employee, or management staff.
- 2) When employees believe a violation of the Code of Conduct has occurred they are obligated to report the violation in one of the following ways:
 - a. Immediate notification of the incident or violation through the organization's corporate compliance program and reporting mechanisms.
 - b. Immediate reporting to their supervisor, or to corporate compliance officer if the suspected violation involves their supervisor.

- 3) Supervisors who have been informed of a suspected violation are required to immediately inform the corporate compliance officer of the suspected violation.
- 4) If the violation involves a direct and immediate threat to the safety of a consumer, staff member, or visitor, employees are obligated to report the alleged violation immediately to their supervisor.
- 5) Staff is required to report any suspected violation of the Code of Conduct; however, they are not required to investigate or know for certain that a violation has occurred.
- 6) Once the questionable behavior has been brought to the attention of the supervisor or reported through the corporate compliance procedures, staff reporting the situation will no longer have a responsibility for being involved with the investigation other than providing additional information through a requested interview by the investigator.
- 7) Staff must report each suspected violation of the Code of Conduct separately, should a violation that has been reported occur again.
- 8) When any suspected violation of the Code of Conduct is reported to a supervisor, program sponsor or the corporate compliance officer, the corporate compliance officer will begin an investigation of the matter immediately. While investigating the complaint, the following issues should be considered and action taken depending on the situation:
 - a. Is any consumer in any harm or potential harm because of this behavior?
 - b. Does the complaint require immediate action to remove the employee from contact with a consumer?
 - c. Does the complaint put Hughes Behavioral and Mental Health Services, Inc. or its employee in a potentially liable situation that needs legal consultation?
- 9) Code of Conduct investigations will follow the guidelines outlined in the Hughes Behavioral and Mental Health Services, Inc.' Corporate Compliance Policy and Procedure.

U. General Ethical Guidelines and Considerations:

- 1) The Code of Conduct is shared with persons served during client orientation and is posted throughout public areas in all owned, leased, or rented facilities.
- 2) Hughes Behavioral and Mental Health Services, Inc. believes in the importance of ethical practices within the organization. Any employee who reports waste, fraud, abuse or any other questionable practices will not be subject to reprisal by management of the organization. To assure that reprisal is not used, the organization's governance authority will serve as advocates for any employee who reports

questionable practices. The corporate compliance officer will provide assurance and oversight that there are no adverse actions toward the employee.

- 3) The following violations of the Code of Conduct will result in termination of employment: Theft of funds, and/or physical, emotional, or sexual abuse of a client or employee.

Executive Director

Date