



BERGEN'S PROMISE

CODE OF ETHICAL CONDUCT

INTRODUCTION

Bergen's Promise, Inc. ("Bergen's Promise" or "Agency") has established a Corporate Compliance Program and Code of Ethical Conduct to ensure that it operates in full compliance with applicable laws and provides all employees with guidance in decision making when ethical issues arise. An important component of the program is a Code of Ethical Conduct (referred to as the "Code"), which sets out basic principles which Bergen's Promise and its Board of Directors, officers, employees, interns, and volunteers (referred to as "Personnel") must follow. The foregoing shall be oriented to same in consultation with their supervisor, Human Resources, and Compliance, as applicable. A copy of this Code shall be shared with these stakeholders via email during the onboarding process. Staff will be instructed to sign off on same in the Human Resources Information System. Non-personnel representatives of Bergen's Promise, such as external advisors, consultants, and providers, should also be directed to conduct themselves in a manner consistent with this Code when they are acting on behalf of Bergen's Promise. A copy of this Code shall be shared with these additional stakeholders via email and via the website. These individuals will be oriented to the Code by the applicable Agency contact. If you have any questions about the Code or its applicability to a particular situation, please contact the Corporate Compliance Officer.

The Corporate Compliance Program and this Code are not intended to and shall not be deemed or construed to provide any rights, contractual or otherwise, to any Personnel or to any third parties. In addition to the Agency Corporate Compliance Program and Code of Ethical Conduct, Personnel shall be directed in their behavior by all applicable laws, regulations, Agency policies and procedures, the Employee Handbook and Agency values of professionalism, talent engagement and development, health and safety, collaboration, and cultural diversity. Bergen's Promise Code is not intended to replace or conflict with the Agency's established policies and procedures; rather it is intended to provide a framework for Personnel behavior in accordance with those policies and procedures.

This code has been distributed to Personnel and sets forth general standards applicable to all business and operations. In addition, there are several more detailed and specific policies covering other subject matters. Bergen's Promise will communicate those specific policies to Personnel.

I. STANDARDS OF BUSINESS CONDUCT

1. One of Bergen's Promise's most valuable assets is its reputation for integrity and honesty. Bergen's Promise is committed to operating its business in full compliance with all applicable laws, regulations and, when applicable, rules of professional conduct. In addition, Bergen's Promise conducts its business in conformance with sound ethical standards. Achieving business outcomes by illegal acts or unethical conduct is not acceptable.

All Bergen's Promise Personnel shall act in compliance with the requirements of applicable law, including but not limited to Section 6032 of the federal Deficit Reduction Act of 2005 ("DRA Section 6032"), and this Code while engaged in service delivery and the performance of business operations. NOTE: A separate Compliance Policy (#35) has been added to the Compliance Manual to cover all relevant details of the Deficit Reduction Act, Section 6032, including prohibitions against fraud, waste, abuse, and other wrongdoing

2. Each employee is required to act ethically and in compliance with applicable law and the Code. Personnel are responsible for acquiring sufficient knowledge to recognize potential compliance issues applicable to their duties and for appropriately seeking advice regarding such issues.
3. To the extent that Personnel may have a conflict of interest with the Agency and/or a contractual relationship, and/or has an interest in a business, person, or entity that may compete with the business of the Agency, the individual shall report same to their supervisor and Human Resources for assessment of same.
4. Personnel shall not offer or give any money, gratuity, bribe, payment, gift, or thing of value to any person or entity with whom Bergen's Promise has or is seeking any business or regulatory relationship except for gifts of a nominal value which are legal and given in the ordinary course of business.
5. Personnel shall not accept any money, gratuity, bribe, payment, gift, item, or thing of more than a nominal value from any person or entity with which Bergen's Promise has or is seeking any business or regulatory relationship. Personnel must promptly report the offering or receipt of gifts above a nominal value to their supervisor.
6. Personnel shall be completely honest in all dealings. No misrepresentations shall be made, and no false bills or requests for payment or other documents shall be submitted to patients or to third party payors.

7. Personnel shall not engage in any financial, business, marketing, or other activity which competes with Bergen's Promise's business which may interfere or appear to interfere with the performance of their duties or that involve the use of Bergen's Promise's property, facilities, or resources, except to the extent consistent with the conflict-of-interest policies.
8. Personnel shall seek prior approval for all solicitation of funds on behalf of a personal cause (e.g., selling cookies for a child's school or scout program), and for the solicitation of items for the benefit of families, or the selling items on behalf of the organization. (See Employee Handbook Sec. 6.20)
9. Books and records shall be created, maintained, retained, or destroyed in accordance with Bergen's Promise's records retention policy.
10. Personnel shall maintain the confidentiality of Bergen's Promise's information and of information relating to Bergen's Promise's vendors, suppliers, personnel, providers and the youth and families served. Personnel shall not use any such confidential or proprietary information except as is appropriate for business. Personnel shall not seek to improperly obtain or misuse confidential information and will abide by external and internal policies regarding the transmission of confidential information.
11. Personnel shall respect and safeguard the personal property of persons served, visitors and Personnel, as well as property owned by the Agency.
12. Personnel shall follow safe work practices and comply with all applicable safety standards and health guidelines.
13. Personnel are responsible for ensuring that the work environment is free of discrimination or harassment due to age, race, gender, color, religion, national origin, ancestry, marital status, pregnancy, disability, sexual orientation, gender identity or expression or covered veteran status. Any form of sexual harassment, including the creation of a hostile working environment, is completely prohibited.
14. Dating and/or romantic/sexual relationships between any member of management and employees is strictly prohibited.
15. Personnel who believe or become aware of any violation of this Code or any illegal activity by a director, officer, or any other person acting on Bergen's Promise's behalf shall promptly report the violation or illegal activity to the Corporate Compliance Officer. A report may be made on an anonymous basis.
16. It is a violation of this Code for Personnel not to report a violation of the Code or any illegal activity. If you have a question about whether acts or conduct may be illegal or violate the Code, you should contact the Corporate

Compliance Officer. It is a violation of this Code for Personnel to whom a potential illegal act or violation of the Code is reported, to not ensure that the illegal act or violation of the Code comes to the attention of those responsible for investigating such reports.

If the illegal acts or conduct in violation of the Code involve a person to whom such illegal acts or violations might otherwise be reported, the illegal acts or violation should be reported to another person to whom reporting is appropriate.

17. It is Bergen's Promise's policy to investigate reports of illegal activity or violations of this Code promptly and thoroughly. Personnel must cooperate with these investigations. Personnel must not take any actions to prevent, hinder, or delay discovery and full investigation of illegal acts or violations of this Code as these actions constitute a further violation of this Code.
18. Personnel may report illegal acts or a violation of this Code anonymously. To the extent permitted by law, Bergen's Promise will take reasonable precautions to maintain the confidentiality of those individuals who report illegal activity or violations of this Code and of those individuals involved in the alleged improper activity, whether it turns out that improper acts occurred. Failure to abide by this confidentiality obligation is a violation of this Code.
19. No reprisals or disciplinary action will be taken or permitted against Personnel for good faith reporting of, or cooperating in the investigation of, illegal acts or violations of this Code. It is a violation of this Code for Personnel to punish or retaliate against personnel who have made a good faith report of, or cooperated in the investigation of, illegal acts or violations of this Code.

II. CODE OF CONDUCT WITH YOUTH AND FAMILIES

The following policies are intended to assist Personnel in making decisions about interactions with youth and families. For clarification of any guideline, or to inquire about behaviors not addressed here, contact your supervisor.

Our organization provides youth and families with the highest quality services available. We are committed to creating an environment for youth and families that is safe, nurturing, empowering, and that promotes growth and success.

No form of abuse will be tolerated and confirmed abuse will result in immediate dismissal from our organization. All reports of suspicious or inappropriate behavior with youth and families or allegations of abuse will be taken seriously. Our organization will fully cooperate with authorities if allegations of abuse are made that require investigation.

The Code of Conduct with Youth and Families outlines specific expectations of Personnel as we strive to accomplish our mission together.

1. Youth and families shall always be treated with respect.
2. Youth and families shall be treated fairly, regardless of race, sex, sexual orientation, gender identification, age, or religion.
3. Personnel shall adhere to uniform standards of physical interaction as outlined by our organization. (See Appendix A)
4. Personnel shall avoid physical interaction with youth and families that cannot be observed by others.
5. Personnel shall adhere to uniform standards of appropriate and inappropriate verbal interactions as outlined by our organization. (See Appendix B)
6. Personnel shall not stare at or comment on physical appearance or characteristics of youth and their family members unless clinically indicated.
7. Youth and families are not to visit a Personnel member's home under any circumstances.
8. Personnel shall not date or become romantically involved with youth and/or their family members.
9. Personnel shall not use or be under the influence of alcohol or illegal drugs in the presence of youth and families.
10. Personnel shall not have sexually oriented materials, including printed or online pornography, on or in our organization's property or when interacting with youth and families.
11. Personnel shall not have secrets with youth and families.
12. Personnel shall only give gifts to youth and families with prior permission.
13. To the extent that Personnel wish to be advocates for the Agency's youth and families, they are encouraged to participate in public education and awareness campaigns, school collaboration projects and other community-based events supported or sponsored by the Agency's Community Relations Department.
14. Personnel will comply with our organization's policies regarding interactions with youth and families outside the context of service delivery.
15. Personnel will not engage in inappropriate electronic communication with youth and families. (See Compliance Policy 28: Social Media and HIPAA Security Policy 12: Acceptable Use)

16. Personnel are prohibited from working one-on-one with youth and families in a private setting. To the extent that service delivery requires a one-on-one meeting (e.g., transportation, adult youth, DCP&P custody), said visit must be pre-approved by the CFT and Care Manager Supervisor and documented before and after the visit.
17. Personnel shall maintain professional boundaries with youth and families, and as such, may not serve as a witness to legal documents, including but not limited to, powers of attorney, guardianship, consent forms, and advanced directives
18. Personnel will meet in common areas of the home when working with individual youth and families.
19. Personnel will not abuse youth and families in anyway including (but not limited to) the following:
 - a. *Physical abuse*: hitting, spanking, shaking, slapping and restraints
 - b. *Verbal abuse*: degrading, threatening, cursing
 - c. *Sexual abuse*: inappropriate touching, exposing oneself, sexually oriented conversations
 - d. *Mental abuse*: shaming, humiliation, cruelty
 - e. *Neglect*: withholding food, water, shelter and adequate supervision, education, and medical care
 - f. *Intimate Partner Violence (a.k.a. Domestic Violence)*: behaviors that physically harm, arouse fear, prevent a partner from doing what they wish or force them to behave in ways they do not want. It includes the use of physical and sexual violence, threats and intimidation, emotional abuse, and economic deprivation.
20. Bergen's Promise will not tolerate the mistreatment or abuse by Personnel of any individual with whom they interact, including each other and youth and families. In addition, our organization will not tolerate any behavior that is classified under the definition of bullying (see paragraph 19 below), and to the extent that such actions are disruptive, we will take steps needed to eliminate such behavior, up to and including termination.
21. Bullying is aggressive behavior that is intentional, is repeated over time, and involves an imbalance of power or strength. Bullying can take on various forms, including:
 - a. *Physical bullying* – when one person engages in physical force against

another person, such as by hitting, punching, pushing, kicking, pinching, or restraining.

- b. *Verbal bullying* – when someone uses their words to hurt another, such as by belittling or calling another a hurtful name.
 - c. *Nonverbal or relational bullying* – when one person manipulates a relationship or desired relationship to harm another person. This includes social exclusion, friendship manipulation, or gossip. This type of bullying also includes intimidating another person by using gestures.
 - d. *Cyberbullying* – the intentional and overt act of aggression toward another person by way of any technological tool, such as email, instant messages, text messages, digital pictures or images, or website postings (including blogs). Cyberbullying can involve:
 - i. Sending mean, vulgar, or threatening messages or images.
 - ii. Posting sensitive, private information about another person.
 - iii. Pretending to be someone else to make that person look bad.
 - iv. Intentionally excluding someone from an online group.
 - v. Hazing – an activity expected of someone joining or participating in a group that humiliates, degrades, abuses, or endangers that person regardless of that person’s willingness to participate.
 - vi. Sexualized bullying – when bullying involves behaviors that are sexual in nature. Examples of sexualized bullying behaviors include sexting, bullying that involves exposures of private body parts, and verbal bullying involving sexualized language or innuendos.
 - e. Anyone who sees an act of bullying, and/or who encourages it, is engaging in bullying. This policy applies to all youth, families, and Personnel.
22. Personnel must follow state specific mandatory reporting requirements. Staff will be trained to be aware of and understand their legal and ethical obligation to recognize and report suspicions of mistreatment and abuse. Staff will:
- a. Be familiar with the symptoms of child abuse and neglect, including physical, sexual, verbal, and emotional abuse.
 - b. Know and follow organization policies and procedures that protect youth and families against abuse.
 - c. Report suspected child abuse or neglect to the appropriate authorities as required by state mandated reporter laws (see also, Compliance Policy 29:

Reporting Child Abuse and Neglect).

d. Follow up to ensure that appropriate action has been taken.

23. Personnel will report concerns or complaints about other Personnel, adults, or youth and families to their supervisor.

24. Our organization cooperates fully with the authorities to investigate all cases of alleged abuse. All Personnel shall fully cooperate with any external investigation by outside authorities or internal investigation conducted by the organization or persons given investigative authority by the organization. Failure to cooperate fully may be grounds for termination.

25. Personnel may not have engaged in or been credibly accused or convicted of abuse, indecency, or assault.

EMPLOYEE COMMITMENT TO YOUTH AND FAMILIES

I affirm that:

1. I shall treat everyone in a caring and respectful fashion, mindful of individual differences and cultural and ethnic diversity.
2. I shall treat all individuals with respect and honor their integrity and dignity.
3. I shall ensure to the best of my ability that services are provided with valid informed consent by the person served. I shall use clear and understandable language to inform youth and families of the purpose of services, the risks related to services, relevant costs, reasonable alternatives, and the individual's right to refuse or withdraw consent to services.
4. I shall evidence genuine interest in all persons served and do hereby dedicate myself to the best interest of the youth and families; to help them achieve sustainable success.
5. I shall not abandon or neglect youth and families receiving supportive services without making reasonable arrangements for the continuation of such support.
6. I shall do all in my power to protect the health, well-being and safety of the youth and families served by Bergen's Promise. I understand my responsibilities to family health, well-being, and safety, and commit to reporting any activity to the contrary. I understand that my failure to do so is a violation of this Code.
7. I shall do all in my power to protect the private health and personal information of the youth and families served by Bergen's Promise, including but not limited to adhering to all technology related directives (see Compliance Policy 28: Social

Media and HIPAA Security Policy 12: Acceptable Use). I understand that my failure to do so is a violation of this Code.

____ EMPLOYEE COMMITMENT TO BERGEN'S PROMISE

I affirm that:

1. I shall use the resources of the Agency only for the purposes for which they are intended.
2. I shall report to the Corporate Compliance Officer or any member of Management any suspected fraudulent activities or violations of the Code of Ethical Conduct.
3. I shall fulfill all commitments made by me to the Agency.
4. I shall maintain respect for Agency policies, procedures and management decisions and will take the initiative toward improvement of such policies, procedures, and decisions when it will better serve the best interests of the persons served.
5. I understand that nothing in this document relieves me of the responsibility of adhering to ALL Agency Policies, Procedures, Manuals and Protocols, and that I am responsible for being familiar with same.
6. I shall support the integrity and reputation of the Agency.
7. I shall portray Bergen's Promise services through public and private statements that are forthright and factual as it is unethical to promulgate false and deceptive statements.

____ EMPLOYEE COMMITMENT TO PROFESSIONAL COMPETENCY

I affirm that:

1. I am committed to providing the highest quality of care to those who seek my professional services.
2. I shall accurately represent my education, training, experiences, and competencies as they relate to my profession.
3. I am committed to assessing my own personal strengths, my limitations, my biases, and my effectiveness.
4. I shall act in accordance with the highest standards of professional integrity.

5. I shall not attempt to diagnose, treat, or advise on needs/problems outside the recognized bounds of my responsibilities and competence.
6. I will abide by any applicable professional licensing/certification credentialing board standards and requirements.

I UNDERSTAND THAT: Violations of this code may be grounds for discipline up to and including dismissal.

I have read, understand, and agree to uphold Bergen's Promise's Standards of Ethical Conduct as set forth above.

Date of Hire

Employee Name (Print)

Employee Signature

Date

Appendix A

<i>Appropriate Physical Interactions</i>	<i>Inappropriate Physical Interactions</i>
<ul style="list-style-type: none"> • Side hugs • Shoulder-to-shoulder or “temple” hugs • Pats on the shoulder or back • Handshakes • High-fives and hand slapping • Verbal praise • Pats on the head when culturally appropriate • Touching hands, shoulders, and arms • Arms around shoulders • Holding hands (with young children in escorting situations) 	<ul style="list-style-type: none"> • Full-frontal hugs • Kisses • Showing affection in isolated area • Lap sitting • Wrestling • Piggyback rides • Tickling • Allowing a consumer to cling to an employee’s or volunteer’s leg • Any type of massage given by or to a consumer • Any form of affection that is unwanted by the consumer or the staff or volunteer • Compliments relating to physique or body development • Touching bottom, chest, or genital areas

Appendix B

<i>Appropriate Verbal Interactions</i>	<i>Inappropriate Verbal Interactions</i>
<ul style="list-style-type: none">• Positive reinforcement• Appropriate jokes• Encouragement• Praise	<ul style="list-style-type: none">• Name-calling• Discussing sexual encounters or in any way involving consumers in the personal problems or issues of staff and volunteers• Secrets• Cursing• Off-color or sexual jokes• Shaming• Belittling• Derogatory remarks• Harsh language that may frighten, threaten or humiliate consumers• Derogatory remarks about the consumer or their family