

BERRIEN MENTAL HEALTH AUTHORITY
PROCEDURE

SUBJECT: CODE OF CONDUCT AND ETHICS	SECTION: 01-50-01 Page 1 of 5
APPLICATIONS: All Staff, Agents and Volunteers EFFECTIVE DATE: 5/22/96 REVISED: 5/02, 4/05, 11/06, 3/07, 6/08, 10/09, 8/10, 4/11, 10/12, 08/13, 4/14, 3/16, 2/17, 3/2020, 3/2022, 9/2024	REQUIRED BY: CARF USSG §8B2.1

POLICY: Berrien Mental Health Authority (BMHA) promotes a culture that encourages ethical conduct and a commitment to compliance with Federal and State laws. The Code of Conduct and Ethics outlines principles to guide employees in conducting business in a professional and ethical manner and serves to promote and protect the integrity of our agency.

PURPOSE: The purpose of this policy is to define ethical behavior and expectations of employees. Employees are expected to:

1. Exercise good judgment and behave in a manner that represents the highest standards of professional conduct.
2. Be fair and courteous to co-workers, consumers, vendors and contracted providers.
3. Maintain respect both for the privacy and well-being of the persons served and for the welfare and protection of the general public.
4. Strive to promote the principles of competency, accountability, responsibility, non-discrimination and service excellence.
5. Comply with all policies, procedures and applicable laws and regulations.
6. Comply with the Codes of Ethics specific to certain professions that govern the work of professional staff and student interns.

STANDARDS: All employees shall uphold the following standards:

1. **Integrity** - Employees are to conduct themselves professionally in accordance with the highest ethical standards. Achieving business results by illegal acts or unethical conduct is not acceptable. All employees are responsible for acquiring adequate knowledge to recognize potential compliance issues applicable to their duties and for appropriately seeking advice regarding such issues.
2. **Honesty** – Employees shall be completely honest in all dealings pertaining to BMHA’s business. No misrepresentations shall be made, and no false bills or requests for payment or other documents shall be submitted. Employees certifying the correctness of records

submitted, including bills or requests for payment, shall have knowledge that the information is accurate and complete before giving such certification.

3. **Duty of Loyalty** – Employees will represent BMHA in a professional manner. Employees shall not make false or disparaging statements about BMHA and/or its services.
4. **Leadership** - Supervisors, Managers and Directors are responsible for ensuring the employees under their supervision are acting ethically and in compliance with the Code of Conduct and Ethics, policies procedures and applicable laws and regulations.
5. **Confidentiality** - Employees shall maintain the confidentiality/privacy of BMHA's business information and of information relating to BMHA's employees, vendors, suppliers, providers and consumers. Employees shall not use any such confidential or proprietary information except as is appropriate for BMHA business. Employees shall not seek to improperly obtain or misuse confidential information of BMHA's competitors. Employees are required to safeguard all forms of confidential information and take steps to prevent any unauthorized disclosure.
6. **Harassment** – BMHA will not tolerate harassment of any kind. It is a violation to engage in harassment, bullying including cyber-bullying or to retaliate against anyone bringing forth a complaint of harassment, or to retaliate against anyone who, in good faith reports a Compliance concern.
7. **Reporting of Compliance Violations** – Employees must report any suspected violations of State and Federal laws, policies and procedures as well as fraud, abuse and waste.
8. **Conflict of Interest** - Employees shall not use their position to profit in any way, or assist others to profit in any way, as a result of their employment. Employees are to conduct themselves in such a way as to avoid the perception of, or actual situations, involving conflict of interest. All employees must disclose any potential conflicts of interest.
9. **Kickbacks** - Employees shall not offer, give, or accept any bribe, payment, gift, or item of value to or from any person or entity with which BMHA has or is seeking any business or regulatory relationship. Employees must promptly report the offering or receipt of gifts above nominal value to the Director of Regulatory Compliance.
10. **Political Activities** – Political activities relating to the BMHA shall be conducted in full compliance with applicable law. No BMHA funds or property shall be used for any political contribution or purpose unless first approved by the CEO. Employees may

make direct contributions of their own money to political candidates and activities, but these contributions will not be reimbursed. Employees shall not directly or indirectly authorize, pay, promise, deliver, or solicit any payment, gratuity, or favor for the purpose of influencing any political official or government employee in the discharge of that person's responsibilities.

11. **Financial Reporting** – BMHA's business transactions shall be carried out in accordance with management's directives. All financial records shall be maintained in accordance with generally accepted accounting principles, Federal and State laws or other applicable standards. All transactions, payments, receipts, accounts, assets, liabilities and fund balances shall be completely and accurately recorded in BMHA's financial records on a consistent basis. No payment shall be approved or made with the intention or understanding that it will be used for any purpose other than that described in the supporting documentation for the payment. All information recorded and submitted to other persons must not be used to mislead those who receive the information or conceal anything that is improper. All financial reports, accounting records, expense reports, time sheets and other documents will accurately and clearly represent the relevant facts or the true nature of a transaction.
12. **Purchasing and Supplies** – All rentals; leases and purchasing agreements are structured in accordance with applicable laws and regulations as well as Federal guidelines regarding tax-exempt organizations. All agreements must be commensurate with the fair market value for equipment, space or services.
13. **Non-Interference** - Employees shall not engage in any financial, business, or other activity which competes with BMHA's business which may interfere or appear to interfere with the performance of their duties or that involve the use of BMHA property, facilities, or resources, except to the extent consistent with the conflict of interest policy.
14. **Marketing** - Marketing materials are distributed through written or other media to the community to educate the public on the availability of covered services and supports, how to access those supports and services, and for the recruitment of staff. Marketing materials must be accurate, and all marketing activities must be conducted in a professional and honest manner. Marketing efforts will always respect the dignity and privacy rights of persons served.
15. **Nepotism, Favoritism and Cronyism** – Employees will not use their authority or influence of his/her position to secure the authorization of employment, position or benefit for a person closely related by blood, marriage or other significant relationship, including business associates.

16. **Distribution of Code of Conduct and Ethics** - All new hires are given a copy of the Code of Conduct and Ethics and are required to sign a certification form certifying they have received and understand the Code of Conduct and Ethics within thirty (30) days of employment. The Code of Conduct and Ethics is accessible through BMHA's Knowledge Network. Employees are required to review the Code of Conduct and Ethics as part of their annual e-learning. BMHA has additional policies and procedures that address specific topics or areas located on BMHA's Knowledge Network.

PROCEDURE(S)

REPORTING OF VIOLATIONS

1. Illegal acts or improper conduct may subject BMHA to civil and criminal penalties. Any illegal activities or violations of the Code of Conduct and Ethics must be immediately reported to the Director of Regulatory Compliance.
2. Failure to report any violations or illegal conduct is a violation of the Code of Conduct and Ethics. If you question whether a particular act is illegal or in violation of the Code of Conduct and Ethics, contact your Supervisor and/or the Director of Regulatory Compliance.

If the illegal act or conduct in violation of the Code of Conduct and Ethics involves a person to whom such illegal acts or violations might otherwise be reported, the illegal acts or violations should be reported to another person to whom reporting is appropriate.

3. All reports of illegal activity or violations of the Code of Conduct and Ethics will be promptly and thoroughly investigated. Employees must cooperate with investigations. It is a violation of this Code of Conduct and Ethics for employees to prevent, hinder, or delay discovery and full investigation of illegal acts or violations of this Code of Conduct and Ethics.
4. Employees may report illegal acts or violations of this Code of Conduct and Ethics anonymously through the Compliance Hotline 800-876-2501. To the extent permitted by law, BMHA will take reasonable precautions to maintain the confidentiality of those individuals who report illegal activity or violations of this Code of Conduct and Ethics and of any individual involved in the alleged improper activity.
5. No reprisals or disciplinary action will be taken against employees for good faith reporting of, or cooperating in the investigation of, illegal acts or violations of this Code of Conduct and Ethics.

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6. Employees who violate the Code of Conduct and Ethics and any policies and procedures or commit illegal acts are subject to discipline up to and including termination. Employees who report their own illegal acts or improper conduct, however, will have such self-reporting considered in determining the appropriate disciplinary action.

Reviewer: Director of Regulatory Compliance

Reviewed: 6/08, 10/09, 8/10, 4/11, 10/12, 8/13, 4/14, 4/15, 3/16, 2/17, 6/18, 4/19, 2/20, 3/2020, 5/2021, 3/2022, 5/2023, 5/2024, 9/2024