DePaul Corporate Compliance
Discipline and Enforcement of Compliance Standards Policy

Purpose:

DePaul (sometimes referred to as "Organization" or "the Organization") is committed to conducting its business ethically and in conformance with all Federal and State laws, regulations, interpretations thereof, and DePaul's Standards of Conduct. To support this commitment, DePaul has developed procedures for disciplinary actions to be taken for illegal or unethical acts; violations of Federal or State laws and regulations; violations of the Standards of Conduct, the Compliance Program, and DePaul's policies and procedures; improper acts in the delivery or billing of services; and other wrongdoing (collectively referred to as "compliance violations" for purposes of this Policy) by Affected Individuals.

For purposes of this Policy, the term "Affected Individuals" includes all persons who are affected by the required provider's risk areas including the required provider's employees, the president and other senior administrators, managers, contractors, agents, subcontractors, independent contractors, and governing body and corporate officers.

Policy:

It is the Policy of DePaul to ensure that:

1. Affected Individuals who, upon investigation, are found to have committed compliance violations will be subject to appropriate disciplinary action, up to and including termination of employment, contract, assignment, or appointment with DePaul.

2. The following actions shall result in disciplinary action:
    - Authorization of or participation in actions that violate Federal or State laws, regulations, the Compliance Program, Standards of Conduct, or any related policies and procedures;
    - Failure to comply with DePaul's policies governing the prevention, detection, or reporting of fraud and abuse;
    - Falsification of records;
    - Submitting or causing to submit a false claim;
    - Failure to report a violation by a peer or subordinate;
    - Failure to cooperate in an investigation; and
    - Retribution, retaliation, or intimidation against a person for reporting a possible compliance violation or participating in an investigation.

3. DePaul will apply progressive discipline consistent with the violation. Examples of the disciplinary action that may be taken in accordance with the nature and scope of the infraction include but are not limited to: (a) verbal counseling or warning; (b) counseling with written warning; (c) retraining; (d) reassignment or demotion; (e) suspension without pay; and (f)

termination of employment, contract, assignment, or appointment. DePaul will consider intentional or reckless behavior as being subject to more significant disciplinary action.

4. The Compliance Officer will be responsible for assuring that disciplinary actions related to compliance violations are consistent with actions taken in similar instances of non-compliance and that the same disciplinary action applies to all levels of Affected Individuals.

Regulatory References:

Social Service Law 363-D
18 NYCRR Part 521

Procedures:

1. All reports of compliance violations are to be reported to the Compliance Officer in accordance with the Reporting and Investigation of Compliance Concerns Policy and Procedure.

2. To the extent possible, disciplinary action for employees will be taken in accordance with the Organization's Human Resource Employee Handbook

3. When the determination is made that a compliance violation by an Affected Individual has occurred, the Compliance Officer will notify the President, the Chief Legal Officer, the appropriate department/program administrator, and the employee's supervisor.

4. When the determination is made that a compliance violation by a Board member or a corporate officer has occurred, the Compliance Officer will notify the President, Chief Legal Officer, and the President of the DePaul Group Board. If the President of the Board is implicated in the violation, the Compliance Officer and President will work with the Compensation Committee of the Board to determine and execute appropriate disciplinary action.

5. When the determination is made that a compliance violation by the President has occurred, the Compliance Officer will notify the President of the Board in order to determine and execute appropriate disciplinary action. Legal counsel may be consulted, as appropriate.

6. When the determination is made that a compliance violation occurred involving a contractor or vendor, the Compliance Officer will notify the President and Chief Legal Officer and work collaboratively to determine and execute the appropriate corrective action.

7. If appropriate, the Compliance Officer may notify the Board or the Compliance Committee prior to the next regularly scheduled meeting when a full report of compliance-related disciplinary actions would normally be presented.

8. The Compliance Officer and Vice President of Human Resources will work in collaboration with the appropriate supervisor/manager in determining and executing the disciplinary action related

to a compliance violation by an employee. The Compliance Officer shall have the discretion to recommend a disciplinary process other than the normal procedure.

9. The Compliance Officer and/or Vice President of Human Resources shall consult with the Compliance Committee, the President, and legal counsel, as necessary to determine the appropriate disciplinary action to be taken.

10. Discipline will be appropriately documented in the disciplined employee's personnel file, along with a written statement of reason(s) for imposing such discipline. Such documentation will be considered during the employee's regular and promotional evaluations.

11. The Compliance Officer will maintain a written record of all disciplinary actions taken against Affected Individuals, including verbal warnings, and will reference these records when necessary to ensure consistency in the application of disciplinary measures.

12. The Compliance Officer shall maintain a record of all disciplinary actions, including verbal warnings, taken against Affected Individuals related to compliance violations and report regularly to the Compliance Committee and not less than annually to the Board of Directors, regarding such actions.

13. The Compliance Officer will reference the record of disciplinary actions as necessary to ensure consistency in the application of disciplinary measures related to compliance violations.

14. The Compliance Officer will ensure that the disciplinary procedures are disseminated to all Affected Individuals and that these individuals have received relevant training in accordance with DePaul's training plan.

Sanction Statement:

Non-compliance with this policy may result in disciplinary action, up to and including termination.

Compliance Statement:

As part of its ongoing auditing and monitoring process in its Compliance Program, DePaul will review this policy based on changes in the law or regulations, as DePaul's practices change, and, at minimum, on an annual basis. Additionally, this policy will be tested for effectiveness on an annual basis or more frequently as identified in accordance with DePaul's Compliance Program. Testing will include but is not limited to ensuring that the policy is appropriately followed; the policy is effective; the policy has been disseminated to all Affected Individuals, who will also be notified of any updates or changes.

Tracking of the criteria above and results of this testing will be completed by the Compliance Officer, or designee. Additionally, results will be reported to the Compliance Committee and Governing Body on a regular basis.

Record Retention Statement:

DePaul will retain this policy and all subsequent revisions, and any related documentation will be retained for a period of, at minimum, six years.