

# Code of Conduct



## **Sunrise Community, Inc.**

Approved by the Board of Directors

Date October 20th, 2007

# **Sunrise Community, Inc.**

## **Mission Statement**

***Sunrise's mission is to provide people with disabilities the assistance and support necessary to enable them to live valued lives in the community.***

Dear Staff,

I want to thank you for the difference that you make in the lives of the individuals that we serve. It is through your hard work and dedication that we are able to achieve the Sunrise mission: "TO PROVIDE PEOPLE WITH DISABILITIES THE ASSISTANCE AND SUPPORT NECESSARY TO ENABLE THEM TO LIVE VALUED LIVES IN THE COMMUNITY".

Sunrise Community, Inc., and the organizations supported by the Sunrise Group, continue to strive towards excellence. The needs of the individuals that we serve can often be complex and the services that we provide are highly regulated. In an effort to guide all employees towards ethical business practices, and to remain in compliance with both federal and state regulations, the Board of Directors and Executive Leadership established a Code of Conduct. The Code of Conduct is engrained in our culture that promotes prevention, detection, and resolution of instances of conduct that do not conform to Sunrise policies and procedures. The Code of Conduct is an integral part of our day-to-day business practices regardless of what setting you work in.

The Code of Conduct is endorsed by both the Board of Directors and senior leadership and applies to all employees. If you, or any of your co-workers, become aware of unethical practices or anything that may be perceived as a deviation from the Code of Conduct you are encouraged to contact Human Resources and/or the organization's Compliance Officer. Once identified and confirmed, any actions that need to be taken or corrections that need to be made to ensure that the Code of Conduct is being adhered to will be followed through with.

We appreciate your commitment to the organization and the individuals we serve. The Code of Conduct is something that I take very seriously and I hope you do as well. Thank you for being part of the Sunrise team and for living the Sunrise mission every day.

Sincerely,



Zach Wray, MSW, MPH, CPH  
President and Chief Executive Officer

## Table of Contents

Sunrise's Commitment to Ethics and Compliance.....	4
Non - Retaliation.....	4
Honesty/Fairness.....	5
Consumer Courtesy and Zero Tolerance.....	5
Confidentiality, Privacy & Security.....	5
Positive Work Environment and Commitment to Health and Safety.....	6
Legal Employment.....	6
Service To Consumers, Families, Customers, And Contracted Service Providers.....	6
Quality of Care & Services.....	6
Conduct in Service to Consumers and Families.....	7
Communication with Consumers & Families.....	7
Conducting Business with Sunrise.....	7
Vendors, Consultants, Contract Individuals and Other Third Parties.....	7
Relationship with Government Officials.....	7
Information Provided to Outsiders.....	8
Excluded Business Relationships.....	8
Not-For-Profit Tax-Exempt Status.....	8
Gifts & Entertainment.....	8
Sunrise Employees Receiving Gifts and Invitations for Entertainment.....	8
Sunrise Employees Giving Gifts and Invitations for Entertainment.....	9
Conflicts of Interest.....	9
Resources to support you in complying with the Sunrise Code of Conduct	
The Compliance Program.....	10
The Sunrise Hotline.....	10

## **SUNRISE'S COMMITMENT TO ETHICS AND COMPLIANCE**

We at Sunrise take our commitment to ethics and compliance very seriously through the adoption of this Code of Conduct. Sunrise's Code of Conduct was approved by senior management of Sunrise and the Sunrise Board of Directors. Adherence to the Code of Conduct is a condition of employment for all of us as Sunrise employees, Sunrise directors, trustees, Contractors acting on behalf of Sunrise and Sunrise volunteers. Anyone found to be in violation of the Code is subject to discipline, up to and including termination of their employment or affiliation with Sunrise.

We are committed to the highest standards of ethics and compliance with all laws and regulations that apply to Sunrise. If we ever see or suspect anything that may potentially violate the law, our Code or the requirements of good consumer care, we have a responsibility to speak up. Violations may result in discipline not only for those who committed the violation, but also for those who knew about it and failed to report it. All reports of potential violations must be in good faith. It is unacceptable to twist or make up facts to get someone in trouble.

Anytime we don't understand something, or have a question or concern about what the Code requires, we have the responsibility to get help. The first place to turn is our manager or director, but we can also go to Human Resources, or the Compliance Officer.

### **Non- Retaliation**

When someone raises a good faith concern, calls the Compliance Hotline or cooperates with an investigation of possible ethics or compliance violations, retaliation against that person is prohibited. We at Sunrise take reports of retaliation very seriously. However, it is the responsibility of one who is raising such a concern to be truthful in every respect and to conduct himself or herself in a manner which respects the rights and dignity of all involved parties. False reporting may result in disciplinary action, up to and including dismissal.

## **COMPLIANCE WITH POLICIES, PROCEDURES & ALL LAWS**

We at Sunrise are committed to conducting business in accordance with all federal, state and local laws that govern this industry. In addition we will demonstrate behavior that reflects integrity, honesty and compliance with applicable legal and regulatory requirements. Any potential violations of the above should be reported to your supervisor, Human Resources or Compliance Officer.

### **DEFICIT REDUCTION ACT OF 2005**

Section 6032 of the Deficit Reduction Act of 2005 requires Sunrise Community, Inc. ("Sunrise") to provide certain information regarding the federal and state false claims acts, administrative remedies for false claims and statements, whistleblower protections, and Sunrise's processes for detecting and preventing fraud, waste and abuse. The Federal False Claims Act (the "FCA") prohibits the knowing submission of false or fraudulent claims or the making of a false record or statement in order to secure reimbursement from a government-

sponsored program, such as Medicare or Medicaid. Penalties for violations of the FCA can be up to three times the value of the false claims, plus fines of \$5,500 to \$11,000 per claim.

We at Sunrise are committed to detecting and preventing fraud, waste and abuse. As part of Sunrise's Compliance Program, we as employees have an obligation to report compliance concerns to Sunrise. These concerns should first be reported to your supervisor. If you do not feel that you can candidly discuss the matter with your supervisor, you may contact the Compliance Officer at 305-273-3077. If you would prefer to leave an anonymous message, you may call the Compliance Hotline at **1-800-563-6299**. In no event shall any individual who reports a concern be subject to any retaliation related to a report which he or she reasonably believes to be true and offered in good faith.

## **PERSONAL CONDUCT**

### **Honesty/Fairness**

As employees, all of our actions are a reflection upon Sunrise as an organization. It is essential and expected that employees are honest and fair in dealing with fellow staff members, consumers, their families, consultants and all others with whom we interact, in the Sunrise work environment and not to make false or misleading statements during the performance of their job.

### **Consumer Courtesy and Zero Tolerance**

We treat all of our consumers equally and with compassion, understanding and respect. We never distinguish among consumers based on race, ethnicity, religion, gender, sexual orientation, national origin, age, disability or veteran status.

Sunrise does not tolerate harassment. Workplace harassment is behavior based on race, color, religion, national origin, disability, age or sex. To be considered harassment, the behavior must be workplace conduct that is unwelcome, discriminatory and conduct that no reasonable employee should have to endure. An employee or employee witness must reasonably believe that they have no choice but to endure the workplace harassment, in order to keep their jobs.

An employee who believes that he or she has been the recipient of or witnessed workplace harassment or has questions regarding another employee's behavior, must immediately report the facts of the incident to the immediate supervisor. If the supervisor's behavior is in question, the employee must immediately report the incident directly to the Director. An employee may also report the facts of an incident to the Director of Human Resources. All reports will be treated confidentially.

Sunrise is a drug free workplace and promotes safety for the consumers and employees at all times. Employees will adhere to the Drug Free Workplace Policy & Procedures.

### **Confidentiality, Privacy & Security**

We respect our consumers by maintaining their confidentiality. **All** information and records pertaining to consumers are private and confidential. Only authorized persons will have access to consumer information and records. We release information to business partners

only in accordance with proper procedures which often requires the express written consent of the consumer or one authorized to give such consent on behalf of the consumer.

Proprietary information must also be protected and is the property of Sunrise. Proprietary information includes, but is not limited to, business strategies, pricing of services, contracts, competitive bids, products, ideas, designs, plans, pending projects and proposals, financial information, and information concerning individuals associated with Sunrise policies, procedures, and forms. This information must be kept in strict confidence. Employees must never discuss Sunrise business either inside or outside Sunrise where unauthorized persons could hear it.

### **Positive Work Environment and Commitment to Health and Safety**

Sunrise works to maintain a healthy, safe, and caring environment for everyone associated with serving our consumers. All employees are responsible for maintaining a safe and healthy work environment. Employees must exercise good judgment with regard to the environmental aspects of the use of buildings, equipment, and supplies. Employees must take all necessary action to properly discharge and dispose of any hazardous materials used and/or generated in performing their duties.

### **Legal Employment**

Sunrise maintains all appropriate credentials, licenses and certificates that are necessary to perform our services to our consumers. We do not hire, contract with or bill for services rendered by persons or entities excluded from participating in the federal health care programs by the U.S. Department of Health and Human Services or the U.S. General Services Administration. If anyone becomes ineligible or is convicted of any crime that could lead to becoming ineligible, management will inform the Sunrise Compliance Officer.

## **SERVICE TO CONSUMERS, FAMILIES, CUSTOMERS, AND CONTRACTED SERVICE PROVIDERS**

### **Quality of Care & Services**

Consumers will receive all authorized services in a timely and professional manner, from Sunrise employees, volunteers, and contracted service providers.

Sunrise's Consumers have the right: to considerate, respectful, good quality care and services. Specifically this involves the consumer's right to:

- Receive information about their rights at the time of admission and the right to be informed of the mechanism existing for exercising these rights.
- Be provided with a reasonable response to a request and needs for treatment or service.
- Personal privacy and confidentiality of information.
- Complete and thorough records.
- A safe and comfortable environment.

## **Conduct in Service to Consumers and Families**

A consumer's guardian, or legally authorized responsible person, to the extent permitted by law, has the right to exercise rights delineated on the consumer's behalf, if the consumer meets any of the following criteria:

- Has been adjudicated incapacitated in accordance with the law;
- Is found by their physician to be medically incapable of understanding the proposed treatment or service.
- Is unable to communicate their wishes regarding treatment;
- Is a minor.

## **Communication with Consumers & Families**

Consumers will be spoken to in a respectful manner and not shouted at or spoken to in a derogatory manner. Key words such as "Please", "Thank you", "Good morning", "Good afternoon" and "Good Evening" are some of the standard words that are expected to be used by Sunrise employees, volunteers, and contracted service providers when communicating with consumers.

All communication with families will be handled with utmost professionalism and in a respectful manner by all Sunrise employees, volunteers, and contracted service providers in keeping with the consumers' wishes and legal status.

Consumers, families or visitors sometimes seek information from staff. Staff should not offer information about possible diagnoses, prognoses, or any other opinions, which could be interpreted as medical advice. Refer all such requests to the Executive Director, Director of Operations or the Director of Nursing.

## **CONDUCTING BUSINESS WITH SUNRISE**

### **Vendors, Consultants, Contract Individuals and Other Third Parties**

All vendors, consultants, contract individuals and other third parties must comply with Sunrise's Code of Conduct and all local, state and federal laws, statutes, rules and regulations, as a required condition of doing business with Sunrise. In choosing vendors, consultants, contract individuals or services and other third parties, everyone should be treated fairly, and any inducements, kickbacks, and/or special treatment in the selection process are strictly prohibited. All employees are expected to employ the highest ethical business practices in source selection, negotiation, determination of rewards, and the administration of all purchasing activities. Any rebates, discounts and allowances given to Sunrise are acceptable as long as they do not constitute unlawful or unethical payments. Any such payments to employees of Sunrise are strictly prohibited.

### **Relationship with Government Officials**

Certain business practices, such as providing transportation, entertainment or things of value may violate certain federal, state and local laws and is strictly prohibited in business dealings with government employees or those that act on behalf of the government.

## **Information Provided to Outsiders**

Distribution of false, dishonest, incomplete, inaccurate, and/or misleading information to organizations, media, or other sources of public information, government agencies or their agents is prohibited. Only authorized employees are allowed to make statements on behalf of Sunrise.

## **Excluded Business Relationships**

Any individual or group that has been sanctioned by the Medicaid, Medicare, and/or federal health care programs are excluded from any business or other relationship with Sunrise. Only upon reinstatement by the governing agency can a business relationship be considered. Sanctions represent a full range of administrative remedies and actions available to the government to deal with questionable, improper, or abusive practices under the Medicaid, and Medicare programs. Sanctions result when a health care provider or entity violates obligations and requirements governing items and services he/she gets paid for on behalf of Medicaid or Medicare beneficiaries.

## **NOT-FOR-PROFIT TAX-EXEMPT STATUS**

Sunrise is exempt from federal income tax, state sales tax and certain other taxes as prescribed by law. The Internal Revenue Service (IRS) has designated all Sunrise operating entities as 501(c) (3) tax-exempt charitable organizations.

Maintenance of tax-exempt status requires that these entities engage in activities in furtherance of their charitable purposes, ensuring that their resources are used in a manner that furthers the public good rather than private or personal interest of any individual(s). Therefore, employees may not engage in any activities that threaten an entity's tax-exempt status or which involve the use of the entity's resources or property for any private or political purpose or benefit. All transactions must be in the best interest of the entity and negotiated at fair market value. Sunrise will make available, as required, all necessary information in support of an entity's exemption to include, but not limited to, state sales tax exemption forms, evidence of exempt status granted by the IRS.

## **GIFTS & ENTERTAINMENT**

All employees must conduct themselves in a manner that is free from any unlawful or otherwise perceived inappropriate behavior. This includes accepting offers or solicitations of gifts or favors which may appear to be improper incentives in exchange for influence or assistance.

### **Sunrise Employees Receiving Gifts and Invitations for Entertainment**

Acceptance of cash, cash equivalent or a gift from a consumer receiving services is strictly prohibited.

Gifts by representative groups intended for a specific group of our employees is allowed. In an effort to reaffirm our position of transparency, employees will inform their immediate supervisor of any single gift of \$25.00 or more.

Acceptance of cash, cash equivalent, or a gift such as clothing, jewelry or other personal items from existing or potential vendors must be small and reasonable in value. To the extent possible, if these gifts such as food items are perishable, they should be shared with the employee's co-workers. To maintain trust and integrity with our business partners, under no circumstances should gifts of any value, excluding business meals, be accepted during the negotiation stage of a potential Sunrise business contract or settlement.

Invitations to attend social events from current or potential business associates are allowed. The cost associated with such events must be reasonable and appropriate. The acceptance to any social event requires the authorization of the employee's immediate supervisor and where applicable, respective Executive Director or Director of Operations. Executive management personnel must secure the approval of immediate supervisor.

Employees attending local or out-of-town vendor-sponsored workshops, seminars, and/or training sessions must adhere to current approval policies for travel and education established by Sunrise Policies and Procedures. Attendance at out-of-town seminars, workshops, and training sessions, at vendors' expense, is permitted only with the approval of the employee's immediate supervisor and respective Executive Director or Director of Operations. Executive management personnel must secure the approval of immediate supervisor.

### **Sunrise Employees Giving Gifts and Invitations for Entertainment**

Sunrise employees will not accept or offer any inducements of monetary value in exchange for referrals of consumers requiring Sunrise's services.

Sunrise employees may invite current or potential business associates to attend social events organized by Sunrise. The cost associated with such events must be reasonable and appropriate. During these events, a Sunrise host must be present and topics of a business nature must be discussed. Cost approval for such events should be obtained, in advance, from your immediate supervisor and respective Executive Director. Executive management personnel must secure the approval of immediate supervisor.

### **CONFLICTS OF INTEREST**

Sunrise has a strict Conflicts of Interest Policy. We must never put our own interests first when we are supposed to be acting on behalf of Sunrise. We have an affirmative obligation to report conflicts of interest and even things which appear to be a conflict of interest. In attempting to avoid conflicts of interest, keep in mind the following:

- We do not compete with Sunrise.
- We do not use Sunrise property, information or position for personal gain.
- We make sure that any outside work does not conflict with our work at Sunrise.
- We avoid the appearance of Conflicts of Interest in our business decisions.

If you have any questions about Sunrise's Conflict of Interest, refer to the Sunrise Policy & Procedure Manual.

## RESOURCES TO SUPPORT YOU IN COMPLYING WITH THE SUNRISE CODE OF CONDUCT

### The Compliance Program

- Is led by the Compliance Officer and is supported by the Sunrise Compliance Committee.
- The Compliance Officer administers Sunrise's Compliance program, which includes:
  - Recommending & developing ethics and compliance policies, procedures and training.
  - Auditing, reporting, and monitoring issues of concerns.
  - Verifying corrective action plans for areas of non-compliance.

The Compliance Officer can be contacted at 1-800-563-6299 or by Fax at 1-305-275-3350 or by email at [compliance@sunrisegroup.org](mailto:compliance@sunrisegroup.org)

For more about Sunrise's Compliance Program, visit the Compliance Program's home page at [www.sunrisegroup.org](http://www.sunrisegroup.org)

### The Sunrise Hotline

The Sunrise Hotline is available 24 hours per day, 365 days per year. Callers to the Hotline may remain anonymous, and those who choose to give their name will have their identity protected to the extent allowed by law. The Hotline can be reached in several ways.

- Phone: 1-800-563-6299
- Fax: 1-305-273-3350
- [compliance@sunrisegroup.org](mailto:compliance@sunrisegroup.org)
- Mail: Compliance Program  
Sunrise Community, Inc.  
9040 Sunset Drive,  
Miami, Florida 33173

### Other Resources that provides guidance on this Code:

- Employee Handbook
- Your Direct Supervisor and/or your Director.
- Human Resources at National Headquarters: 305-273-3086/305-596-9040