

<b>Topic:</b> Deficit Reduction Act	<b>Department:</b> Entire Agency
<b>Original effective date:</b> 4/21/21	<b>Last revision date:</b> 9/25/24
<b>Owner:</b> VP for Quality and Compliance	<b>Frequency of reviews:</b> Annual
<b>Internal/Regulatory Reference(s) (all that apply):</b> 42 USC 1396a(a)(68)	
<b>Related documents/Links:</b> Please see references within the document	

**Policy:** It is the policy of The Arc that business, administrative and support functions promote personal and organizational outcomes.

**Additional Information:** To the extent that they are affected by the agency’s risk areas related to this topic, this policy applies to employees, the CEO and other senior management, managers, contractors, agents, subcontractors, independent contractors, students, interns, volunteers, vendors consistent with the “Vendor Management Policy”, the Board of directors/corporate officers, and Board committees; hereafter referred to as “affected parties.”

Under this law, The Arc is required to:

- Establish written policies for all employees of the agency, and of any contractor or agent of the agency, that provide detailed information about the False Claims Act, administrative remedies for false claims, any state laws pertaining to civil or criminal penalties for false claims and statements, and whistleblower protections under such laws.
- Include in such policies detailed provisions regarding our policies and procedures for detecting and preventing fraud, waste and abuse; and
- Include in our employee handbook a specific discussion of the laws described here, the rights of employees to be protected as whistleblowers, and our policies and procedures for detecting and preventing fraud, waste and abuse.

Please cross reference the following policies which relate to these requirements for further details:

- Corporate Compliance Plan
- Corporate Compliance Policy
- False Claims Acts
- Whistleblower
- Internal monitoring and reviews
- Non-compliance detection and response, and confidential communications
- Vendor Management Policy

For the purposes of this policy, “good faith” means that the person reporting the concern believes it to be true and accurate to the best of their knowledge.

<b>Procedure</b>	
<b>Task:</b>	<b>Responsible party:</b>
<b>General Guidelines:</b>	
1. Concerns regarding fraud, waste or abuse of Medicaid or other governmental funds may be reported to any of the following: *The VP for Quality and Compliance of The Arc, any member of the Executive Management or Senior Leadership Teams, or via the agency’s compliance hotline consistent with the policy, “Non-compliance Detection and Response, and Confidential Communications”; or *Any governmental agency or entity, such as but not limited to: NYS Office of the Medicaid Inspector General (OMIG), the Medicaid Fraud Control Unit (MFCU), the NYS Department of Health (DOH), the Office for People with Developmental Disabilities (OPWDD), the NYS Attorney General (NYS AG), the Department of Labor (DOL), the Office of Inspector General (OIG), or the US Attorney’s office	Affected parties
2. Concerns may be reported confidentially or anonymously	Affected parties
3. No one reporting compliance concerns in good faith to any of these parties or entities may be treated differently, intimidated or retaliated against in any way for doing so. Please cross reference the policy, “Whistleblower, Non-intimidation and Non-retaliation” for additional information.	Coworkers, management, HR
<b>VP for Quality and Compliance responsibility:</b>	
1. The VP for Quality and Compliance will ensure that, per agency policy, staff, vendors, and contractors receive compliance-related information consistent with these requirements.	VP for Quality and Compliance
2. The VP for Quality and Compliance is responsible for making ArcNY notifications per the chapter manual.	VP for Quality and Compliance

**Document revision record:**

<b>Revision Date</b>	<b>Release Date</b>	<b>Reason for change</b>	<b>Approver</b>
3/29/22	4/6/22	Added that the VPQC is responsible for ArcNY notifications	ICC
3/15/23	3/15/23	Specified whom this policy applies to and updated terms throughout	ICC
4/25/24	4/25/24	Added parties to whom reports can be made including the hotline; added that reports can be made anonymously or confidentially; spelled out acronyms; and formally cross-referenced our non-retaliation policy	ICC
9/25/24	9/25/24	Added Board committees to affected parties	ICC