

Autism Services, Inc.

Corporate Compliance Fraud Prevention Policy

(For Contractors and Agents)

Autism Services, Inc. (the “Agency”) is committed to preventing, detecting, and correcting any fraud, waste, abuse, or improper or unethical conduct in Medicare, Medicaid, and other state and federal health care programs. The Agency has adopted a Compliance Program designed to ensure compliance with all applicable laws and regulations by its employees, board members, contractors, and agents.

As part of our Compliance Program, we are providing contractors and agents with detailed information regarding: 1) how to report Compliance Issues¹ to the Agency; and 2) the federal and state fraud and abuse laws.

Any questions regarding our Compliance Program or this Policy may be addressed to our Compliance Officer.

POLICY

If you are aware of a Compliance Issue, you should:

- a. Call and leave a voicemail on the Agency’s Compliance Hotline at (716) 631-5777 x644;
- b. Contact the Corporate Compliance Officer, Donna Martiny at DMartiny@autism-services-inc.org or (716) 631-5777 x321 or by sending a report (anonymously or otherwise) to Attn: Donna Martiny, 40 Hazelwood Drive, Amherst, NY 14228;
- c. Contact any member of senior management at the Agency; and/or
- d. Place a note (anonymously or otherwise) in the Compliance Dropbox located in the foyer at 40 Hazelwood Dr. Amherst, NY 14228.

You are encouraged to first report your Compliance Issue directly to the Agency to allow the Agency the opportunity to efficiently and effectively address the issue. Any contractor or their staff who reports a Compliance Issue in good faith has the right to do so confidentially and anonymously and will be protected against retaliation and intimidation. However, if you or your company have participated in a Compliance Issue, you and your company are not protected against retaliation and intimidation and the Agency has the right to take appropriate action against you and/or your company, including termination of the relationship. The Agency is committed to investigating Compliance Issues. While the Agency encourages its contractors to first report such issues directly to the Agency, certain laws allow individuals to also bring their concerns to the government.

LAWS REGARDING THE PREVENTION OF FRAUD, WASTE, AND ABUSE

A. Federal Laws.

Federal False Claims Act. Any person who submits a claim to the federal government that he/she knows (or should know) is false is subject to civil penalties of \$\$11,000-\$23,000 per false claim and treble damages. Individuals may be entitled to bring an action under this Act and share in a

¹ “Compliance Issues” include issues involving fraud, waste, abuse, and other wrongful or unethical conduct and violations of law, regulations, administrative guidance, or the Agency’s Compliance Plan and policies.

percentage of any recovery. However, if the action has no merit and/or is for the purpose of harassing the Agency, the individual may have to pay the Agency for its legal fees and costs.

Federal Anti-Kickback Law: Individuals/entities may not knowingly offer, pay, solicit, or receive remuneration in exchange for referring, furnishing, purchasing, leasing, or ordering a service or item paid for by Medicare, Medicaid, or other state or federal health care programs. Criminal or civil penalties include repayment of damages, fines, imprisonment, and exclusion from participation in federal programs.

Administrative Remedies for False Claims and Statements. If a person submits a claim that the person knows is false or contains false information or omits material information, such person may be subject to a \$5,000 penalty per claim and double damages. Individuals are not entitled to share in any recovery.

B. State Laws.

New York has laws that are similar to the federal laws and remedies listed above. These include the New York False Claims Act, False Statements Act, Anti-Kickback Law, Self-Referral Prohibition Law, as well as Health Care and Insurance Fraud Laws.

New York State False Claims Act. Any person or entity who submits a claim to state government that the person or entity knows (or should know) is false, is subject to civil penalties of \$6,000–\$12,000 per false claim and treble damages. Individuals may be entitled to bring an action under the False Claims Act and share in a percentage of any recovery. However, if the action has no merit and/or is for the purpose of harassing the Agency, the individual may have to pay the Agency for its legal fees and costs.

C. Whistleblower Protections.

The federal and state False Claims Acts protect individuals who report suspected fraud, waste, or abuse in good faith to the Agency from retaliation and intimidation.