

**ST. CLAIR COUNTY COMMUNITY MENTAL HEALTH AUTHORITY**

**BOARD POLICY**

Date Issued **6/23**

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I. **APPLICATION:**

- SCCCMHA Board
- SCCCMHA Providers & Subcontractors
- Direct Operated Programs
- Community Agency Contractors
- Residential Programs
- Specialized Foster Care

II. **POLICY STATEMENT:**

It shall be the policy of the St. Clair County Community Mental Health Authority (SCCCMHA) Board that all employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest.

III. **DEFINITIONS:**

- A. **Conflict of Interest:** Any situation in which financial or other personal considerations may compromise or appear to compromise (1) an employee’s business judgment; (2) delivery of patient care; or (3) ability for an employee to do his or her job. An actual or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee or for a relative as a result of business dealings. For the purpose of this policy, a relative is any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage.
- B. **Unusual Gain:** Business dealings with outside entities that result in an unfair advantage for those entities, SCCCMHA, or an employee. Unusual gain refers to bribes, product bonuses, special fringe benefits, unusual price breaks, and other windfalls designed to ultimately benefit the employer, the employee, or both. Certain nominal benefits are allowed in accordance with other policies.

IV. **STANDARDS:**

- A. Actual or potential conflicts of interest must be disclosed to the SCCCMHA Board, appropriate SCCCMHA Leadership staff/SCCCMHA Corporate Compliance Designee, or SCCCMHA Human Resources Staff.
- B. Employees must seek guidance and approval from appropriate management personnel prior to pursuing any business or personal activity that may constitute a conflict of interest.

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- C. Employees need to be mindful of the illusion that impropriety gifts and favors may pose.
1. Gifts of entertainment from vendors should be limited to common business courtesies which may include an occasional lunch, dinner, or gift of limited value. Monetary gifts/favors in an attempt to gain an unfair financial and/or personal advantage over outside entities are strictly prohibited.
  2. Employees may not promise gifts, entertainment, or political alliances to gain/maintain members or unfair business advantage.
  3. All enticements are subject to “Fair Market Value” if the SCCCMHA Provider Network is furnishing the designated health service.
- D. Business courtesies that would influence or appear to influence an employee in the conduct of their duties or responsibilities must be declined.
- E. Employees and network providers who are required to undergo privileging and credentialing must complete the Conflict of Interest Attestation form (#1305 or #1306) during the initial credentialing, and when re-credentialing (every two years).

V. PROCEDURES:

**Corporate Compliance Designee**

1. Reviews all actual or potential conflicts of interest that come to the attention of SCCCMHA Leadership staff.

**Staff/Contract Providers**

2. Discloses to the SCCCMHA Corporate Compliance Office any actual or potential conflicts of interest that come to their attention.
3. Completes the Conflict of Interest Attestation form (#1305 or #1306) when requesting Privileging and Credentialing.
4. Submits Conflict of Interest Attestation form to SCCCMHA Contract Manager or SCCCMHA supervisor/HR/designee.
5. Seeks approval from appropriate SCCCMHA Leadership Team prior to entering into any business arrangement that may create a conflict of interest.
6. Reports any gifts, favors, or consideration received from any provider, vendor, or organization that may violate this policy.

VI. REFERENCES:

- A. CARF SCCCMHA Code of Ethics 2019

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VII. EXHIBITS:

None

VIII. REVISION HISORY:

Dates issued 11/04, 09/07, 11/09, 01/12, 05/14, 05/15, 05/16, 05/17, 05/18, 05/19, 7/20, 6/21, 5/22.