



# Code of Ethics

Lifespire®, Inc. shall conduct all business in accordance with uncompromising ethical standards. We are committed to complying with all applicable laws and regulations. We believe integrity and trust are essential to the mission of supporting people diagnosed with a disability as well as supporting our employees. Adherence to these standards will not be compromised for financial, professional or other business objectives.

We ensure that all aspects of the people we care for and the business we conduct are performed in compliance with our mission and Ethics statement, policies and procedures, professional standards and applicable governmental laws, rules, and regulations.

Lifespire's Code of Ethics applies to all Affected Individuals, such as employees, Board Members, officers, agents, vendors and independent contractors.

The Code of Ethics was approved by Lifespire's Board of Directors and is a formal statement of the Agency's commitment to the standards and rules of ethical conduct.

Lifespire is committed to preventing the occurrence of unethical or unlawful behavior, stopping such behavior as soon as possible after discovery, and to discipline employees who violate the Code, including employees who neglect to report a violation.

All employees must comply with this Code, immediately report any alleged violations of wrongdoing, and assist management and compliance personnel in investigating allegations of wrongdoing. Lifespire is committed to promoting an environment where concerns regarding known or suspected fraud, waste, and abuse; illegal or unethical acts; actual or suspected violations of Federal or State laws and regulations; actual or suspected violations of this Code of Ethics, the Compliance Program, and the Agency's policies and procedures; improper acts in the delivery or billing of services; and other wrongdoing are reported and addressed without fear of retaliation, intimidation, retribution or harassment for good faith reporting of such concerns.

To reinforce this commitment, Lifespire maintains a policy of non-intimidation and non-retaliation for good faith participation in the Compliance Program, including but not limited to reporting potential issues and compliance concerns, investigating issues, self-evaluations, audits and remedial actions, and reporting to appropriate officials as provided in the Labor Law.

The Corporate Compliance Hotline is designed to report fraud and ensure compliance with applicable laws and regulations governing the provision of services provided by Lifespire. The number is 212-741-0100, extension 4619. A flyer with this number is posted at all Lifespire sites. Calls can be anonymous. Messages are checked daily by the Director of Corporate Compliance, Brian Boehm.

**While the standards addressed in the Code of Ethics are intended to guide employees in the course of their day-to-day responsibilities, they do not replace any Agency or program policies and procedures. There may be instances that are not addressed by the Code of Ethics or existing policies and procedures, or activities that may conflict with these standards.**

**Employees must seek direction from their supervisor, other Agency management staff or the Compliance Officer in these instances.**

## Ethics

It is the policy of Lifespire to observe all laws and regulations applicable to its business and to conduct business with the highest degree of integrity. To accomplish this, all employees and contractors must obey the laws and regulations that govern their work and always act in the best interest of the people we serve, their families and the Agency.

## Guidelines for Employees, Contractors, Vendors, and Board Members

- You are expected to keep management staff informed of what you are doing; to document or record all services or transactions accurately; and to be honest and forthcoming with the Agency, regulatory agencies, and internal and external auditors.
- You are expected to comply with the Agency's policies and procedures, accounting rules and internal controls.
- You are expected to function with honesty in your work for the Agency and with the people we serve, providers, suppliers and all others with whom the Agency does business.
- All employees must refuse to participate in unethical or illegal conduct and must report any suspected unethical and illegal conduct to the Corporate Compliance Officer.

## Conflict of Interest

Affected Individuals must not allow any outside financial interest or competing personal interest to influence their decisions or actions taken on behalf of the Agency. Employees and contractors must avoid any situation where a conflict of interest exists or might appear to exist between their personal interests and those of the agency. The appearance of a conflict of interest may be as serious as an actual conflict of interest.

It is a conflict of interest for you to personally take opportunities for yourself that are discovered through the use Agency property, information or position with the Agency; to use Agency property or information for personal gain; or to compete with the Agency.

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 the Organization; (ii) provides to, or receives from, the Organization any referrals of service recipients; or (iii) competes with the Organization. An immediate family member is defined as a person's spouse, natural or adoptive parent, child, or sibling; a stepparent, stepchild, stepbrother, or stepsister; father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, or sister-in-law; grandparent or grandchild; and the spouse of a grandparent or grandchild.

There are many types of situations where potential conflicts may arise. You must promptly report any actual or potential conflicts of interest to your immediate supervisor or directly to the Compliance Officer.

## Outside Activities and Employment

- You may not conduct outside activities during work time. Such activities interfere with your regular duties and negatively impact the quality of your work.
- You are a representative of the Agency in your everyday life and must represent the Agency positively in the community.
- Outside employment must not conflict in any way with your responsibilities to the Agency or the people we support. You may not compete against Lifespire nor work for its competitors.

## Use of Agency Funds and Resources

- The Agency's assets are to be only used for the benefit of the Agency and the people we serve. Assets include not only funds, equipment, inventory and office supplies, but also concepts, business plans and strategies, PHI (Protected Health Information), PII (Personal Identifiable Information), financial information, computer property rights, and other business information about the Agency.
- You may not use Agency assets for personal gain or give them to any other persons or entities, except in the ordinary course of business as part of an approved transaction. These assets should only be used for the benefit of the Agency.

## Confidentiality

- During your employment, you may acquire confidential information about the Agency, including its staff and the people we serve, must be handled in strict confidence and not discussed with outsiders. The protection of confidential business and information is very important.

## Business Dealings Between the Agency and Employees

- Improper inducements or influence in any transaction with Lifespire from any business in which you or your immediate family members have a substantial interest are expressly prohibited.
- Property and resources of the Agency should only be used for the benefit of the Agency or the people we serve.

## Maintenance of Records

- Employees and independent contractors must record and report all financial information fully, accurately and honestly. Records include, but are not limited to, records of the people we serve, documentation of services, accounting books and/or records, financial statements, timesheets (both written and electronic), expense reports, vouchers, bills, payroll, claims payment records, correspondence and any other method of communication. Employees or contractors must not conceal any relevant information.
- All written and electronic documentation must be **contemporaneous**, i.e., documentation is completed at the same time (or closely afterwards) as a service is provided.
- Intentionally falsifying or altering agency records, including timesheets, could lead to discipline, up to and including termination of employment.
- Contractors, Subcontractors, and Agents who fail to follow these guidelines could have their contracts with the Agency terminated.

## Guidelines for Employees and Contractors

Many of the Agency forms are legal documents used to prove that a service was provided, to bill for a service, to record a job task, or to record specific happenings. You must document accurately and honestly, and only for those services that you provided or those events you were involved in.

## Falsification of Records

- You must not make any false entries in any of the Agency's records or in any public record for any reason.
- You may not alter any permanent entries in the Agency's records.
- You may only approve payments or receipts on behalf of the Agency that are described in documents supporting the transaction. "Slush funds" or similar off-book accounts,

where there is no accounting for receipts or expenditures on the agency books, are strictly prohibited.

- You may not create or participate in the creation of any records that are intended to mislead or to conceal anything that is improper.
- Applies to both written and electronic records.
- Backdating and predating documents is unacceptable. 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.

## Expense Records

You must always charge expenses accurately and to the appropriate cost center or account, regardless of the financial status of the program, project or contract, or the budget status of a particular account or line item.

## Retention of Records

- The retention, disposal or destruction of records of or pertaining to the Agency must always comply with legal and regulatory requirements and Agency policy.
- You may not destroy records pertaining to litigation or government investigations or audits without express written approval of the Compliance Officer.

## Protection of Confidential Information

The Agency has developed policies and procedures to assure that the confidentiality of Agency information and information about the people we serve is protected and released only with the appropriate authorization, to ensure compliance with HIPAA and State Law.

## Guidelines for Employees and Contractors

- You must treat all Agency records and information as confidential.
- You may not release confidential information without the proper authorization. Confidential information includes not only information about the people we serve and their families, but also non-public information about the Agency that may be of use to the Agency's competitors or harmful to the Agency or its customers if released.
- You must protect Agency information and avoid discussing or disclosing Agency information, purposefully or inadvertently (through casual conversation), to any unauthorized person inside or outside the Agency. Furthermore, staff may not share

confidential Agency information with anyone, except where required for a legitimate business purpose.

- Agency documents or other materials may not be removed from Agency property without permission from a supervisor or administrator with proper authority over the information. Ask your supervisor if you are not sure whether certain information is confidential.

## Termination of Employment

Upon termination of employment with the Agency, you must return all Agency property including, but not limited to, copies of documents, notes, and other records containing confidential information; computers, any external storage devices, cell phones, Agency ID, building ID, Enterprise vehicle maintenance cards and credit/gasoline cards, Agency vehicles, and keys.

Employees may not use any confidential information gained from their employment with the Agency for their or another company's benefit. They may not take copies of any reports, documents or any other property belonging to the Agency.

## Information Security

- You are responsible for properly using information stored and produced by all of the Agency's computer systems.
- Computers, Internet access, email, or other office communications systems are intended for business-related purposes only and not for uses that may be disruptive, offensive, harassing or harmful to others.
- Do not share your system username or password with another person or allow another to access the computer with your password. Posting passwords for multiple people to use is expressly forbidden.
- All Affected Individuals are required to comply with Lifespire's Computer and Technology Policies. If you have any questions concerning information security, contact your immediate supervisor or Compliance Officer.

## Fair Dealing

- Conducting business with providers, contractors, suppliers, people we serve, and competitors may pose ethical problems. Employees and contractors are expected to deal fairly with providers, contractors, people we serve, and competitors.
- The Code of Ethics and the following guidelines are intended to help employees make appropriate, responsible and correct decisions in these and all matters.

## Kickbacks and Rebates

- Kickbacks and rebates in cash, credit or other forms are prohibited. They are not only unethical, but in many cases, illegal.

## Gifts and Gratuities and Entertainment

- Employees may not solicit or offer money, gifts, gratuities or any other personal benefits or favors of any kind from providers, contractors, producers, accounts, or people we serve and their families.
- Employees must not offer or accept entertainment that is not a reasonable addition to a business relationship but is primarily intended to gain favor or to influence a business decision.
- Employees, Board members, and their Immediate Family Members shall not accept or solicit excessive gifts, meals, expensive entertainment, or other offers of goods or services that have more than a nominal value from vendors, suppliers, contractors, or other persons. All gifts, no matter the value, will need to be reported to the Director of Corporate Compliance.

*Non-monetary holiday gifts from business partners with a value of less than \$50.00 may be accepted.*

## Agreements with Contractors and Vendors

The Agency must ensure that any agreements with contractors and vendors clearly and accurately describe the services to be performed or items to be purchased. Performance standards, and the applicable compensation, if any, must be reasonable in amount, not be excessive in terms of industry practice and must equal the value of the services rendered.

## Improper Use of Funds or Assets

Use of the Agency's funds or assets for any improper purpose is strictly prohibited. If an employee is aware of or has reason to believe that funds or assets are being improperly used, he/she must report this immediately to their supervisor or the Compliance Officer.

## Federal and State Programs

Lifespire is committed to complying with the laws and regulations that govern the federal and state programs that it administers. Policies and procedures, the Compliance Program and this Code of Conduct are developed to provide guidance in your day-to-day work. Employees must abide by the policies and procedures and the standards set by the Agency.

Lifespire's programs and services are largely funded by Federal and State healthcare programs, including Medicaid and Medicare. The Agency is committed to full compliance with all Federal



and State healthcare program requirements. The Agency must also comply with laws and regulations designed to combat fraud, waste, and abuse and the submission of inaccurate or false claims.

Lifespire has put in place procedures and practices to ensure that:

- All service documentation, records, and reports are prepared timely, accurately, and honestly.
- All documentation supporting claims for service is complete and maintained in accordance with regulatory requirements and the Organization's policies.
- All claims submitted to any government or private healthcare program are accurate and comply with all Federal and State laws and regulations and payer requirements.
- Claims are only submitted for medically necessary services provided by eligible providers.
- All claims are properly documented and accurately coded; and
- Billing errors are promptly identified, and any payments received in error are promptly returned to the payer.

Employees and independent contractors responsible for the documentation, charging, coding, billing, and accounting of services must comply with all applicable State and Federal regulations and Lifespire policies and procedures.

It is against the law and our policies to knowingly or carelessly submit a false claim. Submitting a false claim includes using false records, using the wrong code, double billing, or billing or causing to be billed services that are not provided or fully documented, and billing for services that are not medically necessary.

All Affected Individuals have a responsibility to notify the Compliance Officer promptly if they are charged with a criminal offense related to healthcare or are proposed or found to be subject to exclusion from Federal or State healthcare programs.

## **Governmental Investigations**

There may be times that the Agency is asked to cooperate with an investigation by a federal or state governmental agency, or to respond to a request for information. A request may be formally addressed to the Agency or an individual within the Agency. Employees and contractors must report any requests for information or cooperation with an investigation to the Compliance Office Immediately.

## **Political Activities and Contributions**

Because the Agency is a non-profit tax exempt 501(c)(3) organization, it is prohibited from engaging in any political campaign activities and a "substantial" amount of lobbying.

## Guidelines for Employees and Contractors

- Agency funds and resources, including your work time, may not be used for political contributions or activities.
- You may not act as a representative of the Agency in any political campaign activity. In expressing your personal political views or support or opposition of a candidate for public office, it must be very clear that you are expressing your personal view, support or opposition as an individual and not a representative of the Agency.
- IRS regulations prohibit a “substantial” (often defined, albeit not clearly, as a percentage of an Agency’s budget) amount of lobbying. There are allowances for the Agency to advocate its position on public issues. To assure the Agency does not violate any laws or regulations, or risk losing its tax-exempt status, you must seek prior approval from the Compliance Officer before engaging in any lobbying activities. The Compliance Officer may need to consult with legal counsel on the matter and will need to record the amount of time spent in lobbying activities.

## Employment Environment

Lifespire® is committed to creating a safe and professional workplace where employees and others are treated with respect and without regard to their race, sex, sexual orientation or identity, age, religion, national origin, color, marital status, disability, or other protected characteristics. Business integrity, teamwork, trust and respect are the Agency’s most important Ethics. All Agency employees must exhibit and promote respect, integrity, trust, and teamwork in the workplace and must comply with this policy prohibiting discrimination and harassment in all facets of the Agency’s work.

## Guidelines for Employees and Contractors

- All employees are required to support the Agency’s commitment to a safe and professional work environment and to demonstrate appropriate behavior in the workplace.
- All employees are prohibited from disparaging another employee’s race, sex, sexual orientation or identity, age, religion, national origin, color, marital status, disability, or other protected characteristics.
- All employees are prohibited from considering someone’s race, color, religion, sex, national origin, age, disability, or other protected characteristics in making decisions about hiring, placement, assignment of duties, training, promotion, termination, compensation, benefits and other work terms.
- Sexual harassment is prohibited. Sexual harassment includes any form of unwelcome sexual advance, request for sexual favors or other verbal or physical conduct of a sexual or sex-based nature.

- You are responsible for understanding the Agency's policy prohibiting discrimination and sexual harassment. You should consult with an appropriate supervisor or administrator if you have questions about your right to a workplace free from unlawful harassment or discrimination or if you have questions about your duty to avoid discrimination.
- It is Lifespire's® policy that supervisor-subordinate relationships at work should be free from romantic involvement, as this could open up an employee to conflicts of interest, perceptions of favoritism, and charges of sexual harassment. Should a romantic relationship develop, both parties will be required to inform the appropriate division head or the VP of Human Resources.

## Seeking Guidance and Reporting Violations

- Employees and contractors must report any actual or suspected violations of this Code of Ethics, or any applicable law or regulation, or any Agency policy and procedure to their immediate supervisor or the Compliance Officer. A Compliance Hotline is also available for confidential or anonymous reporting of such issues. The Hotline number is (212)741-0100 x4619.
- Beyond the hotline, the Corporate Compliance Director can be reached at 212-741-0100, extension 4574, 917-345-1586 (cell phone), or [bboehm@lifespire.org](mailto:bboehm@lifespire.org)
- When an actual or suspected violation of this Code of Ethics, any applicable law or regulation, or any Agency policy and procedure is reported to any Agency employee, it must be promptly referred to the Compliance Officer. Steps will be taken to protect confidentiality and anonymity, when appropriate and warranted. The Agency will not tolerate any form of retaliation against a person who makes a good-faith report in accordance with this Code of Ethics.
- All employees and contractors must cooperate fully and honestly in any investigation into any reported violation of the Code of Ethics, any applicable law or regulation, Agency policy, procedure, or practice.

## Corrective Action and/or Discipline

- Any employee or contractor who violates or knowingly fails to report any violation of this Code of Ethics, any applicable law or regulation, Agency policy, procedure or practice is subject to appropriate disciplinary action, up to and including termination of employment, contract, assignment, or association with the Agency.
- Disciplinary action may range from a warning to suspension (either paid or unpaid) or discharge, depending upon the nature of the incident and the relevant surrounding circumstances.

## Agreement between Lifespire<sup>®</sup>, Inc and CSEA, Local 1000

- Lifespire is committed to the principle that all individuals with disabilities are able to become contributing members of their communities, and both the Agency and the CSEA agree to work in partnership to achieve this end.
- The Agency recognizes CSEA Local 1000 as the exclusive collective bargaining representative for its employees and agrees not to negotiate with another labor organization.
- Lifespire and CSEA have agreed that the following violations are sufficiently serious enough to be considered major violations where progressive discipline does not apply:
  - a) Theft.
  - b) Working under the influence of drugs or alcohol.
  - c) Knowingly signing in another employee or soliciting such conduct from another employee.
  - d) Intentionally falsifying or altering agency records.
  - e) Assaulting, or threatening to assault, another employee or person we support.
  - f) Refusing to carry out work requested by a Supervisor.
  - g) Fighting, or provoking a fight while on site.
  - h) Carrying a concealed weapon.
  - i) Engaging in abuse or neglect against a person we support or sleeping on Agency premises.
  - j) With malicious intent, falsely accusing others of abuse.
  - k) Gross negligence resulting in serious injury.
  - l) Transporting an individual in a vehicle not owned or leased by the Agency.
  - m) Intentionally falsifying medical records.
  - n) Failing to fully cooperate in an Agency investigation.

## Your Responsibilities

- Attend required training, and read and understand Lifespire's Corporate Compliance Manual, Corporate Compliance Policies and Procedures, and the Code of Ethics.
- Follow the Agency's Code of Ethics and abide by all policies and procedures, guidelines, and Federal and State laws and regulations.
- Be alert to any situation that could violate the Agency's Code of Ethics, policies and procedures, guidelines, and/or federal and state laws and regulations.
- Promptly report any issues, concerns, violations or suspected violations to your supervisor, other management staff, Vice President for Human Resources, Compliance Officer, or the Chief Executive Officer.

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Prepared By	Arlene O'Leary, former VP of Corporate Compliance & Investigations
Reviewed By	Brian Boehm, Director of Corporate Compliance, 12/11/23
Approved By	Tom Lydon, CEO; Diana P. Vega, COO; Emilio Bonilla, CFO; Cassandra Dancy-Potts, VP; Oonagh Christie, VP; Mike Polin, VP; Jim Normandy, VP; 1/2/24