



Title: Delphi Rise Corporate Compliance Plan	Reviewed By: Jennifer Cathy, President and CEO, Mary LaDuca, COO, Senior Leadership Team
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Executive Summary

The Purpose of Delphi Rise's Compliance Program:

- Stops fraud.
- Protects patient privacy.
- Nurtures an ethical culture.
- Prevents conflicts of interest.
- Ensures proper credentialing.
- Identifies and prevents waste.
- Furthers accurate billing and coding.
- Assists in helping to obey state and federal laws.
- Maintains and promotes high quality care.
- Strives to promote the use of best practices in management and board governance.
- Assures Non-Retaliation, Non-Intimidation, and Whistleblower Provisions and Protections.

Delphi Rise's Compliance Program Applies to "Affected Individuals." This includes, but is not limited to:

- Vendors
- Contractors
- Agents
- Subcontractors
- Independent Contractors
- Consultants
- Employees
- Governing Body and Corporate Officers
- Volunteers

We Ask and Expect the Following of Affected Individuals:

- Act fairly.
- Act ethically.
- Act honestly.
- Act as a team.
- Report conflicts of interest.
- Treat clients and one another with respect at all times.
- Seek to always improve the quality of your work.
- Report problems immediately to your supervisor, the Compliance Officer and/or to the CEO.
- Take advantage of Delphi's anonymous comment box (located in the front lobby) or leave a message on the compliance telephone hotline (585) 450-0241. *Note: from an internal Delphi extension, dial ext. 629. To leave an anonymous report use *67.*



Code of Ethics and Philosophy

I. Compliance Policy Statement

Delphi Drug and & Alcohol Council, Inc. DBA Delphi Rise, is dedicated to maintaining quality and integrity in all aspects of our operations. Accordingly, Delphi Rise is committed to conformance with high ethical standards and compliance with all governing laws and regulations not only in the delivery of our services but in the business affairs and dealings with employees, administrative staff, contractors, agents, payers, and the communities we serve. Compliance is the personal responsibility of all who are associated with Delphi Rise's Code of Ethics, related policies and procedures, and standards developed by Delphi Rise in connections with the Corporate Compliance Program.

Delphi Rise acknowledges its responsibility to adhere to all applicable laws, regulations, and guidance that govern its operations and compliance obligations. The following laws and regulations are particularly relevant to the risk areas specified in subdivision (d) of section 521-1.3:

1. Federal Laws

- **Social Security Act** (42 U.S.C. § 1320a-7b): Governing fraud and abuse, including the Anti-Kickback Statute and Civil Monetary Penalties Law.
- **False Claims Act** (31 U.S.C. §§ 3729-3733): Prohibiting submission of false or fraudulent claims for payment to the federal government.
- **Health Insurance Portability and Accountability Act (HIPAA)** (42 U.S.C. § 1320d): Addressing healthcare fraud and abuse, privacy, and security requirements.
- **Deficit Reduction Act of 2005** (Public Law No. 109-171): Requiring certain entities to implement compliance programs to detect and prevent fraud, waste, and abuse.

2. State Laws

- **New York State False Claims Act** (State Finance Law §§ 187-194): Similar to the federal False Claims Act, with additional protections for whistleblowers.
- **New York Social Services Law** (SSL) § 145-b: Prohibiting fraudulent practices related to Medicaid and public assistance.
- **New York Penal Law Articles 175 and 176**: Addressing falsification of business records and insurance fraud.
- **Public Health Law** (PHL) § 2805-j through § 2805-k: Mandating quality assurance and reporting obligations for healthcare providers.

3. Regulations

- **42 CFR Part 438**: Governing Medicaid managed care organizations, including program integrity provisions.
- **42 CFR Part 455**: Requiring Medicaid providers to screen and enroll, disclose ownership, and report fraud.
- **Title 18 NYCRR**: Pertinent regulations governing the New York Medicaid program, including billing and reporting requirements.

4. Guidance and Enforcement Policies

- **Office of Inspector General (OIG) Compliance Program Guidance**: Issued for various healthcare sectors, detailing elements of effective compliance programs.
- **OMIG Guidance**: Compliance resources and requirements issued by the New York State Office of Medicaid Inspector General (OMIG).
- **Medicaid Compliance Program Regulations**: As outlined in New York Codes, Rules, and Regulations (NYCRR), Section 521-1.3.



5. Other Relevant Laws and Policies

- **Employment Law Compliance:** Including nondiscrimination, wage, and hour laws.
- **Data Privacy and Cybersecurity Regulations:** Including the New York SHIELD Act for data protection.
- **Corporate Integrity Agreements (if applicable):** Binding agreements with enforcement agencies.

The organization's compliance program incorporates these laws and regulations to address the following risk areas:

- Billing and payments.
- Medical necessity and quality of care.
- Governance and mandatory reporting.
- Credentialing and provider eligibility.
- Recordkeeping and document retention.
- Conflicts of interest.
- Privacy and confidentiality.

This framework ensures proactive compliance with governing laws and mitigates risks identified under subdivision (d) of section 521-1.3.

II. Mission

Delphi Rise has an open door and an open heart. We build relationships to support the complete well-being of individuals, families and communities facing health and social issues. We put the person at the center of everything we do to encourage growth and foster healing. There is hope for a better tomorrow. Together we Rise.

III. Expectations

We ensure all aspects of consumer care and business conduct are performed in compliance with our mission/vision statement, policies and procedures, professional standards, applicable government laws, rules and regulations, and other payer standards. Delphi Rise expects every person who provides services to our consumers to adhere to the highest ethical standards and to promote ethical behavior. Any person whose behavior is found to violate ethical standards will be disciplined appropriately.

Affected Individuals, described above, may not engage in any conduct that conflicts- or is perceived to conflict- with the best interest of Delphi Rise. Affected Individuals must disclose any circumstances where the employee or their immediate family member is an employee, consultant, owner, contractor, or investor in any entity that (i) engages in any business or maintains any relationship with Delphi Rise; (ii) provides to or receives from Delphi Rise any consumer referrals; or (iii) competes with Delphi Rise.

Affected Individuals are expected to maintain complete, accurate, and contemporaneous records as required by Delphi Rise. The term "records" includes all documents, both written and electronic, that relate to the provision of Delphi Rise services or provide support for the billing of Delphi Rise services. Records must reflect the actual services provided. Any records to be appropriately altered must reflect the date of the alteration, the name, signature, and title of the person altering the document, and the reason for the alteration, if not apparent. No person shall ever sign the name of another person to any document. Signature stamps shall not be used. Backdating and predating documents is unacceptable and will lead to discipline up to and including termination.



When any person knows or reasonably suspects that the expectations above have not been met, this must be reported to immediate supervisors, the Compliance Officer, or the Chief Executive Officer, so each situation may be appropriately dealt with. The Compliance Officer, Mary LaDuca, may be reach at (585) 467-2230 ext. 432.

Compliance Program Oversight

I. Compliance Officer

The Board of Directors of Delphi Rise designates Mary LaDuca, Chief Operating Officer, as the Compliance Officer. The Compliance Officer has direct line of communication to the Chief Executive Officer, the Board of Directors, and Delphi Rise Counsel.

II. Job Duties

The Compliance Officer is directly obligated to serve the best interests of our Delphi Rise consumers and employees. Responsibilities of the Compliance Officer include but are not limited to:

- Developing and implementing compliance policies and procedures.
- Overseeing and monitoring the implementation of the Compliance Program.
- Directing Delphi Rise internal audits established to monitor effectiveness of compliance standards.
- Providing guidance to management, medical/clinical program personnel, and individual departments regarding policies and procedures, governmental and third-party payers.
- Overseeing efforts to communicate awareness of the existence and contents of the Compliance Plan.
- Coordinating, developing, and participating in the educational and training program.
- Guaranteeing independent contractors (consumer care, vendors, billing services, etc.) are aware of the requirements of Delphi's Corporate Compliance Plan.
- Actively seeking up-to-date material and releases regarding regulatory compliance.
- Maintaining and reporting system (hotline) and responding to concerns, complaints, and questions related to the corporate compliance Plan.
- Acting as a resourceful leader regarding regulatory compliance issues.
- Investigating and acting on issues related to compliance.
- Coordinating internal investigations and implementing corrective action.
- Developing, drafting and updating the Compliance Workplan

Structures, Duties and Roles of the Compliance officer

I. Reporting Structure and Purpose

Compliance Committee members are appointed by the Chief Executive Officer. Compliance issues are reported by the Compliance Committee to the Chief Executive Officer and Board, where appropriate. The Compliance Committee's purpose is to advise and assist the Compliance Officer with the implementation of the Corporate Compliance Plan. They will meet quarterly. The Compliance Committee chairperson is the Compliance Officer Mary LaDuca.



II. Function

The roles of the Compliance Committee include:

- Analyzing the environment where Delphi Rise does business, including legal requirements, with which it must comply.
- Reviewing and assessing existing policies and procedures that address these risk areas for possible incorporation into the Corporate Compliance Plan.*
- Ensuring required staff training is completed timely (i.e, within 30 days of onboarding, annually).
- Ensuring the training of other affected individuals (TIME FRAME)
- Working with departments to develop standards, policies and procedures that address specific risk areas and encourage compliance according to legal and ethical requirements.
- Advising and monitoring appropriate departments relative to compliance matters.
- Developing internal systems and controls to carry out compliance standards and policies.
- Monitoring internal and external audits to identify potential non-compliant issues.
- Implementing corrective and preventive actions plans.
- Developing a process to solicit, evaluate, and respond to complaints and problems.
- Advocate for sufficient funding, resources and staff for the compliance office to fully perform their responsibilities.
- Ensuring effective systems and processes are in place to identify compliance risks, and effective procedures for correcting and reporting such issues .

*The Compliance Program of Delphi Rise applies to the following risk areas:

- Billings;
- Payments;
- Ordered Services;
- Medical Necessity;
- Quality of Care;
- Governance;
- Mandatory Reporting;
- Credentialing;
- Contractor, Subcontractor, Agent, or Independent Contractor Oversight; and
- Other risk areas that are or should reasonably be identified by Delphi Rise through its original experience.

Delegation of Substantial Discretionary Authority

I. Requirement

Any employee or prospective employee who holds or intends to hold a position with substantial discretionary authority for Delphi Rise is required to disclose any name changes and any involvement in non-compliant activities including health care related crimes. In addition, Delphi Rise performs reasonable inquiries into the background of such applicants, contractors, vendors, and members of the Board of Directors.



The following organizations may be queried with respect to potential employees, contractors, vendors, and members of the Board of Directors:

- New York Medicaid Exclusion List
- Federal Office of Inspector General Most Wanted Exclusion List
- Federal System for Award Management of Excluded Parties Exclusion List
- Federal Officer of Foreign Assets of Control-Specialty Designated Exclusion List
- Social Security Death Index
- 51 State Exclusion Databases (Including the District of Columbia)

Education and Training

I. Expectations

Education and training are critical elements of the Corporate Compliance Plan. All Affected Individuals are expected to be familiar and knowledgeable about Delphi Rise's Corporate Compliance Plan and have a solid working knowledge of their responsibilities under the plan. Compliance policies and standards will be communicated to all Affected Individuals through required participation in training program.

To ensure full compliance, all Delphi Rise staff members are required to complete Compliance Training within the first 30 days of employment. Failure to complete the training within this timeframe will result in the staff member being ineligible to work their next scheduled shift until the training is completed.

II. Training Topics – General

All Affected Individuals shall participate in training on the topics identified below:

- Government and private payer reimbursement principles.
- Government initiatives.
- History and background of Corporate Compliance.
- Legal principles regarding compliance and Board responsibilities related thereto.
- General prohibitions on paying or receiving remuneration to induce referrals and the importance of fair market value.
- Prohibitions against signing for the work of another employee.
- Prohibitions against alterations to medical records and appropriate methods of alteration.
- Prohibitions against rendering services without a signed physician's order or other prescription, if applicable.
- Proper documentation of services rendered.
- Duty to report misconduct.



III. Training Topics – Targeted

In addition to the above, targeted training will be provided to all Supervisors, Directors, and any other employees whose job responsibilities include activities related to compliance topics. Managers shall assist the Compliance Officer in identifying areas that require specific training and are responsible for communicating the terms of this Corporate Compliance Plan to their direct reports-employees of Delphi Rise.

IV. Orientation

As part of their orientation, each Affected Individual shall receive a written copy of the Corporate Compliance Plan, policies, and specific standards of conduct that affect their position.

V. Attendance

All education and training relating to the Corporate Compliance Plan will be verified by attendance and signed acknowledgment of receipt of the Corporate Compliance Plan and standards.

Attendance at compliance training sessions is mandatory and is a condition of continued employment/contract/appointment/assignment.

Effective Confidential Communication

I. Expectations

Open lines of communication between the Compliance Officer and each Affected Individual subject to this Plan are essential to the success of our Corporate Compliance Program. Every Affected Individual has an obligation to refuse to participate in any wrongful course of action to report the actions according to the procedure listed below.

II. Reporting Procedure

If an Affected Individual witnesses, learns of or is asked to participate in any activities that are potentially in violation of this Corporate Compliance Plan, they should contact the Compliance Officer, their immediate supervisor, or the Chief Executive Officer. Reports may be made in person or by calling (585) 450-0241, a telephone line dedicated for the purpose of receiving such notification; internal call to Ext. 629; mailing information to Mary LaDuca, Compliance Officer, 72 Hinchey Road, Rochester, NY 14624; or placing a written statement in the suggestion drop box located at the Reception Area, 72 Hinchey Road, Rochester, NY 14624.

The confidentiality of the person reporting is maintained unless the matter is subject to a disciplinary proceeding, referred to, or under investigation by, MFCU, OMIG or law enforcement, or disclosure is required during a legal proceeding, and such persons shall be protected under the required provider's policy for non-intimidation and non-retaliation

Upon receipt of a question or concern, any Supervisor or Director shall document the issue at hand and report to the Compliance Officer. Any questions or concerns relating to the potential non-compliance by the Compliance Officer should be reported immediately to the Chief Executive Officer. Any potential compliance concerns with the Chief Executive Officer should be reported to any member of the Board of Directors.



The Compliance Officer or designee shall record the information necessary to conduct an appropriate investigation of all complaints. If the Affected Individual was seeking information concerning the Code of Ethics/Conduct or its application, the Compliance Office or designee shall record the facts of the call and its nature of the information sought and respond as appropriate. Delphi Rise shall, as much as is possible, protect the anonymity of the Affect Individual who reports any complaint or raises a question about Delphi Rise's Corporate Compliance Policies and standards. Affected Individuals must be aware, however, that there may be a point in time that an individual's identity must become known or revealed in certain instances, such as, when government authorities become involved.

III. Protections

The identity of the individual who issues the report will be fully safeguarded and will be protected against retribution retaliation or intimidation. Report of any suspected violation of this Plan by following the above shall not result in any retribution, retaliation, or intimidation. Any threat of reprisal against a person who acts in good faith pursuant to their responsibilities under the Plan is acting against the Delphi Rise's Corporate Compliance Policy. Discipline, up to and including termination of employment/contract/appointment/assignment, will result if such reprisal is proven.

IV. Guidance

Any Affected Individuals may seek guidance with respect to the Corporate Compliance Plan or Code of Ethics/Conduct at any time by following the reporting mechanisms outlines above.

Enforcement of Compliance Standards

I. Background Investigations

For all employees who have authority to make decisions that may involve compliance issues, Delphi Rise will conduct reasonable and prudent background investigation including a reference check as part of every employment application.

II. Disciplinary Action – General

Affected Individuals who fail to comply with Delphi Rise's Corporate Compliance Policy and standards, or who have engaged in conduct that has the potential of impairing Delphi Rise's status as a reliable, honest, and trustworthy service provider, will be subject to disciplinary action up to and including termination or employment, contract, assignment, or appointment. Anyone regardless of position, function, or title will receive the same discipline as it is related to compliance concerns. Any discipline will be appropriately documented in the Individual's file, along with a written statement of reason(s) for imposing such discipline. The Compliance Officer shall maintain a record of all disciplinary actions involving the Corporate Compliance Plan and report at least quarterly to the Board of Directors regarding such actions.

III. Performance Evaluation – Supervisory

Delphi Rise's Corporate Compliance Program requires that the promotion of, and adherence to, the elements of the Corporate Compliance Program be a factor in evaluating the performance of Delphi Rise's employees and contractors. They will be periodically trained in new compliance policies and procedures. In addition, all managers and supervisors will:



- Discuss with all supervised employees at onboarding the compliance policies and legal requirements applicable to their function.
- Inform all supervised personnel that strict compliance with these policies and requirements is a condition of employment.
- Disclose that Delphi Rise will take disciplinary action up to and including termination or revocation of privileges for violation of these policies and requirements.

IV. Disciplinary Action – Supervisory

Directors and supervisors will face disciplinary action if they fail to adequately support their teams in detecting noncompliance with policies and legal requirements. If reasonable diligence on their part could have led to the earlier discovery of any issues, allowing Delphi Rise the opportunity to address them, they will be held accountable.

Auditing and Monitoring of Compliance Activities

I. Internal Audits

Ongoing evaluation is critical in detecting non-compliance and will help ensure the success of Delphi Rise's Corporate Compliance Program. An ongoing auditing and monitoring system, implemented by the Compliance Officer and in consultation with the Compliance Committee, is an integral component of our auditing and monitoring systems. This ongoing evaluation shall include the following:

- Review of relationships with third-party contractors, specifically those who substantive exposure to government enforcement actions.
- Compliance audits of compliance policies and standards; and
- Review of documentation and billing relating to claims made to federal, state, and private payers for reimbursement, performed internally or by an external consultant as determined by Compliance Officer and Compliance Committee.

The audits and reviews will examine Delphi Rise's compliance with specific rules and policies through on-site visits, personnel interviews, general questionnaires (submitted to employees and contractors), and consumer record documentation reviews.

II. Plan Integrity

Additional steps to ensure the integrity of the Corporate Compliance Plan will include:

- Immediate notification of the Compliance Officer in the event of any visits, audits, investigations, or surveys by any federal or state agency or authority. Immediate provision to the Compliance Officer of a photocopy of any correspondence from any regulatory agency charged with licensing Delphi Rise and/or administering a federally or state-funded program or County-funded program with which Delphi Rise participates.
- Establishment of process detailing ongoing notification by the Compliance Officer to all appropriate personnel of any changed in laws, regulations, or policies as well as appropriate to assure continuous compliance.



Detection and Response

I. Violation Detection

The Compliance Officer and Chief Executive Officer shall determine whether there is any basis to suspect that a violation of the Corporate Compliance Plan has occurred.

If it is determined that a violation has occurred, the matter shall be referred to legal counsel who, with the assistance of the Compliance Officer, shall conduct a more detailed investigation. This investigation may include, but is not limited to, the following:

- Interviews with individuals having knowledge of the facts alleged.
- A review of documents.
- Legal research and contact with governmental agencies for the purpose of clarification.

If advice is sought from a governmental agency, the request and any written or oral response shall be fully documented.

II. Reporting

At the conclusion of an investigation involving legal counsel, they shall issue a report to the Compliance Officer, Chief Executive Officer, and Compliance Committee summarizing their findings, conclusions, and recommendations and will render an opinion as to whether a violation of the law has occurred.

The report will be reviewed with legal counsel in attendance. Any additional action will be on the advice of counsel.

The Compliance Officer shall report to the Compliance Committee regarding each investigation conducted.

III. Rectification

If Delphi Rise identifies that an overpayment was received from any third-party payer, the appropriate regulatory body (funder) and/or prosecutorial (attorney general/police) authority will be appropriately notified with the advice and assistance of counsel. No funds received because of overpayments will be retained. In instances where it appears an affirmative fraud may have occurred, appropriate amounts shall be returned after consultation and approval by involved regulatory and/or prosecutorial authorities. Systems shall also be put in place to prevent such overpayments in the future.

IV. Record Keeping

Regardless of whether a report is made to a governmental agency, the Compliance Officer shall maintain a record of the investigation including copies of all pertinent documentation. This record will be considered confidential and privileged and will not be released without the approval of the Chief Executive Officer or legal counsel.

Non-Retaliation, Non-Intimidation and Whistleblower Provisions and Protections

I. Non-Retaliation and Non-Intimidation



Delphi Rise requires Directors, Officers, employees, and other representatives to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. They must practice honesty and integrity in fulfilling their responsibilities and comply with all applicable laws and regulations. It is Delphi's intent to adhere to all legal statutes that apply to the organization and achieve full legal compliance. The support of all Delphi representatives is necessary to achieve this goal.

Wrongful Conduct includes, but is not limited to, any violation of law committed during the performance of duties or on Delphi premises; misconduct or violation of Delphi regulations as stated in the Employee Handbook or other Delphi-written procedures; personal gain or other non-authorized purpose, money, resources or authority for personal gain or other non-authorized purposes; and any violation of ethics. Additionally, under this provision, any impropriety that potentially impacts the integrity and effective operation of Delphi should be reported.

It is the responsibility of all Delphi Directors, Officers, employees, and representatives to comply with this policy and to report any Wrongful Conduct or suspected Wrongful Conducts in accordance with this policy.

No Director, Officer, employee, or other representative who in good faith engages in any of the following activities will be exposed to harassment, retaliation, or any adverse employment consequence because of such action, nor will any Delphi representative discourage, prevent interfere with or conceal any attempt by another representative to report such action as they are subject to non-retaliation under whistleblower protection policies (including those under **18 NYCRR 521-1.4(1)(2)(vi)**):

1. **Reporting Violations or Misconduct:** Directors, Officers, employees, and other representatives who report suspected violations of laws, regulations, or company policies—whether to supervisors, compliance officers, or appropriate external authorities—are protected from retaliation.
2. **Good Faith Participation in Investigations:** Directors, Officers, employees, and other representatives who participate in an investigation of alleged wrongdoing, even if they are not the person who reported the violation, are protected from retaliation. This includes giving testimony, providing evidence, or cooperating with internal or external investigations.
3. **Refusing to Participate in Illegal Activities:** Directors, Officers, employees, and other representatives who refuse to engage in activities they believe to be unlawful, unethical, or in violation of company policies, even if those activities are directed by supervisors or other authorities within the organization, are protected.
4. **Assisting in Compliance Program Activities:** Directors, Officers, employees, and other representatives who assist in the implementation or compliance of the organization's ethics or compliance programs—such as helping with audits, training, or policy development—are protected against retaliation.
5. **Exercising Legal Rights:** Directors, Officers, employees, and other representatives are protected from retaliation when they exercise their legal rights under the law, such as requesting accommodations, participating in labor union activities, or engaging in other protected activities under federal, state, or local laws.
6. **Participation in Whistleblower Hotlines or Helplines:** Directors, Officers, employees, and other representatives who use or participate in anonymous whistleblower hotlines or helplines provided by the organization to report misconduct are protected from retaliation.
7. **Engagement in Legal Proceedings:** Directors, Officers, employees, and other representatives who participate in legal actions, such as lawsuits, that involve allegations of wrongdoing or violations of laws, are also protected from retaliation.
8. **Opposition to Discriminatory Practices:** Directors, Officers, employees, and other representatives who raise



concerns about discriminatory, harassing, or retaliatory actions within the organization are protected, even if they are not formally filing a complaint.

9. **Requesting or Using Leave for Compliance Activities:** Employees who take time off to participate in compliance-related activities, such as attending training, are also protected from retaliation.

A representative who engages in such prohibited conduct is subject to discipline, which may include immediate termination or removal from office.

Any threat of reprisal against a person who acts in good faith pursuant to his or her responsibilities under the Compliance Program is acting against Delphi Rise's Compliance Program shall report the actions to the Corporate Compliance Officer who shall investigate the allegation.

Affected Individuals who believe they have been subject to retribution, retaliation and/or intimidation for reporting misconduct or good faith participation in the Compliance Program shall report the actions to the Corporate Compliance Officer who shall investigate the allegation.

II. Whistleblower Provisions and Protections

The **False Claims Act** provides protection to Whistleblowers who are discharged, demoted, suspended, threatened, harassed, or in any other manner discriminated against in the terms and conditions of their employment because of their furtherance of an action under the False Claims Act.

Delphi Rise will not take any retaliatory action against an employee if the employee discloses information about Delphi Rise's policies, practices, or activities to a regulatory, law enforcement, or other similar agency or public official. Protected disclosures are those that assert that Delphi Rise is in violation of a law that creates a substantial and specific danger to public health and safety, constitutes health care fraud under the law, or assert that, in good faith, the employee believes constitutes improper quality of patient care.

Employees do not need to notify their supervisor in order to be protected under this policy. This policy of non-intimidation and non-retaliation applies regardless of whether the report is made to the supervisor, Compliance Officer, or the appropriate Federal or State authority. This includes protection against retaliation, as described in **18 NYCRR 521-1.4(1)(2)(vi)**, for any employee who participates in the compliance program, regardless of the individual or agency the employee reports to.

Employees (complainants) are encouraged to share their questions, concerns, suggestions, or complaints with their supervisor. If this is not practical or comfortable for the employee, or the employee is not satisfied with the response, several alternative courses of action are available. The employee may:

- Speak with or write to the person in the next highest authority.
- Speak with or write to the designated Compliance Officer.
- Speak or write to the HR Administrator.
- File a written grievance and deliver it to the Secretary of Delphi Rise's Board of Directors.

Anonymous allegations are accepted but discouraged because they may hamper an investigation due to insufficient information and may seriously limit any investigative potential. Concerns expressed anonymously will be researched appropriately, with consideration given to:



- The seriousness of the issue
- The credibility of the concern
- The likelihood of confirming the allegation from attributable sources.

Supervisors are required to immediately report suspected violations to the Compliance Officer, who has specific and exclusive responsibility to investigate all reported violations.

Reports related to wrongful conduct may be submitted on a confidential basis by the complainant. Such reports, including the identity of the complainant, will be kept confidential to the extent possible, consistent with the need to conduct a fair and thorough investigation. All Delphi representatives who have access to such information are required to safeguard the confidentiality of the information on a need-to-know basis. Violators of confidentiality are subject to disciplinary action.

The Compliance Officer will notify the complainant and acknowledge receipt of the alleged wrongful conduct report within five business days, unless such report was submitted anonymously. All reports will be promptly investigated, and appropriate corrective action will be taken if warranted by the investigation.

Summary of Additions for 2025:

- **Governing Laws Applicable to Risk Areas:** included laws and regulations are particularly relevant to the risk areas specified in subdivision (d) of section 521-1.3:
- **Whistleblower Policy:** Revised to include the language required by 18 NYCRR 521-1.4(a)(2)(vi).
- **Role of the Compliance Officer:** Updated to reflect the Compliance Officer's responsibility in drafting and maintaining the work plan.
- **Enhanced Compliance Plan Functions:** Expanded the key functions of the Compliance Committee to include:
 - a. Implementing an effective process for identifying overpayments, along with procedures for reporting and correcting them.
 - b. Coordinating with the Compliance Officer to ensure that written policies, procedures, and standards of conduct required under subdivision (a) are accurate, current, and complete, and that training topics required under subdivision (d) are addressed promptly.
 - c. Ensuring communication and cooperation among affected individuals on compliance-related matters, including internal or external audits and other functions required by this Subpart.
 - d. Advocating for adequate funding, resources, and staffing to enable the Compliance Officer to effectively fulfill their responsibilities.
- **Leadership Update:** Mary LaDuca has been named Chair of the Compliance Committee.
- **Confidentiality Assurance:** Added language emphasizing that the confidentiality of individuals reporting concerns will be maintained unless the matter involves a disciplinary proceeding, is referred to or under investigation by MFCU, OMIG, or law enforcement, or disclosure is required during a legal proceeding. Additionally, individuals are protected under the required provider's policy for non-intimidation and non-retaliation.
- **Expanding Definitions:** Expanding definition of Affected Individuals and clearly defining Risk Areas