


|  | Compliance Enforcement and Discipline | | | |
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| | Chapter: | Corporate Compliance | Policy # | 6-1-7 |
| | Section: | Regulatory Management | Revision # | 3 |

- 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 Prepaid Inpatient Health Plan (PIHP) contractual obligations.
- II. **APPLICATION:** All programs and services operated by West Michigan Community Mental Health (WMCMH).
- 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, regardless of if they are paid by West Michigan CMH or not.


- 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 |
| 3 | CCC | Definition | 10/24 |
| Board Approval Date: 3/19/2002 | | | |

IX. CHIEF EXECUTIVE OFFICER ENDORSEMENT:

I have reviewed and approve of policy # 6-1-7 Revision # 3

CEO: Lisa A. Williams

Approval Signature: _____