

Partners in Personal Assistance

Code of Conduct and Ethics

I. Introduction

Donors, volunteers, and the public support nonprofit organizations because they trust them to carry out their missions, and to be good stewards of their resources. Nonprofit organizations must earn the trust of the public every day and in every possible way by demonstrating their ongoing commitment to the core values of integrity, honesty, fairness, openness, respect, and responsibility. At PPA, we recognize that public trust in our performance is the bedrock of our legitimacy.

Adherence to the law is the minimum standard of accepted behavior for any nonprofit. However, at PPA, we go beyond legal requirements to make sure that we provide transparency, openness, and responsiveness to public concerns. In addition, we pledge to adhere to the highest standards of conduct and ethics.

II. Statement of Values

Any code of conduct and ethics is built on a foundation of widely shared values:

- Commitment to the public good;
- Accountability to the public;
- Commitment beyond the law;
- Respect for the worth and dignity of individuals;
- Inclusiveness and social justice;
- Respect for pluralism and diversity;
- Transparency, integrity and honesty;
- Responsible stewardship of resources; and,
- Commitment to excellence and to maintaining the public trust.

III. PPA's Code of Conduct and Ethics

- a. All staff, Board members, and volunteers of PPA will act with honesty, integrity, and openness in all their dealings as representatives of PPA. PPA promotes a working environment that values respect, fairness and integrity. PPA will hold its staff, Board members and volunteers accountable for their behavior and actions.
- b. All staff, Board members, volunteers, contractors and other affiliated with PPA respect the rights of PPA's Consumer Partners and potential Consumers. This includes the right of Consumers to make autonomous decisions and fully participate in every aspect of the service delivery process.
- c. PPA employees, Board members and volunteers will respect the confidentiality of Consumers.
- d. PPA and its employees and Board members will be fair and honest in their work. They will not exploit or mislead anyone, and will be faithful to their contractual obligations and their promises.
- e. PPA has a clearly stated mission, vision, and set of values, approved by the Board of Directors, in pursuit of the public good. All of PPA's programs support that mission, and all who work for or on behalf of PPA understand and are loyal to the mission, vision, and set of values. PPA's mission is responsive to the constituency and communities served by PPA and of value to the society at large.
- f. As of December 1, 2013 no PPA employee or staff member may enter into a romantic relationship with a Consumer Partner. If an incoming or new Consumer wants their spouse/sweetheart/partner to serve as their PA, they must disclose this to PPA during the application process. PPA will treat that PA applicant as the organization does any other PPA employment applicant. The PA and Consumer must sign a document acknowledging that they are already in a relationship and informed PPA of this before joining the organization.
- g. Once hired, staff will not establish ongoing personal or business relationships with Consumers.
- h. Staff will not recruit PPA's Consumers to be the staff's clients in a private practice.
- i. PPA follows the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and PPA's policies regarding confidentiality.
- j. PPA has an active governing body (the Board of Directors) that is responsible for setting the mission and strategic direction of PPA and oversight of the finances, operations, and policies of PPA. In addition, the Board:

- Has Members and Officers have the requisite skills and experience to carry out their duties and that all members understand and fulfill their governance duties acting for the benefit of PPA and its public purpose;
- Has a conflict of interest policy that ensures that any conflicts of interest or the appearance thereof are avoided or appropriately managed through disclosure, recusal, or other means;
- Is responsible for the hiring, firing, and regular review of the performance of all office staff and ensures that compensation of staff members is fair and appropriate;
- Ensures that the appropriate staff provide the Board with timely and comprehensive information so that the Board can effectively carry out its duties;
- Ensures that PPA conducts all transactions and dealings with integrity and honesty;
- Ensures that PPA promotes working relationships with Board members, staff, volunteers, and program beneficiaries that are based on mutual respect, fairness, and openness;
- Ensures that PPA is fair and inclusive in its hiring and promotion policies and practices for all Board, staff, and volunteer positions;
- Ensures that PPA policies are in writing, clearly articulated, and officially adopted;
- Ensures that the resources of PPA are responsibly and prudently managed; and,
- Ensures that PPA has the capacity to carry out its programs effectively.
- Conducts an annual evaluation of itself as a group and each Member also conducts an annual self-evaluation.

IV. Legal Compliance

PPA is knowledgeable of and complies with all laws, regulations and applicable international conventions.

V. Responsible Stewardship

PPA manages its funds responsibly and prudently. This includes the following:

- The organization spends a reasonable percentage of its annual budget on programs in pursuance of its mission;

- PPA spends an adequate amount on administrative expenses to ensure effective accounting systems, internal controls, competent staff, and other expenditures critical to professional management;
- PPA compensates staff, personal assistants, and any others who may receive compensation, reasonably and appropriately;
- PPA recognizes that organizations that solicit funds have reasonable fundraising costs, recognizing the variety of factors that affect fundraising costs;
- If PPA obtains an endowment fund, it will draw from the endowment fund consistent with donor intent and to support the public purpose of the organization;
- PPA will ensure that all spending practices are fair, reasonable, and appropriate to fulfill the mission of the organization; and,
- Staff and Board members will ensure that financial reports are factually accurate and complete in all material aspects.

VII. Openness and Disclosure

PPA will endeavor to provide comprehensive and timely information to the public, the media, and all stakeholders as requested. All information about PPA will fully and honestly reflect PPA's policies and procedures. Basic information about PPA will be posted on PPA's website or otherwise made available to the public. All solicitation materials accurately represent PPA's policies and practices and reflect the dignity of program beneficiaries. All financial, organizational, and program reports will be complete and accurate in all material respects.

VIII. Program Evaluation

PPA regularly reviews program effectiveness and has mechanisms to incorporate lessons learned into future programs. PPA is committed to improving program and organizational effectiveness and developing mechanisms to promote learning from its activities and the field. PPA is responsive to changes in its field of activity and is responsive to the needs of its constituencies.

IX. Inclusiveness and Diversity

PPA has a policy of promoting inclusiveness and its staff, board, and volunteers reflect diversity in order to enrich its programmatic effectiveness. PPA takes meaningful steps to promote inclusiveness in its hiring, retention, promotion, board recruitment, and constituencies served.

PPA does not discriminate and will not tolerate discrimination against its employees in hiring, promotion, demotion, employment termination or evaluation on the basis of (actual or perceived) race, color, religion or creed, ethnicity, national origin, sex or gender, sexual orientation, disability, HIV status, size, height, weight, veteran status, marital status, condition of pregnancy, parental status/family responsibilities, age (for those over 18), economic class, source of income, educational association, or in any other way that is illegal or unethical. PPA also will not discriminate in any of these ways against Consumers or potential Consumer Partners, Board members or potential Board members, volunteers or potential volunteers, contractors or potential contractors, or anyone else associated with PPA.

PPA does not tolerate bullying, harassment or discrimination of any kind by anyone based on the above-mentioned characteristics. Any and all forms of sexual harassment of, by or against any employee, Consumer, Board member, volunteer or anyone else affiliated with PPA is prohibited.

PPA will make reasonable accommodations for any employee who lets PPA know about their disability.

Violence is strictly prohibited in the work place.

X. Fundraising

PPA pledges to be truthful in its solicitation materials. PPA respects the privacy concerns of individual donors and will utilize funds consistent with donor intent. PPA will disclose important and relevant information to potential donors.

PPA will not solicit donations from its Consumer Partners (except members of the Board of Directors) nor its employees.

PPA will not offer or provide gifts, free services, or other incentives to Consumers nor their family member, physicians, hospitals, contractors, assisted living facilities or other potential referral sources for the purpose of inducing referrals.

In raising funds from the public, PPA will respect the rights of donors, by providing the following information, as requested:

- To be informed of PPA's mission, the way the resources will be used and their capacity to use donations effectively for their intended purposes;
- To be informed of the identity of those serving on PPA's governing Board and to expect the Board to exercise prudent judgment in its stewardship responsibilities;
- To have access to PPA's most recent financial reports;

- To be informed whether those seeking donations are volunteers, PPA employees, or hired solicitors.

In addition, in raising funds from the public, PPA will respect the rights of donors as follows:

- To be assured their gifts will be used for the purposes for which they were given;
- To receive appropriate acknowledgment and recognition;
- To be assured that information about their donations will be handled with respect and with confidentiality to the extent provided by law;
- To expect that all relationships with individuals that represent PPA will be professional in nature;
- To never have their names and contact information shared with any other person or organization;
- To feel free to ask questions when making a donation and to receive prompt, truthful, and forthright answers.

No PPA employee may solicit donations for any organization from any Consumer or employee of PPA nor request that Consumers and employees purchase anything (such as Girl Scout cookies or fundraising items from their child's school).

XI. Record Keeping

- a. Consumers, with the exception of those under guardianship, can request and are entitled to receive copies or summaries of their records. Guardians can request and are entitled to receive copies or summaries of their records.
- b. 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 prescribed by law and organizational policy.
- c. Employees will not knowingly create records that contain any false, fraudulent, fictitious, deceptive, or misleading information.
- d. Employees will not sign someone else's signature or initials on a record.

XII. Government Investigation

- a. PPA and its employees shall cooperate fully with appropriately authorized governmental audits, subpoenas, search warrants or investigations.
- b. PPA will respond in an orderly fashion to the government's request for information through employee interviews and documentation review.
- c. The organization will respond to the government's request for information in a manner that enables to organization to protect both the organization's and Consumer's interests, while cooperating fully with the investigation.
- d. When a representative from a federal or state agency contacts an employee or Board member 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 Executive Director is not available, the individual will contact the Board Chair.
- e. PPA 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, work address, phone number, and identification number and then contact the person's office to confirm his/her identity.

XIII. Prevention of Improper Referrals or Payments:

- a. PPA employees will not accept, for themselves or for the organization, anything of value in exchange for referrals of business or the referral of Consumers.
- b. Employees must not offer or receive any item or service of value as an inducement for the referral of business or Consumers.
- c. 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.
- d. 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.

XIX. Afterword

In addition to this Code of Conduct and Ethics, PPA has developed a wide range of policies and procedures, which are available for public inspection, upon request. PPA, its board of Directors,

staff, employees, and volunteers are committed to complying with all of the provisions of this Code of Conduct and Ethics, as well as with all of PPA's approved policies and procedures. PPA is committed to the highest standards of ethical behavior; to the core values of integrity, honesty, fairness, openness, respect, and responsibility; and to pursuing practices designed to benefit the public. PPA is committed to the concepts of self-empowerment for its Consumers, and of empowerment of both Consumers and their Personal Assistants.

Comments are welcome from individuals in the public sphere, on the Board, employed by PPA, or from any other affiliation. Consumer Partners, employees and all others may submit comments in confidentially if they so wish.

Updates approved by a majority vote of the Board of Directors 10/22/2013.

Updated by a majority vote of the Board of Directors 12/5/2013.

PPA Corporate Compliance and Code of Conduct and Ethics Violation Response Procedure

How to Report a Violation:

An employee who suspects or knows about a violation of PPA's Corporate Responsibility and Compliance statement, the Code of Conduct and Ethics, PPA's policies or procedures, or any laws or ordinances should immediately contact their supervisor and identify the problem. Board members who suspect or know of a violation should contact the Board Chair to identify the problem. This may require filling out particular forms (such as a recipient rights violation complaint form).

If the employee is not comfortable contacting their immediate supervisor or if the complaint is about the immediate supervisor, they may report a potential violation directly to the Compliance Officer. Employees can also ask questions of and ask for clarification on rules and procedures from the Compliance Officer. Supervisors and the Compliance Officer will keep confidential the name of and identifying information about the person who made the initial report.

Employees and others are also always free to report their concerns via:

- Internal Audit – for complaints regarding financial reporting, auditing compliance, internal financial controls.
- The Chair of the Board of Directors, if the complaint involves the Compliance Officer or the Executive Director.
- Another Board of Directors member if the complaint involves the Chair.

- The appropriate governmental agency, if applicable (such as in the case of abuse and neglect, or suspected financial fraud).

Corporate Compliance Officer

The Corporate Compliance Officer has the responsibility to:

- Provide overall leadership for the Corporate Compliance Program.
- Ensure the evaluation and investigation of each and every issue brought forward without prejudice and in a timely manner, and document their work and findings.
- Ensure that either appropriate action is taken or make appropriate recommendations to the Executive Director and/or Board of Directors.
- Review policies and procedures as necessary and recommend changes to the Board.
- Monitor the development of education and training processes and their implementation.
- Initiate and supervise internal and external audits to evaluate compliance.
- Ensure there are monitoring processes and practices to identify possible areas of concern regarding compliance.
- Periodically (at least quarterly) report on the status of the Compliance Program and its activities to the Board of Directors. The Compliance Officer may report concerns more often as necessary.

The Corporate Compliance Officer shall have ultimate administrative authority for implementing, monitoring and enforcing the Program. Additionally, the Corporate Compliance Officer shall have the authority to coordinate with legal counsel, and/or outside contractors (such as auditors) as he/she deems necessary.

Disciplinary Action Enforcement

Intentional actions by any PPA employees, Board members or others affiliated with PPA that result in violations of the federal and state regulations governing home health care, cause PPA to submit a false claim for payment to any payer, or violate PPA's policies and procedures will result in disciplinary action according to the appropriate policies. Additionally, actions will be reported to the appropriate authorities as deemed necessary.

No one who works for or is otherwise affiliated with PPA and who reports a compliance issue in good faith will be subject to disciplinary action or punished in any way for making a report. Anyone who attempts to retaliate against another who in good faith reported a compliance issue will be subject to disciplinary action, including termination if appropriate. Failure to report a

known compliance issue is a violation of policy and may subject an employee to disciplinary action, including termination, where appropriate.

Treatment of Complaints

Upon receipt of a complaint, the Compliance Officer will: (1) determine whether the complaint pertains to a compliance matter, and (2) when the sender's contact information is provided, acknowledge receipt of the complaint to the sender. If the Officer determines that there is a policy or procedure under which the complaint should be processed, she/he will refer the complaint as appropriate and typically will take no further action except to document the referral of the complaint and its ultimate disposition.

Complaints relating to compliance matters will be reviewed by the Compliance Officer. The Compliance Officer will use his or her best efforts to investigate every complaint. The resources expended will depend upon: (1) the nature and severity of the allegation; and (2) the sufficiency and apparent validity of the information provided.

The Compliance Officer will work with senior management to ensure that prompt and appropriate corrective action is taken when and as needed.

Investigations/Resolutions

The Corporate Compliance Officer will review reports of possible violations to determine the appropriate action to be taken. The action taken shall be designed to ensure that the specific issue is addressed and, to the extent possible, that similar problems do not occur again.

All processes for resolution will take no longer than 45 business days to resolve from the day the complaint was made.

All investigations will be documented and reported as appropriate to the Board of Directors. Files will be retained by the Corporate Compliance Officer, in a confidential manner. In the situation where the employee making the report has identified him/herself, the employee will be notified of the investigation's disposition as soon as practical.

If the investigation reveals PPA improperly received payment, the appropriate payor will be notified and reimbursement will be made. Disclosure to state or federal officials or law enforcement will also be made if deemed appropriate.

Throughout the course of investigations, the Corporate Compliance Officer has the authority to engage the assistance of outside counsel where s/he deems necessary.

Reporting and Retention of Records of Complaints and Investigations

The Compliance Officer will maintain a log of all complaints, tracking their receipt, investigation, and resolution and will prepare a quarterly summary report of these documents for the Board of Directors.

Passed by a majority vote of the Board of Directors 11/13/2013