



## Board Resolution 2023-2024

### Corporate Ethics and Compliance Program

**WHEREAS**, Hometown Health Centers has been authorized as a Not-for-Profit, duly incorporated under the Laws of New York, to operate a federally qualified health center (FQHC) with facilities in Schenectady and Amsterdam;

**WHEREAS**, Hometown Health Centers is committed to serving all residents of the communities in greater Schenectady and Amsterdam without regard to ability to pay and with a particular sensitivity to the underserved population;

**WHEREAS**, Hometown Health Centers must obey State and Federal laws including, but not limited to:

- Federal False Claims Act (31 USC §§ 3729-3733)
- Federal Anti-Kickback Statute (42 USC § 1320a-7b(b))
- Federal Physician Self-Referral Law (42 USC §1395nn)
- Federal Exclusion Statute (42 USC §1320a-7)
- Federal Deficit Reduction Act (42 USC §1396a(a)(68))
- Federal Patient Protection and Affordable Care Act (42 USC §18001)
  
- New York False Claims Act (State Finance Law §§ 187-194)
- New York Social Services Law (§ 363-d – Effective Compliance Program)
- New York Social Services Law (§ 145-b – False Statements)
- New York Social Services Law (§ 145-c, 366-b – Penalties, Sanctions)
- New York Penal Law Article 175 (False Written Statements)
- New York Penal Law Article 176 (Insurance Fraud)
- New York Penal Law Article 177 (Healthcare Fraud)
- Part 521, Title 18, of the New York State Codes, Rules, and Regulations;

**WHEREAS**, 2022 marks the 50<sup>th</sup> anniversary of Hometown Health Centers;

**WHEREAS**, Hometown Health Centers provides quality, affordable care to patient-customers while being good stewards of all resources;

**WHEREAS**, Value Based Payments will become a critical part of healthcare and monitoring is required of the Delivery System Reform Incentive Payment (DSRIP) Program comes to an end;

**WHEREAS**, Hometown Health Centers achieves and maintains excellence in healthcare, customer service and prudent, honest use of resources, in part, through the implementation and annual review of its Corporate Ethics and Compliance Program (also called Compliance Program);

**WHEREAS**, the Board of Directors is bound by Hometown’s Compliance Program, Code of Conduct, Values and Mission Statement, and the principles of good governance and best practices;

**WHEREAS**, the Board of Directors shall recognize the distinction between Board Governance and staff responsibilities under Operations and Management;

**WHEREAS**, each Board Director must fill out an annual Conflict of Disclosure Statement and undergo annual training as prescribed by the Compliance Officer;

**WHEREAS**, the Board of Directors shall meet with the Compliance Officer no less than twice a year without the participation of other staff in Executive Session;

**WHEREAS**, Hometown Health Centers Corporate Ethics and Compliance Program is modeled after the elements outlined by the New York State Office of Medicaid Inspector General (OMIG):

1. Written Policies and Procedures – promoting an ethical culture with a written Code of Conduct.
  - 1a. Policies and Procedures shall include enforcing a policy of non-intimidation and non-retaliation. Hometown will always protect any vendor, staff member or Board Director who comes forward in good faith to report a compliance concern. Confidentiality will be maintained unless criminality is a factor.
2. Designation of independent Ethics and Compliance Officer (also called Compliance Officer) with authority to act and report directly to the Board without permission and interference from or notification to any member of Staff;
3. Ongoing training and education in areas to include, but not be limited to: HIPAA; Cybersecurity; Risk Management; Identifying and mitigating fraud, waste, and abuse; and Staff and Board duty to further ethics and compliance at all times.
4. Direct, unhindered access by staff, vendors, consultants, interns/students, and Board Members to the Corporate Ethics and Compliance Officer;
5. Corrective and disciplinary policies;

6. Ongoing identification of compliance risk areas and implementation of action plans departmentally and organizationally; and
7. Quickly responding to compliance issues.

**WHEREAS**, the Board of Directors for Hometown Healthcare Centers will keep a standing Compliance Committee the Ethics and Compliance Officer will report to and work with on ethics and compliance matters;

**WHEREAS**, the Board of Directors directs the Ethics and Compliance Officer to continue educating all new hires of their rights under Whistle Blower Protection laws and to post said laws on the Staff Intranet. Staff, Board Members, and anyone affiliated with Hometown shall be reminded periodically of the protections extended to them for helping to identify and fight waste, fraud, and abuse while furthering an ethical environment;

**WHEREAS**, the Board of Directors directs the Ethics and Compliance Officer to have a separate internal Compliance Committee composed of staff to meet as needed to assist in furthering awareness about audits, compliance and the need for departmentally self-initiated risk assessments;

**THEREFORE, BE IT, RESOLVED,**

The Board of Directors of Hometown Health Centers passes this Resolution for 2023-2024 to underscore its commitment to a high standard of excellence.

**THEREFORE, BE IT, FURTHER RESOLVED**, the Board of Directors mandates staff, vendors, consultants, Board Directors, and anyone doing business or affiliated with the organization to embrace and actively work for the success of the Corporate Ethics and Compliance Program at Hometown Health Centers.

**THEREFORE, BE IT, AND FINALLY RESOLVED**, the Board of Directors approves this Resolution and directs that it be distributed and made available at Hometown Health Centers.



Chair

11/22/22

Date