



# Northern Michigan Regional Entity

## Code of Ethics

<b>Approved By</b>	<b>Date</b>
Internal Operations Committee (IOC)	February 8, 2023

## **I. MESSAGE FROM THE CHIEF EXECUTIVE OFFICER (CEO)**

Acting with integrity and making decisions based on the highest standards of ethical behavior are critical to maintaining the professional and positive reputation we have attained. This Code of Ethics does not replace your ethical obligations under your professional code of ethics. Where this Code of Ethics conflicts with your professional Code of Ethics – your professional Code of Ethics takes precedence.

As the Chief Executive Officer, I understand that working in an environment with such a fast-changing pace can be extremely challenging. In some cases, the right course of action may not be very clear. These standards are designed to help support right and ethical relationships with consumers, coworkers, business associates, government, other regulatory agencies, and the community.

Please read and become familiar with this Code of Ethics. When faced with difficult situations or uncertainties, ask questions and seek advice from your supervisor, the Compliance Officer or other appropriate resources. Most importantly, you are expected to speak up about any actions that may be inconsistent with this Code of Ethics. If you have any questions or concerns that have not been addressed in this Code of Ethics, feel free to contact your supervisor or the Compliance Officer.

Thank you for supporting the NMRE in its commitment to be a leader in the delivery of sustainable, high-quality, compassionate, safe, and effective care to our community.

Sincerely

A handwritten signature in black ink, appearing to read "Eric Kurtz", with a stylized, flowing script.

Eric Kurtz

Chief Executive Officer

## **II. NORTHERN MICHIGAN REGIONAL ENTITY'S (NMRE) MISSION.**

"Develop and implement sustainable, managed care structures to efficiently support, enhance, and deliver publicly-funded behavioral health and substance use disorder services."

## **III. NORTHERN MICHIGAN REGIONAL ENTITY'S (NMRE) VISION.**

"A healthier regional community living and working together."

## **IV. THE CODE OF ETHICS.**

The Code of Ethics sets out professional standards to guide ethical conduct for the NMRE employees. It also applies to everyone working in the NMRE including associates, contract workers, volunteers, and all staff members. Substantiated allegations of unethical behavior or misconduct in violation of this Code of Ethics will lead to disciplinary action up to and including termination.

## **V. WHY HAVE A CODE OF ETHICS?**

In addition to supporting our mission and vision, this Code of Ethics is available to ensure that our behaviors and actions are consistent with our purpose. Actions and behaviors that are inconsistent with this Code of Ethics can negatively impact relationships with our consumers, communities, business partners, and other entities that we rely upon in the delivery of care.

## **VI. BREACH OF THE CODE OF ETHICS**

If anyone should know of or become aware of any breach of this Code of Ethics by another employee or associate, they are under an obligation to notify their supervisor, and the Compliance Officer. Breach of the Code of Ethics can also be reported anonymously through the compliance hotline or the compliance email.

## **VII. NON-RETALIATION**

It is your responsibility to report issues and concerns. We understand that you may not wish to report concerns if you feel you may be subject to retaliation or harassment. The NMRE strictly prohibits retaliation of any kind against any individual who reports an

issue or a concern in good faith. Retaliation is subject to disciplinary action up to and including termination.

## **VIII. OBLIGATION OF NMRE EMPLOYEE**

- 1. Individuals are obligated to conduct themselves in accordance with:**
  - a. Standards set forth in the Code of Ethics;
  - b. Applicable federal and state laws and regulations;
  - c. NMRE policies, including general policies, Compliance Program Plan and policies, and those applicable to specific job, position, or function;
  - d. Code of Ethics in accordance with an individual by state licensure or registration; and
  - e. Ethical standards binding an individual as a practitioner of a profession.
- 2. Professional ethics:**
  - a. Employees who are members of a health care profession required to be licensed or registered under the Michigan Public Health Standard are responsible for obtaining their licenses or registrations and renewals thereof on a timely basis.
  - b. Health care professionals will render professional services only within the scope of their licenses or registrations and in manners that conform to applicable standards of care and to the ethics of their profession.
  - c. No employee that is a health care professional is permitted to render professional services unless he/she possess all valid, current, and unrestricted state and federal licenses, registrations, and certifications necessary to legally practice his/her profession and has been credentialed and privileged as set forth in NMRE policies.
- 3. Responsibility to Beneficiaries:** NMRE employees have an affirmative obligation to:
  - a. Treat beneficiaries and their family members with dignity and respect.
  - b. Provide services that meet the beneficiary's medical necessity, as identified through clinical assessment; when the beneficiary meets the requirements for the service, the service will be included in the person-centered individualized plan of services.
  - c. Not discriminate based on race, color, national origin, ancestry, religion, age, sex, weight, marital status, physical or mental impairment in the provision of services, including admission to and discharge from services.
  - d. Provide consumers and their families with all information concerning services and treatment; when and to the extent required by applicable Federal and State laws and regulations and/or by sound clinical practice.
  - e. Document in a timely manner to ensure an accurate accounting of services provided.

- f. Protect health information from unauthorized use or disclosure except as required or permitted by law.
  - g. Report suspected abuse and neglect as required by law.
  - h. Protect consumers' rights and furnish services to beneficiaries in a manner that does not violate their legal rights as defined in the Michigan Administrative Rules, Public Health Standard, and the Mental Health Code.
  - i. Not have relationships of a sexual nature of any kind with consumers. Relationships of a sexual nature with consumers are prohibited.
  - j. Not engage in, or permit any third party to engage in studies, surveys, or clinical investigations involving consumers or their personally identifying information (collectively, "research") without the prior written approval of the MDHHS Institutional Review Board. All research must be conducted in compliance with all applicable Federal and State laws and regulations, in accordance with applicable professional ethics, and with due respect for the legal rights of consumers.
4. **Conflict of Interest:**
- a. NMRE employees will avoid any action that conflicts with the interest of the organization.
  - b. NMRE employees must disclose any potential conflict of interest situations that arise or exist.
  - c. NMRE will establish clear separation of any supplemental employment by means of private practice or outside employment from activities performed for NMRE.
  - d. Conflicts of interest disclosed by providers must be considered. If a provider with a disclosed conflict of interest is used, the conflict must be addressed in the relevant agreements.

## **IX. BUSINESS ETHICS**

### **1. Financial Standards:**

- a. NMRE will ensure the integrity of all financial transactions. Transactions will be executed in accordance with established policies and procedures and with federal and state law and recorded in conformity with generally accepted accounting principles or any other applicable criteria.
- b. All financial reports, accounting records, research reports, expense accounts, timesheets, and other documents will accurately and clearly represent the relevant facts or the true nature of a transaction.
- c. No undisclosed or unrecorded funds or assets will be established for any purpose.
- d. NMRE will not tolerate improper or fraudulent accounting, documentation, or financial reporting.

### **2. Kickbacks:**

- a. NMRE employees are prohibited from offering, soliciting, or accepting money or anything else of value from an NMRE vendor or provider, except as provided herein.
- b. Employee may share in a gift of goods or services from a vendor or provider if, and only if:
  - i. The gift consists of goods delivered to NMRE premises;
  - ii. The gift is used or consumed on the premises;
  - iii. The gift is not intended for the personal use or benefit of specific individuals;
  - iv. The gift does not violate federal and state laws and regulations that prohibit soliciting or accepting anything of value in exchange for influencing a purchase of goods or services or the referral of individuals for services.

### **3. Market Competition:**

- a. NMRE policies and business practices prohibit setting charges in collusion with competitors and entering into certain exclusive arrangements with vendors.
- b. Additional information concerning antitrust issues can be obtained from the NMRE Compliance Officer.

### **4. Outside Employment:**

- a. NMRE employees will not represent or act as an agent, compensated or uncompensated, for any outside interest in any transaction in which NMRE has a direct or substantial interest, financial or otherwise.
- b. NMRE employees shall not accept any outside engagement or employment pursuits which conflict with the ability of employee to perform properly their duties to the NMRE.
- c. Outside employment will be disclosed to and approved by the NMRE Chief Executive Officer.

### **5. Procurement:**

- a. Vendors of goods and services will be selected based on objective criteria including quality, technical excellence, price, delivery, and adherence to schedules, service, and maintenance of adequate sources of supply.
- b. Where required by law or contract, procurement will be by competitive bid.
- c. Where procurement is by secret bid, NMRE employee will not directly or indirectly disclose any information to any bidder or potential bidder if such disclosure would provide or tend to provide any competitive advantage.

### **6. Trading on Inside Information:**

- a. NMRE employees may not engage in, or retain the profits of, any private activity, business, or transaction arising out of or in any way related to information acquired in the course and scope of their employment with NMRE.

### **7. Improper Referrals:**

- a. Referrals of consumers to services outside NMRE are important to the delivery of proper care.
- b. If a referring healthcare professional, or a member of his/her immediate family, has an ownership or financial interest in an entity to which an individual is referred, and payment for the referred services will be made by any federally funded health care program (e.g., Medicare, Medicaid), federal and state laws may forbid the referral.
- c. Employees may not make a referral in violation of such laws. Additional information concerning referral restrictions can be obtained from the NMRE Compliance Officer.

**8. Gifts Influencing Decision-Making:**

- a. NMRE employees will not accept from anyone gifts, favors, services, entertainment, or other things of value to the extent that decision-making or actions affecting NMRE might be influenced.
- b. Similarly, the offer or giving of money, services, or other things of value with the expectation of influencing the judgment or decision-making process of any purchaser, supplier, beneficiary, government official, or other person by NMRE employee is absolutely prohibited.
- c. Any such conduct should be reported immediately to the NMRE Chief Executive Officer, the NMRE Compliance Officer, or through the NMRE Compliance Helpline at 866.789.5774.

**9. Billing and Claims:**

- a. NMRE is committed to charging, billing, and submitting claims for reimbursement only when the services have been provided and documented in the manner required by laws, regulations, policies, and applicable standards of care.
- b. NMRE employees should know and carefully follow the applicable rules for the submission of bills and claims for reimbursement, whether those claims are submitted to NMRE for payment, or to a third party for payment by NMRE.
- c. NMRE employees that know or suspect that a bill or claim for reimbursement is incorrect are required to report the matter immediately to a supervisor, the NMRE Chief Executive Officer, or the NMRE Compliance Officer.

**X. CONFIDENTIALITY**

**1. Consumer Identifying and Confidential Information:**

- a. Except as otherwise required by law (e.g., the Mental Health Code, 42 CFR, Part 2, HIPAA), personally identifiable, and confidential information will not be released without an appropriately signed consent/authorization or official judge's court order.

**2. Disclosure of Business and employee Information:**

- a. Except as otherwise required by law (e.g., the Freedom of Information Act), personal information, and information about NMRE operations acquired by employees from any source, will be disclosed within the NMRE only on a minimum necessary, need to know basis and solely for purposes related to the performance of job duties.
- b. Such information may be disclosed outside the NMRE only as permitted or required by law and NMRE policy.

## **XI. WORKPLACE CONDUCT AND EMPLOYMENT PRACTICES**

### **1. Employment Discrimination:**

- a. NMRE and its employees will abide by any and all applicable federal and/or state equal opportunity statutes, rules, and regulations including and without limitation, Title VII of the Civil Rights Act of 1964, the Equal Employment Opportunity Act of 1972, the Age Discrimination in Employment Act, the Fair Labor Standards Act, the Americans with Disability Act, the Rehabilitation Act of 1973, and the Occupational Health and Safety Act of 1970, all as may from time to time be modified or amended.

### **2. Controlled Substances:**

- a. NMRE prohibits the consumption of alcohol and the unlawful possession, use, manufacture, or distribution of illicit drugs or alcohol on or in its property, including NMRE owned or leased vehicles.
- b. Employees will not consume alcohol or be under the influence of illicit drugs or alcohol while acting in the course and scope of their employment, or while operating a vehicle in the course and scope of their employment.
- c. All health care professionals, including those who maintain DEA registration, must comply with all Federal and State laws regulating controlled substances.
- d. Employees who know or suspect the consumption, unlawful or unauthorized possession, use, manufacture or distribution of illicit drugs or alcohol by another employee in violation of this paragraph will promptly notify their supervisor and the Compliance Officer.

### **3. Harassment:**

- a. Unlawful harassment is prohibited, whether verbal, physical, or visual, that is based on a person's race, color, religion, sex, age, national origin, height, weight, marital status, veteran status, disability, or any other legally protected characteristic.
- b. NMRE is committed to an environment free of harassment from its employees.
- c. NMRE will not tolerate harassment based on race, color, religion, sex, age, national origin, height, weight, marital status, veteran status,



disability, sexual orientation, or any other condition, which adversely affects the work environment.

- d. NMRE has a strict non-retaliation policy prohibiting retaliation against anyone reporting suspected or known compliance violations in good faith.

#### **4. Sexual Harassment:**

- a. Sexual harassment is prohibited.
- b. Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature when submission to or rejection of such conduct explicitly or implicitly affects an individual's employment, interferes with an individual's work performance, or creates an intimidating, hostile, or offensive work environment.

#### **5. Weapons:**

- a. NMRE employees will not possess, maintain, keep, or bear any rifle, pistol, or other firearm, whether licensed or unlicensed, registered or unregistered, concealed or not concealed, holstered or not holstered, cased or uncased in or on any building, grounds, property, or vehicle owned, rented or operated by NMRE, or on which consumers receive services for which payment is made in whole or in part with NMRE funds.
- b. Employees will not possess, maintain, keep, or bear any explosive or other weapons in or on any building, grounds, property or vehicle owned, rented, or operated by NMRE or on which consumers receive services for which payment is made in whole or in part with NMRE funds.

#### **6. Personal Use of NMRE Resources:**

- a. Except as provided herein, use of NMRE property, equipment, or other tangible assets for personal purposes without prior written approval by a supervisor is prohibited.
- b. The occasional personal use of NMRE property, equipment, and tangible assets (e.g., making local phone calls and sending personal e-mail over company communications equipment) is acceptable where NMRE incurs no direct expense in connection with such personal use.
- c. Employees may not contribute NMRE funds or property to any charity without prior written authorization of the NMRE Chief Executive Officer or his/her designee.

#### **7. Nepotism:**

- a. Employees will not advocate a relative for appointment, employment, promotion, or advancement.
- b. No employee, volunteer, trainee, or intern will appoint, employ, promote, or advance a relative to any position over which he/she has supervisory responsibility. For the purposes of this section:

**Relative:** Means an individual related to an NMRE employee by blood or marriage.

**Advocate:** Means the referral or recommendation of a relative of an NMRE employee standing lower in the same chain of command for appointment, employment, promotion, or advancement.

**8. Political Activities and Contributions:**

- a. Employees may not directly or indirectly contribute NMRE property, equipment, funds, resources, or other tangible or intangible assets or the use thereof to political campaigns, candidates, political parties, or any agent or affiliate thereof.
- b. Prohibited conduct includes, but is not limited to, the use of work time and/or NMRE equipment to solicit or canvas on behalf of a political cause or candidate.
- c. Employees will publicly or privately represent their political views as those of the NMRE.

**9. Reporting:**

- a. NMRE employees are obligated to report violations and suspected violations of fraud, waste, and abuse.
- b. Employees that become aware of or have reasonable grounds to suspect a violation of any of the standards within this Code of Ethics by any NMRE employee is obligated to report the violation or suspected violation by one of the following methods:
  - i. Directly to any supervisor
  - ii. Directly to the Compliance Officer-Anonymously or in person at the following methods:
    - NMRE Compliance Officer  
Walden Drive, Gaylord, MI 49735
    - Phone: 866.789.5774 or 231 330 2040
    - NMRE email: [compliancesupport@nmre.org](mailto:compliancesupport@nmre.org)
  - iii. Directly to the Office of the Inspector General (OIG):
    - Office Hours: Monday - Friday, 8:00am to 5:00pm
    - Phone: 855-MI-FRAUD (643-7283) (voicemail available for after hours)
    - or send a letter to: Office of Inspector General PO Box 30062  
Lansing, MI 48909
- c. All reports will be treated as confidential to the extent allowed by law and will only be shared with others on a bona-fide need-to-know basis. Under no circumstances will NMRE tolerate retaliation against its employees for making a "good faith" report to the Compliance Officer.
- d. Obligations are also identified and defined in the Compliance Plan, available at [www.nmre.org](http://www.nmre.org). Commitment to the goals of the Compliance Plan is required by every NMRE employee, agents, providers, and subcontractors. NMRE employees, affiliates, agents,

contract providers, and subcontractors bear the responsibility for compliance.

## **XII. WHAT SHOULD I EXPECT FROM THE NMRE?**

1. To be treated with respect, honesty, and fairness.
2. To receive a meaningful and rewarding work experience.
3. To experience a safe work environment, free from harassment, intimidation, retaliation, and violence.
4. A respectful work environment that allows individuals to freely ask questions, seek clarification when needed, and raise issues and or concerns without fear of harassment or retaliation.
5. Opportunities for professional development.
6. Sufficient resources to carry out the job duties as assigned.

## **XIII. REFERENCES:**

- NMRE Compliance Plan
- NMRE Conflict of Interest Policy
- NMRE Non-Retaliation policy
- NMRE Employee Handbook

#### **XIV. Acknowledgement and Attestation**

I have read and understood the NMRE Code of Ethics. All of my questions and concerns have been addressed.

I agree to abide by these standards of the Code of Ethics during my employment at the NMRE. I do understand that I will be held accountable for my actions and behavior that are inconsistent with this Code of Ethics. I understand that violation of this Code of Ethics could result in disciplinary action ranging from verbal warning up to termination of employment, suspension of medical staff privilege or termination of business relationship. In some cases, legal prosecution may be applicable.

Employee Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_