



**CODE OF CONDUCT**



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#### **PURPOSE**

The purpose of the Code of Conduct is to outline and define the scope, responsibilities, operational guidelines, control and activities included in CODAC's efforts to foster and assure ethical conduct and provide guidance to each staff person and agent of CODAC for their conducts in accordance with the CODAC Mission. In addition, staff (i.e. social workers, counselors, peers, etc.) is expected to also abide by their applicable professional disciplines' and licensing and/or certifying boards' codes of ethics and conduct.

#### **VISION, MISSION, VALUES & PRINCIPLES**

**Vision:** CODAC envisions a society where everyone lives healthy, productive, caring lives – positively contributing to their communities.

**Mission:** CODAC provides tools, support and services to individuals, families and communities so they may live with dignity, free from the harmful effects of mental illness, substance use disorders and trauma.

**Values:** In all we do, we're guided by the following values:

- Recovery
- Diversity
- Acceptance
- Respect
- Integrity
- Creativity
- Commitment

#### **Principles:**

The guiding principles under which CODAC operates are as follows:

- We will provide high quality, cost effective, outcome focused, and linguistically and culturally relevant services.
- Our services will be easily accessible, engaging, recovery oriented, family friendly, and respectful of the strengths and assets of the individuals with whom we work and the communities in which we live.
- We will work in collaboration with funders and other community-based organizations and form mutually rewarding partnerships that build upon organizational capacities and strengths.
- We will treat our employees and volunteers in a respectful manner that acknowledges them as our most important resource and support them in being the best at their roles in their communities.
- Our financial, human resources, facilities, information management and quality management services will function in a manner that most effectively supports the delivery of services to members and participants, and leads to ongoing organizational success.
- We will effectively communicate to the public the health and human services needs that exist in our community and our efforts to address those needs in a manner that attracts donors and other supporters.
- We will work to end the stigma of substance use disorders and mental illness, and advocate for just public policies that provide appropriate levels of public support to ensure that affordable treatment, health promotion and prevention services are available in a timely manner to all who need them.

#### **SERVICE PHILOSOPHY**

CODAC's service philosophy is based on the premise that members have a right to a high-quality, clinically appropriate level of care in the least restrictive environment. To implement this service philosophy, CODAC provides a continuum of accessible integrated physical, mental, emotional and behavioral health services that are:

- The highest quality
- Culturally and linguistically relevant and sensitive to the needs of persons served and community
- Cost-effective
- Outcome-oriented
- Evaluated by persons served

#### **INTRODUCTION**

Every CODAC staff person will receive this Code and other information necessary to ensure compliance with these standards. All applicable CODAC stakeholders will be required to annually review this Code. CODAC staff will receive notification of any alterations to this Code as they occur. All CODAC staff must comply with the standards set forth in this Code.

As used in this Code, "stakeholders" refers to Board Members, Directors, Officers, and Contracted Staff. As used in this Code "staff" refers to employees, interns, volunteers, and contractors involved in the delivery, oversight, and support of programs and services.

This Code is a “living” document and will be reviewed and updated as necessary, on at least an annual basis to keep CODAC, its directors, officers and staff informed of the most current information available pertaining to ethical standards in the health care industry.

CODAC’s Code of Conduct has been developed in accordance with applicable laws as well as with guidance from state and federal authorities. With this Code, CODAC will promote full compliance with all legal duties applicable to it, will foster and assure ethical conduct and will provide guidance to each staff member and stakeholder of CODAC regarding their conduct. The procedures and standards of conduct contained in this Code are intended to generally define the scope of conduct of CODAC employees and are not to be considered as all inclusive.

## **I. Ethical Principles/Members’ Rights and Responsibilities**

### **Confidentiality**

CODAC staff has access to sensitive member information, which, if improperly released, could cause injury to CODAC members. Confidentiality of all member information including identification of a person as a member is assured to all CODAC members in accordance with Arizona law.

### **Conduct with Members and Members’ Families**

All CODAC staff is responsible for possessing working knowledge of CODAC’s Policies and Procedures regarding member rights. CODAC staff will conduct themselves at all times in a respectful manner that promotes the dignity of individual members.

No staff should engage in dual or multiple relationships with members or former members in which there is a risk of exploitation or potential harm to the member. Staff should, under no circumstances, engage in sexual activity including flirtation and dating or sexual contact with members and/or former members, whether such contact is consensual or forced. Staff should not engage in sexual activity or sexual contact with members’ relatives or other individuals with whom the member maintains a close personal relationship when there is a risk of exploitation or potential harm to the member. Staff should not provide clinical services to individuals with whom they have had a prior sexual relationship.

Staff will not provide members transportation in their own personal vehicles as outlined in CODAC’s policies and procedures, nor will they provide loans, childcare or lodging in staff homes. No staff member will borrow money from or engage in business relationships, of any type, with a member or the member’s family.

Staff will not promote any religious, cultural or partisan beliefs to members.

Staff—not their members, members’ relatives or other individuals—assume the full burden of setting clear appropriate and culturally sensitive boundaries. Any staff with a question regarding boundaries or relationships with members, members’ relatives or other individuals is expected to seek guidance and direction from her/his supervisor. Staff that identify as peers may have an additional responsibility to ensure that roles are clearly defined and should seek supervision if maintaining or clarifying boundaries becomes a concern.

### **Use of Member’s Primary/Preferred Language**

**Rights Provision** – CODAC assures the communication of member rights in the member’s primary/preferred language.

**Service Provision** – Behavioral health Services are provided to members in their primary/preferred language.

### **Provision of Written Rights**

Upon intake and upon entry into a specific program (where additional rights or restriction of rights may need to be communicated), each CODAC member and/or their designated representative or guardian is offered a written copy of the member rights. It is the policy of CODAC to make every reasonable effort to ensure that members understand their rights as recipients of services, including utilizing interpretative services, when necessary.

### **Members and Staff with Disabilities**

CODAC abides by and is committed to upholding the standards established by Section 504 of the Americans with Disabilities Act and promotes equal access to all aspects of its organization to persons with disabilities. Reasonable accommodations will be made in order to ensure that access to services is available.

### **Member Responsibilities**

Members and their legal guardians are advised of their responsibilities through the Member Handbook, supplied at intake.

1. **Information Provision** - CODAC charges members and/or their legal guardians with the responsibility to provide, to the extent possible, the information needed for individualized care.
2. **Cooperation with Treatment** - CODAC informs members and/or their legal guardians of the expectation that the members and their legal guardians will follow the plans and instructions for care that have been agreed upon with their treatment team.
3. **Treatment Participation** - CODAC provides members and/or their legal guardians with notification of the expectation that they will strive to understand, to the degree possible, their own health care needs and develop mutually agreed upon treatment goals.

### **Appointment of Representation**

CODAC ensures that members and their legal guardians have the right to appoint a designated representative to assist them in effectively participating in the treatment planning and/or formal complaint processes.

### **Advocacy**

CODAC assures members and/or their legal guardians and designated representative(s) access to assistance in order to understand, exercise and to assure protection of member rights. An advocate may be a parent, guardian, friend, peer advocate, relative, human rights advocate,

member of a Human Rights Committee, advocate from the State protection and Advocacy system, or any other person who may assist a member in the protection of their rights.

#### **Problem Resolution**

CODAC provides internal resolution processes that involve members and their legal guardians in resolving complaints and concerns at the level closest to care delivery.

CODAC assesses the need for and promotes resources for community advocates to facilitate the resolution of problems between members, guardians, family members, designated representatives or other interested parties and Network providers.

#### **Assisting with Completion and Witnessing of Legal Documents**

Staff may assist with the completion of documentation on behalf of members including witnessing, as requested and legally appropriate (i.e. advanced directives, guardianship and power of attorney).

#### **Appeal Procedures**

CODAC ensures that disputes concerning services for all members, regardless of member diagnosis or service funding source are treated competently, expeditiously and equitably.

#### **Grievance Procedures**

Pursuant to Arizona Administrative Regulations, CODAC provides a mechanism to address and resolve rights violations and dangerous, illegal or inhumane conditions alleged to have occurred throughout its network.

#### **Informed Consent**

CODAC assures that members and their legal guardians receive appropriate and necessary information regarding the benefits and risks of, as well as alternatives to, treatment so members may either choose or not choose to receive the treatment (except as provided by law).

#### **Treatment Non-Compliance**

CODAC assures that members and their legal guardians receive appropriate and necessary information regarding non-compliance with treatment so that members and their legal guardians may make informed decisions as to their treatment or the treatment process.

#### **Member Participation in Treatment**

It is the policy of CODAC that participation of the member and their legal guardian, as appropriate, in treatment will be actively solicited and encouraged.

#### **Family Treatment Participation**

CODAC actively solicits and encourages the participation of the family, as appropriate, in the development of member's individualized treatment plans.

#### **Information Sharing with Family**

Within applicable legal limitations, it is the policy of CODAC to provide the family of a member with pertinent information concerning the member's condition and course of treatment while also protecting the member's right to confidentiality.

#### **Privacy**

CODAC adheres to the Federal Health Insurance Portability and Accountability Act of 1996 (HIPAA) Privacy and Security laws. Policies and procedures are in place to guide staff regarding the handling of protected health information. This includes but is not limited access to medical records, privacy, confidentiality and minimum necessary disclosure requirements. Staff is not to discuss private information in public places and should take appropriate measures to ensure protected health information is treated as confidential.

#### **Security**

CODAC strives to provide for member and staff safety at all times. Firearms and other weapons are not allowed on CODAC properties, and any indications of unsafe behavior will be promptly addressed.

#### **Protective Services**

CODAC staff is required by Arizona law to report suspected abuse or neglect of minors, or incapacitated or vulnerable adult members to the appropriate protective agency.

#### **Provider Clinical Staff Information**

CODAC ensures that members and their legal guardians are given appropriate information regarding the clinical staff providing their behavioral health services. Appropriate information will include the staffs' names and professional credentials, if any.

#### **Psychotropic Medication**

CODAC members have the right to be free from unnecessary or excessive medications. Members have the right to refuse medication. Members have the right to not have medication used for the convenience of the staff, as punishment, as a substitute for more appropriate treatment services, or in quantities that interfere with the member's treatment program. The member and/or legal guardian must provide informed consent.



**Experimental Treatment**

CODAC does not participate in any form of experimental treatment.

**Pastoral Services**

CODAC members have the right to religious freedom and practice, without compulsion and according to the preference of the member and/or their legal guardian. CODAC ensures that members in more restrictive treatment settings, such as inpatient hospitals and psychiatric health facilities, have access to pastoral services.

**Network Capabilities**

CODAC is dedicated to the development and utilization of a full and creative continuum of care, including integration of the mental and physical health of each member.

**Law and Regulation**

CODAC provides services within the framework of applicable federal and state law and regulations.

**II. Business And Professional Conduct**

**Discrimination Prohibited**

CODAC staff will not discriminate against any member, member's family members, treatment applicant, staff, prospective staff, vendor or contractor on the basis of race, ethnicity, gender, sexual orientation, age, religion, national origin, handicap, marital status, veteran status or any protected status.

**Harassment Prohibited**

It is the policy of CODAC that harassment, including sexual, is unacceptable and will not be tolerated. All staff is expected to refrain from any behavior or conduct that could be interpreted as harassing. All staff is expected to report suspected harassment. This policy applies to all phases of employment including during recruiting, testing, hiring, upgrading, promoting or demoting, transferring, laying off, terminating, as well as to pay rates, benefits, and selection for training, travel or agency social events.

**Alcohol and Drug Free Workplace**

To protect the interests of our colleagues and members, CODAC is committed to an alcohol and drug-free work environment. All staff must report for work free of the influence of alcohol and illegal drugs.

**Tobacco and Smoke-Free Workplace**

CODAC prohibits smoking and tobacco use in all indoor and outdoor agency-owned and leased properties, including parking lots and adjacent properties, and vehicles. Members residing at CODAC's Las Amigas Residential Treatment Program are permitted to smoke in designated areas at designated times. As an organization committed to supporting health, wellness and recovery – and entrusted with the care and treatment of members and personnel in our facilities – this policy acts on our knowledge that smoking and tobacco use poses a serious health risk.

**Open Access Model**

CODAC offers an open-access model for initial appointments, which ensures that individuals have timely access to services.

**Risk Sharing and Integrity of Clinical Decisions**

CODAC believes that qualified integrated physical, mental, emotional and behavioral health care providers can best design and carry out treatment processes that will produce positive results in the least intensive/restrictive environment and in the shortest amount of time. CODAC strives to provide the most clinically appropriate services based upon established member needs, within established parameters of medical necessity and without regard to how CODAC compensates or shares risk with its leadership or contractors.

**Communications with Colleagues**

CODAC staff is expected to consult with colleagues in order to ensure the provision of quality care to CODAC members. Staff will respect colleagues' professional opinions, using appropriate forums to express disagreements with such opinions.

**Use of Social Media**

CODAC has policies and procedures related to the use of social media. It is expected that staff adhere to these policies when using social media while at work, when away from work, when the staff's CODAC affiliation is identified, known, or presumed or when such use impacts the staff's own job performance or the working conditions of other staff members.

**Representation of Qualifications**

Staff will accurately represent all staff qualifications, whether their own or those of their colleagues.

**Best Practice Standards & Professional Growth Among Colleagues**

CODAC anticipates its staff will not only take personal responsibility for their own continued professional growth through education and training opportunities but that they will cooperate with colleagues in promoting common professional interests in order to improve CODAC's effectiveness as a health care provider.

**Conflicts of Interest**

Contractual relationships/employment opportunities and/or activities are considered carefully in regard to potential conflicts of interest. No CODAC staff will be employed by, be a contractor of, be a board member of, or receive funds from a business or organization that poses a

conflict of interest. A conflict of interest is a situation where financial interests or other opportunities for personal benefit may exert a substantial or improper influence upon a personnel's professional judgment in exercising an agency duty or responsibility. Potential conflicts of interest should be reported to the staff's supervisor or Human Resources. Potential conflicts involving the President/Chief Executive Officer will be referred to the Board of Directors. CODAC Admin – 312 – Governance Authority policy also indicates that the Board of Directors shall receive, review, sign and agree to adhere to the Code of Conduct and the Annual Conflict of Interest Disclosure.

#### **Dual Relationships (staff/peers receiving services at CODAC)**

CODAC recognizes and values the input and contributions that a peer workforce brings to our members and encourages the hiring of peers. At times, navigating the relationship of being both a staff member and a peer that receives treatment services at CODAC can be challenging. Should a peer staff member decide to receive treatment services at CODAC, it is expected that both roles be treated separately and distinctly. As personnel, peer staff will be expected to abide by CODAC policies and procedures and will be treated as any other employee with all the applicable rights and benefits. As a member, it is expected that the peer ensure that appropriate steps are taken to keep their treatment at CODAC separate and ensure that they are interacting with their treatment team as any other member would (i.e. plan for time off of work for any appointments accordingly, schedule and communicate with their treatment team via non-CODAC email, access their own medical record through appropriate means, etc.). Peers are expected to communicate any challenges they may be experiencing with their supervisor for guidance in clarifying roles and expectations as a staff member. In addition, peers are encouraged to consider receiving their treatment services elsewhere should the navigation of these roles become difficult.

#### **Honesty and Accurate Documentation**

It is the policy of CODAC to provide services that fully comply with all federal, state, and local regulations, contractual obligations, and adhere to explicit ethical standards throughout all facets of the organization's obligations.

**Corporate Responsibility** – CODAC has a Corporate Compliance Program which requires staff to report suspected cases of fraud, abuse, and waste as well as any violations to applicable local, state and federal laws. Staff is encouraged to report any actual or potential wrongdoing they observe or suspect. Please refer to CODAC's Corporate Compliance Plan and Policy regarding mechanisms for reporting and investigation process.

**False Reporting Prohibited** – CODAC staff will not knowingly and/or willfully make or write any false statement to any governmental agency concerning CODAC or its providers. False statements include, but are not limited to, misrepresentations of services that were rendered; false certifications that services were medically necessary; and "up-coding" and billing statements for services not actually rendered. Additionally, staff is prohibited from making misstatements regarding CODAC's compliance with any governmental rules and provider facilities for which certification is required. Also, CODAC staff may not assist a service provider in charging rates in excess of applicable federal health care program established rates. Finally, any CODAC staff making such false statements or misstatements will be subject to discipline.

**Retaliation for Reporting of Fraud or Abuse Prohibited** – No CODAC staff who reports suspected misconduct will be retaliated against or otherwise disciplined by CODAC or staff. Refer to CODAC's Corporate Compliance Program and Non-Retaliation policy.

**Billing Practices/Prohibition of Fraud and Abuse** – No CODAC staff will employ practices that are inconsistent with sound fiscal, business, medical or other professional practices. Practices that result in unnecessary cost to any funded health care programs or in reimbursement for services that are not medically necessary or that fail to meet professionally recognized standards for health care are prohibited. Such prohibited practices include any intentional deception or misrepresentation made by staff with the knowledge that the deception could result in some unauthorized benefit to themselves or some other person.

#### **Respect for Protected Information**

**Proprietary** – CODAC staff will respect all copyright laws and licensing agreements while performing their job duties. Staff will not utilize confidential business information to provide any unfair advantage to or detriment against CODAC.

**Personnel** – CODAC personnel files will be confidential and access to them limited to the staff member, CODAC's President/Chief Executive Officer, Human Resources staff, Program Directors, their immediate supervisor, and others only as permitted by applicable law and regulations.

**Medical Records** – CODAC staff will only access medical records that they are required to access in the course of their duties. It is expected that access to a medical record be preceded by a progress note, task or some other form of traceable documentation (i.e. accounting of access form) and/or explained by a particular job function (i.e. audit). Administration is able to determine who, when and where access has occurred. Personnel that also receive services at CODAC are expected to access their records through the appropriate channels (medical records request) and are not allowed to access their own record through CODAC's Electronic Health Record (EHR). Any staff found to have inappropriately accessed a medical record will be subject to disciplinary action up to and including termination.

#### **Environmental Protection**

CODAC strives to function in a manner which protects the Arizona environment. CODAC staff will "reduce, reuse and recycle" resources whenever possible.

#### **Safety**

It is the policy of CODAC to operate in a manner safe for members, staff and the public. CODAC ensures facilities are accessible and smoke-free and that disaster and emergency response plans are in place and regularly practiced.

#### **Protection of Assets**

Staff will aim to efficiently utilize agency time, property and funds for authorized CODAC business only and not for personal gain. All materials developed during CODAC reimbursed time is the property of CODAC.

#### **Marketing and Fundraising Practices**

Marketing and fundraising practices will primarily be to support CODAC in its mission. All principle information regarding CODAC officers and directors is publicly available information. All marketing materials will accurately reflect only currently available services and level of licensure and accreditations held.

Fundraising efforts will be conducted in accordance with all applicable laws; information regarding how designated funds are utilized will be tracked and efforts to raise funds will include accurate information on what designated funds are being raised for and how funds intend to be utilized. Any sensitive Donor information will be kept confidential and efforts will be made to honor any special donor requests (i.e. how to utilize particular funds donated). CODAC may choose to not accept a donation if the donor's specified purposes cannot be met (i.e. too restrictive in purpose) and/or if they are not consistent with CODAC's stated mission, purposes or priorities.

Generally, CODAC prohibits personal fundraising by its staff without prior approval from Executive Leadership.

#### **Gifts, Money and Gratuities**

Staff is prohibited from accepting or giving gifts, money and/or gratuities beyond common business courtesies of nominal value. Under no circumstances do staff accept or give kickbacks in return for improperly obtaining, influencing, or rewarding favorable treatment in obtaining contracts, services, referrals, goods or business; items beneficial for therapeutic services such as workbooks, self-help books, etc. are acceptable and must be documented as such.

#### **Conduct with Vendors/Contractors**

All staff will treat suppliers, vendors and contractors in a fair and impartial manner.

#### **Political Activity**

CODAC ensures that no public funds paid to CODAC or interest earned thereon, is used to influence any governmental legislative or administrative body in conjunction with awarding any contract; making any grant or loan; entering into any cooperative agreement; or extending, continuing, renewing, amending or modifying any governmental contract, grant, loan or cooperative agreement.

Further, CODAC maintains political neutrality and neither discriminates against nor advocates for any individual or group on the basis of political beliefs or affiliations. However, because CODAC does advocate for the development of a quality healthcare system in Arizona, staff are charged with educating state policy makers about health care issues. In providing such education, staff will develop ongoing relationships with government positions and agencies. CODAC encourages its staff to consider carefully their personal political activities for potential adverse effects on the staff member's effectiveness or CODAC's public image.

### **III. Compliance with this Code**

Numerous laws, regulations and professional codes of conduct define and establish obligations for the health care industry with which CODAC and its staff must comply. This Code of Ethics is neither exclusive nor complete and is intended to provide basic guidance to CODAC staff. More inclusive guidance will be found in individual CODAC Policies and Procedures, particularly the personnel and member handbooks. Guidance not provided by this Code, Policies and Procedures are available through individuals' supervisors and CODAC's Executive Leadership.

### **IV. Amendments to this Code**

#### **Amendments to this Code**

Executive Leadership will direct the annual review of this Code and the preparation of any amendments to it. The CODAC Board of Directors will approve any amendments to this Code by Resolution.

### **V. References**

United States Code, Titles 18 and 42

Arizona Revised Statutes Title 36, Chapter 5

Arizona Administrative Code, Title 9

CODAC's Policies and Procedures

- Admin-304 – Code of Conduct
- Admin-327 – Non Retaliation
- Admin-311 – Corporate Compliance
- Admin-371 to 383 – HIPAA
- QM-640-Problem Resolution Process

Federal Health Insurance Portability and Accountability Act of 1996 (HIPAA)