



Advocates Policy #: C09
Effective Date: 5/1/2023
Reviewed: 5/31/24-No Changes
5/6/25-No Changes
Revised: NA
Supersedes: 4/1/2022

Corporate Compliance: Gifts, Loans, Contracts, Agreements and Arrangements Between Advocates' Employees and People Receiving Services

Purpose:

To define Advocates' expectations of employee behavior regarding gifts, loans, contracts, agreements and arrangements between employees and people receiving services.

Regulatory/Additional Authority:

OPWDD Memorandum dated 6/13/2012
14 NYCRR 633.7(a)(2)(v)
Social Service Law 363-D
18 NYCRR Part 521

Scope:

All Affected Individuals

Responsible Employee (Title) and/or Department:

Director of Compliance, Quality, and Incident Management

Definitions:

Affected Individuals - All Advocates' employees including the Executive Director and senior leadership, contractors, subcontractors, independent contractors, agents, corporate officers, and the Board of Directors.

Immediate Family Member - A person receiving services' spouse/partner, natural or adoptive parent, child, or sibling, stepparent, stepchild, stepsibling, parent-in-law; child-in-law; sibling-in-law; grandparent or grandchild, spouse of a grandparent or grandchild, aunts, uncles, cousins, or primary guardian.

Policy

Advocates is committed to providing high-quality, person-centered services to individuals with developmental disabilities in an atmosphere of the utmost trust, honesty, and integrity. To this end Affected Individuals may not accept gifts, gratuities, and/or loans of any kind from a service recipient, a family member or friend of a service recipient. Affected Individuals may not enter into contracts, agreements and/or arrangements, whether financial or for goods/services, with a service recipient, family member or friend of a service recipient other than those contracts and agreements required/authorized by regulations for the provision of authorized services.

The limited exception to these prohibitions is if the Affected Individual is an immediate family member of the service recipient and the otherwise prohibited activity takes place outside of service hours.

Any Affected Individual who accepts a gift, gratuity, loan or enters into a contract, agreement and/or arrangement outside of the limited exception will be subject to disciplinary action, including termination of employment, contract, assignment, or relationship with Advocates.