

POLICY: #902– Code of Conduct and Ethics
(Previous #901.2)

Approved By: Mark Anzillo
Chief Executive Officer

SECTION: Corporate Compliance

Approved By: _____
Medical Director (if applicable)

MAINTAINED BY: Compliance Officer

- APPLIES TO:**
- OnPoint Board of Directors
 - OnPoint Staff
 - Contracted Providers
 - Other: _____

First Effective: 10/2024
Last Revised: 4/2026

PURPOSE

This Code of Conduct and Ethics serves as a foundation for the fundamental principles, values, and framework within OnPoint’s Compliance Program. These standards address compliance with statutes, rules, regulations, contract language, and policy and set forth broad principles that guide OnPoint and Contract Provider conduct in terms of service delivery and conducting business professionally and ethically. Further, these standards promote integrity, support objectivity and foster trust. OnPoint believes this is essential in protecting our clients and the integrity of our publicly funded programs. Therefore, OnPoint requires all employees, officers, board members, students, interns, and independent contractors (hereinafter referred to as “Personnel”) and contract providers and their staff (hereinafter referred to as “Contract Provider”) to abide by sound ethical practices and the highest standards of integrity in conducting business.

DEFINITIONS:

Refer to Attachment 901.5 *Compliance Related Definitions and Terms for additional definitions.*

- Access via OnPoint Intranet at: [Policies & Procedures- Compliance](#)
- Access via OnPoint Website at: [Providers – OnPoint](#)

POLICY

OnPoint is committed to conducting its business in a manner that facilitates quality, efficiency, honesty, integrity, confidentiality, respect and in full compliance with applicable laws and regulations. Further, Personnel and Contract Providers of OnPoint shall perform duties in such a way as to protect the rights, general well-being, and best interests of OnPoint clients. Accordingly, OnPoint:

- Will advise and train OnPoint Personnel about the applicable laws and requirements.
- Will provide a copy of the OnPoint Compliance Plan (#900) to all new Personnel and require annual review and attestation.
- Personnel must sign an attestation that they have received, read, understand, and adhere to Policy #902 Code of Conduct and Ethics at the time of hire/contract/appointment and upon significant changes.

- Will hold supervisors and managers accountable for ensuring that Personnel within their supervision are aware of and are acting ethically and in compliance with applicable laws and the Code of Conduct and Ethics.
- Personnel and contract providers are expected to assume personal responsibility and accountability for understanding relevant laws, regulations, contract, and grant requirements, and for ensuring compliance.
- Personnel and contract providers will conduct themselves in an ethical manner and report issues of noncompliance and potential fraud, waste, or abuse and will report potential violations of a recipient's rights through appropriate channels.
- Management is committed to informing those under their supervision that they must comply with the applicable standards and if they do not comply management will take appropriate disciplinary action.
- Personnel and contract providers shall cooperate with the Office of Recipient Rights and Compliance Office during investigations. All Personnel involved in reporting a complaint or actions on behalf of a recipient or the agency shall be protected from harassment or retaliation resulting from reporting and/or investigative activities. [Michigan Mental Health Code (MHC) 755(3)(a), Whistleblower's Protection Act). If there is evidence of harassment or retaliation occurring because of such activities, appropriate disciplinary action shall be taken.

STANDARDS:

The Code of Conduct and Ethics Policy has been established using the following six principles:

1. *Honesty* – we will be truthful in all our endeavors, to be honest and forthright with one another and with persons served, service providers, and community partners.
2. *Respect* – we will treat one another with dignity and fairness, appreciating the diversity within our community and the uniqueness of each individual. Staff will use language that communicates respect.
3. *Trust* – we will build confidence through teamwork and open, candid communication at all levels of the organization.
4. *Responsibility* – we will speak up and allow others to speak without fear of retribution and report concerns within the organization, including any violation of law, regulation, ethical standard, and OnPoint policy.
5. *Citizenship* – we will obey the laws of the land, work to make our community more productive, and act with pride and confidence as a representative of OnPoint.
6. *Integrity* – we are trustworthy and reliable and commit to do what is right (through our words, action, and beliefs) when no one is watching and upholding strong moral principles.
7. *Competency* – we will have and maintain the required competencies and credentials for carrying out job and contract responsibilities.

1. CONDUCT AND ETHICS

Professional Ethics – Personnel who are members of a health care profession required to be licensed, certified, or registered under the Michigan Public Health Code and Administrative Rules is responsible for obtaining his/her license, certification or registration and renewals ensuring ~~this~~ there is no lapse. A health care professional shall render professional services only within the scope of his/her license/certification/registration and in a manner that conforms to applicable

standards of care and to the ethics of his/her profession. Personnel are not permitted to render professional services unless he/she possesses all valid, current, and unrestricted (e.g. suspended) state or federal licenses, registrations, or certifications necessary to legally practice his/her profession and has been credentialed and privileged as outlined in OnPoint policy.

Responsibilities to Clients – Personnel and Contract Providers of OnPoint shall not discriminate against or refuse professional services to anyone on the basis of race, color, religion, national origin, age, sex, sexual orientation, height, weight, marital status, partisan considerations, any mental or physical disability, or any other legally protected status. Personnel and Contract Providers shall:

- treat clients and family members with dignity and respect. Family members shall be given the opportunity to provide information about the client to the treating professionals. Information provided to family members shall be within the confidentiality constraints of Section 748 of the Mental Health Code, HIPAA and 42 CFR Part 2. They shall be provided an opportunity to request and receive educational information about the nature of disorders, medications and side effects, available support services, advocacy and support groups, financial assistance, and coping strategies.
- regard as their primary objective the welfare of the individual or group served.
- continue therapeutic relationships only so long as it is reasonably clear that clients are benefiting from the relationship.
- not engage in interpersonal relationships with a client.

Confidentiality and Privacy - OnPoint is committed to protecting the confidentiality and privacy of its clients and shall strictly govern the access, use, and disclosure of any information to anyone other than those authorized. Personnel and Contract Providers must comply with federal and state privacy and security laws and to facilitate this OnPoint maintains policies to protect the confidentiality, integrity, and availability of Protected Health Information (PHI) and Personally Identifiable Information (PII) created, maintained, transmitted, and received by OnPoint. Failing to follow state and federal law (including HIPAA, Michigan Mental Health Code, and 42CFR Part 2) and/or OnPoint policies or contracts governing privacy and security will subject you to disciplinary action up to and including removal from the Governing Board, termination of employment, or termination of the contract.

Conflict of Interest - To safeguard OnPoint's commitment to ethical and legal standards, Personnel shall avoid any action that conflicts with the interests of the organization and refrain from being influenced by personal considerations in the performance of their duties. Accordingly, Personnel must disclose the existence and nature of any actual or potential conflict of interest according to policy and procedures outlined in Policy #625 – Conflict of Interest Disclosure at time of hire/appointment, or when a conflicting interest arises.

Outside Employment – OnPoint Personnel shall not represent or function as an agent of OnPoint, compensated or uncompensated, for any outside interest in any transaction in which OnPoint has a direct or substantial interest, financial or otherwise. Nor shall any OnPoint Personnel accept any outside engagement or employment, the pursuit of which conflicts with the ability of the Personnel to discharge properly his/her duties to OnPoint. Private practice and outside employment shall be

disclosed to the supervisor and addressed according to policy and procedures outlined in Policy # 625 – Conflict of Interest Disclosure at the time of hire/appointment, or when a conflicting interest arises.

2. BUSINESS ETHICS

Financial Standards – OnPoint shall ensure the integrity of all financial transactions. Transactions shall be executed in accordance with established policies and procedures and within federal and state law and recorded in conformity with generally accepted accounting principles or any other applicable criteria. All financial reports, accounting records, research reports, expense accounts, time sheets and other documents will accurately and clearly represent the relevant facts or the true nature of a transaction. No undisclosed or unrecorded funds or assets will be established for any purpose. OnPoint will not tolerate improper or fraudulent accounting, documentation, or financial reporting. OnPoint does not pay for referrals of clients. Client referrals and admissions will be accepted based solely on the client’s clinical needs and medical necessity and OnPoint’s ability to render needed services. Eligible individuals with Medicaid will not be placed on a wait list for services. OnPoint Personnel or any other person acting on behalf of the organization is prohibited from soliciting or receiving anything of value, directly or indirectly, in exchange for the referral of clients.

Billing, Claims, Encounter Reporting – OnPoint is committed to charging, billing, submitting claims for reimbursement, and reporting encounters only when the services have been provided and documented in a manner required by laws, regulations, contracts, policies, and applicable standards of care. All Personnel and Contract Providers must truthfully and carefully present, in accordance with applicable rules, for submission of bills and claims for reimbursement and for reporting encounters, whether those claims are submitted to OnPoint for payment or reporting or to a third party for payment. OnPoint Personnel and Contract Providers may not misrepresent charges to, or on behalf of, a client or payer. OnPoint will not tolerate false statements made by OnPoint Personnel or Contract Providers to a governmental agency. Deliberate misstatements to payers will expose the individual and/or organization to potential criminal penalties, exclusion from federal/state programs, and termination. Any OnPoint Personnel or Contract Provider that knows or suspects that a bill or claim for reimbursement or encounter reporting is incorrect is required to report the matter immediately to the Compliance Officer.

Anti-Kickback Statute – The federal Anti-kickback statute (section 1128(b) of the Social Security Act) prohibits OnPoint Personnel from offering, paying, soliciting, or accepting money or anything of value as an enticement to generate business compensated by Medicare or Medicaid programs. All direct-to-client marketing activities require advance review by the Compliance Committee, Chief Executive Officer, or Designee if the activity involves giving anything of value directly to a client.

Stark Law – Prohibits physicians from referring patients to receive “designated health services” payable by Medicare or Medicaid from entities with which the physician or an immediate family member has a financial relationship unless an exception applies. These designated health services include, but may not be limited to, clinical laboratory services, outpatient prescription drug services, home health services, physical and occupational therapy, and imaging services.

Gifts from Clients/Families – OnPoint Personnel are prohibited from soliciting tips, personal gratuities, or gifts from clients or clients’ families. Additionally, OnPoint Personnel are prohibited from accepting gifts or gratuities of more than nominal value. Perishable or consumable gifts, except for items of minimal value such as flowers, cookies, or candy, from clients and/or family members given to a department or group are not subject to any specific imitation. If a client or other individual wishes to present a monetary gift of more than nominal value, he/she should be referred to the Executive Officer and follow protocols for charitable contributions.

Gifts Influencing Decision-Making – OnPoint Personnel will not accept gifts, favors, services, entertainment gratuities, or loans from any individual, firm, or corporation to the extent that decision-making or actions affecting OnPoint might be influenced. Nor is the offer or giving of money, services, or other things of value with the expectation of influencing the judgment or decision-making process of any purchaser, supplier, customer, client, government official or other person by any OnPoint Personnel or OnPoint be allowed. Any such conduct shall be reported immediately to the Compliance Officer and/or Chief Executive Officer.

Gifts from Existing Vendors – OnPoint Personnel may accept gifts from vendors, suppliers, contractors, or other persons that have nominal values (\$25.00 or less per gift, maximum of \$300 per year from the same vendor). OnPoint expects OnPoint Personnel to exercise good judgment and discretion in accepting gifts. If any OnPoint Personnel have any concerns regarding whether a gift should be accepted, Personnel should consult with the OnPoint Compliance Officer and/or Chief Executive Officer. Excessive gifts, meals, expensive entertainment or other offers of goods or services of more than a nominal value are not to be accepted.

Vendor Sponsored Entertainment - At a vendor’s invitation, OnPoint Personnel may accept meals or refreshments of nominal value at the vendor’s expense. Occasional attendance at local theater or sporting events, or similar activity at a vendor’s expense may also be accepted provided that a business representative of the vendor attends with OnPoint staff. Such activities are to be reported to the Compliance Officer and/or Chief Executive Officer by OnPoint Personnel for review prior to attendance.

Charitable Contributions – All charitable contributions must be made for the benefit of OnPoint and for the purpose of advancing OnPoint’s mission. The Chief Executive Officer will oversee all charitable contributions to ensure that they are administered in accordance with the donor’s intent. All checks and other documents must be made payable to OnPoint and given to the Finance Department to deposit into the appropriate account.

Purchasing and Supplies – OnPoint will ensure that all rental, lease, and purchasing agreements are structured in accordance with applicable federal and State self-referral and anti-kickback regulations as well as federal guidelines regarding tax-exempt organizations. All agreements must be commensurate with the fair market value for services, equipment, or space. All contractor and supplier arrangements will be managed in a fair and reasonable manner, consistent with all applicable laws and good business practices. Contractors, suppliers, and vendors will be selected based on objective criteria including quality, technical excellence, price, delivery, and adherence to schedules, services, and maintenance of adequate sources of supply. Purchasing decisions will be

made on the supplier's ability to meet needs and not on personal relationships or friendships. OnPoint will always employ the highest ethical standards in business practices in source selection, negotiation, determination of contract awards, and the administration of purchasing activities.

Marketing and Media – OnPoint news releases, marketing, and advertising materials shall not be deceptive or misleading by omission or commission. OnPoint will present only truthful, fully informative information in any materials or announcements. All requests from the Media shall be referred to the Chief Executive Officer.

3. WORKPLACE CONDUCT AND EMPLOYMENT PRACTICES

Culture – OnPoint's Board of Directors, Chief Executive Officer, Compliance Officer, and management personnel will establish at OnPoint, and encourage throughout its network, cultures that promote prevention, detection, and resolution of instances of misconduct in order to conform to applicable laws and regulations. OnPoint will assist Contract Providers in adopting practices that promote compliance with Medicaid fraud, waste, and abuse program requirements. The OnPoint Compliance Plan and Program will be enforced consistently.

Delegation of Authority – OnPoint Board of Directors, the Chief Executive Officer, and management personnel will use due care not to delegate substantial discretionary authority to individuals whom they know, or should have known through due diligence, to have a propensity to engage in illegal activities.

Excluded Individuals – OnPoint will perform or cause to be performed criminal record checks and sanctions screenings on potential OnPoint Personnel and shall avoid placing untrustworthy or unreliable Personnel in key positions.

Employment Discrimination – OnPoint Personnel and Contract Providers shall abide by all applicable federal and state equal opportunity statutes, rules and regulations including, without limitation, Title VII of the Civil rights Act of 1964, the Equal Employment Opportunity Act of 1972, the Age Discrimination in Employment Act, the Fair Labor Standards Act, the Americans with Disability Act, the Rehabilitation Act of 1973, and the Occupational Health and Safety Act of 1970.

Drug-Free Environment – OnPoint is committed to an alcohol and drug free environment. OnPoint prohibits the consumption or the unlawful possession, use, manufacture or distribution of illicit drugs, alcohol, or marijuana on or in its property, including OnPoint owned or leased vehicles. Any OnPoint Personnel reporting to work under the influence of any drugs, alcohol, marijuana, or any substance that impairs their ability to perform their job functions may result in disciplinary action up to and including termination of employment or contract.

Harassment – Mutual respect among all OnPoint Personnel and Contract Providers in the way we treat each other is expected. All OnPoint Personnel have the right to work in an environment free of harassment. Therefore, harassment of Personnel or Contract Providers in the workplace by any person or in any form is prohibited. This includes any unwelcome conduct, whether verbal, physical, or visual, that is based on a person's race, color, religion, sex, age, national origin, height, weight, marital status, gender identity, Veteran status, disability, or any other legally protected

characteristic. This also includes harassment of a sexual nature which consists of unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature when submission to or rejection of such conduct explicitly or implicitly affects an individual's employment or contract and interferes with an individual's work performance or creates an intimidating, hostile, or offensive work environment. OnPoint is committed to an environment free of harassment.

Weapons – OnPoint Personnel and Contract Providers shall not possess, maintain, keep, or bear any weapon, rifle, pistol, or other firearm, whether licensed or unlicensed, registered or unregistered, concealed or unconcealed, holstered or unholstered, cased or uncased in or on any building, grounds, property or vehicle owned, rented or operated by OnPoint.

Personal Use of OnPoint Resources – Except as provided herein, use of OnPoint property, equipment, or other tangible assets for personal purposes without the prior written approval of the supervisor or Chief Executive Officer is prohibited. The occasional personal use of OnPoint property, equipment, and tangible assets (e.g., making local phone calls) is acceptable when OnPoint incurs no direct expense in connection with such personal use.

Nepotism – OnPoint Personnel shall not hire, promote, or directly supervise a relative. For this section, the term “relative” means significant other, spouse, parent, child, sibling, grandparent, grandchild, aunt, uncle, nephew, niece, or cousin, through blood, marriage, or adoption.

Political Activities and Contributions – OnPoint funds or resources may not be used to contribute to political campaigns or for gifts or payment to any political candidate or party or any of the affiliated organizations. Prohibited conduct includes, but is not limited to, the use of work time and/or OnPoint equipment to solicit or canvas on behalf of a political cause or candidate. Personnel and Contract Providers shall not publicly or privately represent his/her political views as those of OnPoint.

Reporting Violations – All OnPoint Personnel and Contract Providers have the responsibility to comply with the laws and regulations and to also ensure that others do as well. Any Personnel or Contract Provider with knowledge of activities or omissions that may violate applicable laws and regulations is required to report such wrongdoing. Reporting suspected or known violations is mandatory. Failure to report a suspected or known violation may be the basis for disciplinary action up to and including termination of employment, appointment, or contract. All reports of wrongdoing shall be investigated to the extent necessary to determine their validity. Personnel making such a report, in good faith, shall not be retaliated against by OnPoint and will be protected by the Whistleblower's Protection Act. Discipline for engaging in acts that violate applicable laws and regulations, making knowingly false reports, or discipline for any other performance-related reason unconnected to reporting potential violations is not retaliation.

PROCEDURE(S)

1. Violations may be reported to OnPoint's Compliance Officer at:
Toll-Free: 1-866-951-0063
TTY: Michigan relay: 7-1-1

Online: <https://bit.ly/4snF72Y>

Or Scan the QR Code



2. **Reports may be made anonymously.** All reports will be treated confidential to the extent allowed by law and will only be shared with others on a bona-fide need-to-know basis. Under no circumstances will OnPoint tolerate retribution or retaliation against any Personnel or Contract Provider simply for making a “good faith” report to the Compliance Officer.
3. Obligations are also identified and defined in the Board approved OnPoint Compliance plan and related policies. Commitment to the goals of OnPoint’s Board-approved Compliance Program is required of all Agents. Compliance Program documents can be found on OnPoint’s website at: [Providers – OnPoint](#)
4. All OnPoint Personnel and Contract Providers bear responsibility for compliance within applicable laws, regulations, regional and local policy as applicable.
5. All contractual arrangements with Contract Providers are structured in accordance with Federal and State laws and regulations and are in the best interest of OnPoint and the clients we serve. To meet all standards ethically and legally, OnPoint will strictly adhere to the following:
 - a. **Excluded Providers:** OnPoint does not enter into contractual relationships with individuals, agents, or agencies that have been convicted of a criminal offense related to health care or that are listed by a federal agency as debarred, excluded, or otherwise ineligible for participation in Federal or State health care programs as well as exclusions provided for in the Michigan Medicaid Provider Manual. Reasonable and prudent background investigations will be completed prior to entering into a contractual relationship with individuals, agents, or agencies.
 - b. **OnPoint Compliance Plan:** OnPoint Personnel and Contract Providers are to be familiar with and agree to abide by OnPoint’s Compliance Plan and all applicable policies and procedures as incorporated into relevant contracts. All policies and procedures relevant to the Contract Providers are available on OnPoint’s website found here: [Providers – OnPoint](#)
 - c. **OnPoint Compliance Program:** OnPoint Personnel and Contract Providers have the responsibility of ensuring the effectiveness of OnPoint’s Compliance Program efforts by

actively participating in the reporting of suspected violations.

- d. **Regulatory and Contractual Changes:** OnPoint Personnel and Contract Providers are responsible for monitoring and staying informed of applicable regulatory and contractual changes independent of OnPoint's Compliance Program efforts.
- e. **Written Standards of Conduct:** Contract Providers are required to have written standards of legal and ethical conduct of their own. Contract Providers having developed their own standards of conduct will be required to provide evidence of such upon request.

REFERENCE(S)

References/Legal Authority (Primary – may not be all inclusive)

- 1. 42 CFR Part 2 relative to substance abuse services
- 2. 42 CFR, Chapter IV, Subchapter C, Part 455 – Program Integrity: Medicaid
- 3. American Recovery and Reinvestment Act of 2009
- 4. Health Information Technology for Economic and Clinical Health (HITECH) Act
- 5. Health Insurance and Portability Accountability Act (HIPAA)
- 6. LRE/OnPoint Medicaid Specialty Supports and Services Contract
- 7. MCL- Section 330.1748 Confidentiality
- 8. MDHHS Credentialing and Re-credentialing Policy
- 9. MDHHS Medicaid Provider Manual
- 10. MDHHS/OnPoint General Fund Contract
- 11. MDHHS/PIHP Medicaid Specialty Supports and Services Contract
- 12. Michigan Medicaid Provider Manual
- 13. Social Security Act 1128 – Exclusions
- 14. OnPoint Compliance Plan and Policies
 - a. Access via OnPoint Intranet at: [Policies, Procedures and Guidelines - Home](#)
 - b. Access via OnPoint Website at: [Providers – OnPoint](#)

ATTACHMENT(S)

- 1. #900.1 Corporate Compliance Plan Personnel Attestation_052026
- 2. #900.2 Corporate Compliance Plan Provider Attestation_052026
- 3. 902.1 Employee Code of Conduct and Ethics (Brochure/Attestation)