	Compliance Enforcement and Discipline			
	Chapter:	Corporate Compliance	Policy #	6-1-7
	Section:	Regulatory Management	Revision #	2

- I. **PURPOSE:** To establish policy on enforcement and disciplinary principles of workforce members in relation to compliance with State and Federal laws and rules, Medicaid program requirements and PIHP contractual obligations.
- II. **APPLICATION:** All programs and services operated by West Michigan CMH.
- III. **REQUIRED BY:** 42 CFR, Chapter IV §438.608; 45 CFR Parts 160, 162 and 164 and contract with PIHP.

IV. **DEFINITIONS:**

Workforce members means governing body members, employees, volunteers, or agents of a provider, and other persons whose conduct, in the performance of work for West Michigan CMH, is under the direct control of West Michigan CMH, whether or not they are paid by West Michigan CMH.


- V. **POLICY:** It is the policy of WMCMH that leadership members are accountable for the foreseeable behavior of their subordinates. Adequate discipline of individuals responsible for an offense is a necessary component of enforcement; however, the form of discipline that will be appropriate will be case specific.

Standards and Guidelines: Through its commitment to have an effective compliance program, WMCMH will include disciplinary guidelines that identify the consequences of violating the organization’s standards of conduct, policies and procedures. Enforcement and disciplinary principles referenced in the WMCMH Corporate Compliance Plan are to be consistently enforced through appropriate disciplinary mechanisms including, as appropriate, discipline of individuals responsible for the culpable or otherwise accountable failure to detect an offense. Intentional noncompliance will subject workforce member/transgressors to significant sanctions. Such sanctions could range from oral warnings to suspension or termination as appropriate. Disciplinary action is appropriate and will be enforced where a responsible employee’s failure to detect a violation is attributable to his or her negligence or reckless conduct. Each situation will be considered on a case-by-case basis to determine the appropriate response. Disciplinary action will be taken on a fair, equitable and consistent basis.

Duty to Cooperate. All workforce members are required to cooperate fully with West Michigan CMH and the Director of Corporate Compliance in any investigation into an alleged compliance violation. Any workforce member determined to have violated this duty shall be subject to disciplinary action up to and including dismissal or contract termination.

- VI. **PROCEDURES:** See *Handling Allegations of Non-Compliance Procedures, 6-1-4*
- VII. **SUPPORTING DOCUMENTS:**

Please refer to the WMCMH Corporate Compliance Plan on Infohub.

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VIII. POLICY/PROCEDURE REVIEW:

REV#	APPROVED BY	Policy/Procedure	DATE
NC	Unknown		2/05
1	HIPAA Workgroup	Procedure	4/05
2	CCC	Procedure	3/15
2	TB		5/16
2	TB		5/17
2	CCC		5/18
2	Unknown		6/19
2	CCC		11/20
2	CCC	Annual Review	02/22
2	CCC	Annual Review	1/23
2	CCC	Annual Review	10/23
Board Approval Date: 3/19/2002			

IX. CHIEF EXECUTIVE OFFICER ENDORSEMENT:

I have reviewed and approve of policy # 6-1-7 Revision # 2

CEO: Lisa A. Williams

Approval Signature: _____