Maryhaven Enriching the Lives of People with Special Needs	**POLICY & PROCEDURE MANUAL** **COMPLIANCE**	Effective Date: 7/7/2005 Review Date: 2/4/2026 Supersedes issue of: 1/30/2025
Subject: Whistleblower Protection Policy		
Distribution: All employees, consultants, vendors, Board Members, volunteers, contractors		
Responsible Department: Quality Improvement & Compliance		
Approved by: Policy Committee, Compliance Committee		
Review Frequency: Annually		

I. Background:

Maryhaven is committed to high business and personal ethics standards and maintains internal controls and operating procedures intended to detect and prevent or deter improper activities. However, even the best control systems cannot provide absolute safeguards against irregularities. Intentional and unintentional violations of laws, regulations, policies, and procedures may occur and may constitute improper activities. Individuals as defined in this policy are responsible for reporting any suspected improper activities.

II. Purpose:

This policy aims to encourage and enable Affected Individuals to raise concerns regarding suspected unethical, illegal, or dishonest practices without fear of retaliation. A whistleblower as defined by this policy is an Affected Individual who reports an activity that they consider in their sound judgment to be unethical, illegal, or dishonest or in violation of a policy of the Maryhaven. The whistleblower is not responsible for investigating the activity or determining fault or corrective measures; appropriate management officials are charged with these responsibilities.

III. Applicability/ Affected Individuals:

All employees, consultants, vendors, Board Members, volunteers, and contractors.

IV. Definitions:

Good Faith: A belief in the truth of an alleged potential violation based on facts. Any allegation made with reckless disregard or deliberate ignorance of factual matters is not made in good faith.

Retaliation: Any action performed directly or through others aimed at deterring a reasonable person from reporting any suspected wrongful or unlawful activity. This includes unfavorable employment actions taken as a payback or to penalize those who report a potential violation in good faith or against those who participate in the investigation of or any proceeding related to such reports. Retaliatory actions may include discharge, suspension, demotion, penalization, harassment, discrimination, or other adverse employment actions in the terms and conditions of employment of the reporter or participant.

V. Record Retention:

Maryhaven will retain this policy and all subsequent revisions, as well as any related documentation, for a period of at least seven (7) years.

VI. Policy:

If an Affected Individual has knowledge of or a concern of an unethical, illegal, or dishonest activity or any violation of a policy of Maryhaven, they should promptly make a report to the Maryhaven Compliance Officer, Maryhaven confidential helpline (631-802-4411), or anonymously via the web submission form at www.maryhaven.org.

Examples of unethical, illegal, or dishonest activities are violations of federal, state, or local laws; billing for services not performed or goods not delivered; and other fraudulent financial reporting. If a whistleblower chooses to file an anonymous complaint, it is important to include all the relevant details because the investigator may not have the opportunity to ask for more information.

Any Affected Individual who believes they are subjected to retaliation, intimidation, harassment, discrimination, or an adverse employment consequence should immediately report the actions to the Compliance Office or Compliance Hotline.

The Compliance Officer will implement this policy and take appropriate actions in response to the whistleblower's complaint of retaliation based on the nature of the report. Legal counsel will be consulted if appropriate.

The Compliance Officer will investigate all reports of retaliation in accordance with the Reporting and Investigation of Compliance Concerns Policy and report results to the Director of Human Resources and the Executive Director. The Executive Director or designee will investigate any report that the Compliance Officer is engaging in intimidation or retaliation.

The Compliance Officer will provide information on each report of retaliation and any actions taken to the Compliance Committee and the Board of Directors.

The reporter's right to protection against retaliation does not include immunity for any personal wrongdoing that is alleged and investigated. Affected Individuals who intentionally file a false report of wrongdoing or commits or condones any form of retaliation will be subject to discipline up to and including termination.

The Compliance Officer will ensure this policy is disseminated to all Affected Individuals. Affected Individuals with any questions regarding this policy should contact an Administrator or the Compliance Officer.

The Compliance Officer will review this policy based on changes in the law or regulations and Maryhaven practices and implement changes to the policy as required. The policy will be reviewed on a minimum of an annual basis by Maryhaven's Compliance committee.

Sanction Statement:
Non-compliance with this policy may result in disciplinary action, up to and including termination.

Compliance Statement:
As part of its ongoing auditing and monitoring process in its Compliance Program, Maryhaven will review this policy based on changes in the law or regulations as Maryhaven practices change, and at minimum, on an annual basis. Additionally, this policy will be tested for effectiveness on an annual basis or more frequently as identified in accordance with the Maryhaven Compliance Plan. Testing

will include but is not limited to ensuring that the policy is appropriately followed, that the policy is effective, that the policy has been disseminated to all affected individuals, as well as notified of any updates or changes.

Tracking the criteria above and the results of this testing will be completed by the Compliance Officer or designee. Additionally, results will be reported to the Compliance Committee and Governing Body on a regular basis.

Further Information Regarding Employee Protections:

New York Labor Law §740

An employer may not take any retaliatory personnel action against an employee who discloses information about the employer's policies, practices, or activities to a regulatory, law enforcement, or similar agency or public official. This law offers protection to an employee who:

- Discloses, or threatens to disclose, to a supervisor or to a public body an activity, policy, or practice of the employer that violates law, rule, or regulation that presents a substantial and specific danger to the public health or safety.

- Provides information to, or testifies before, any public body conducting an investigation, hearing, or inquiry into any such violation of a law, rule, or regulation by the employer; or

- Objects to or refuses to participate in any activity, policy, or practice that violates a law, rule, or regulation.

The employee's disclosure is protected under this law only if the employee first brought up the matter with a supervisor and gave the employer a reasonable opportunity to correct the alleged violation, with certain exceptions. The law allows employees subject to retaliatory action to bring a suit in State court for reinstatement to the same, or an equivalent position, any lost back wages and benefits and attorneys' fees. More information can be found at http://public.leginfo.state.ny.us/lawssrch.cgi?NVLWO%20: under LAB-Labor.

New York Labor Law §741

Under this law, a healthcare employer may not take any retaliatory action against an employee who discloses certain information about the employer's policies, practices, or activities to a regulatory, law enforcement, or other similar agency or public official. Protected disclosures are those that assert that, in good faith, the employee believes constitute improper quality of patient care or improper quality of workplace safety. This law offers protection to an employee who:

- Discloses or threatens to disclose to a supervisor, to a public body, to a news media outlet, or to a social media forum available to the public at large an activity, policy, or practice of the employer or agent that the employee, in good faith, reasonably believes constitutes improper quality of patient care or improper quality of workplace safety; or

- Objects to or refuses to participate in any activity, policy, or practice of the employer or agent that the employee, in good faith, reasonably believes constitutes improper quality of patient care or improper quality of workplace safety.

The employee's disclosure is protected under this law only if the employee first brought up the matter with a supervisor and gave the employer a reasonable opportunity to correct the alleged violation, unless the danger is imminent to the public or patient and the employee believes in good faith that reporting to a supervisor would not result in corrective action. Certain exceptions apply. If the employer takes a retaliatory action against the employee, the employee may sue in State court for reinstatement to the same or an equivalent position, any lost back wages and benefits, and attorneys' fees. If the employer is a healthcare provider and the court finds that the employer's retaliatory action was in bad faith, it may impose a civil penalty of $10,000 on the employer.

More information can be found at: http://public.leginfo.state.ny.us/lawssrch.cgi?NVLWO%20: under LAB-Labor.

Review/Revision Dates: 9/24/2007, 6/7/2016, 8/8/2019, 7/27/2022, 4/24/2024, 1/30/2025, 2/4/2026