



Mainstay Music Therapy, Inc.

**Excerpt From
Policies and Procedures Manual**

April 2017

CODE OF ETHICS

460 IAC 6-14-7 Policies and procedures for code of ethics

Mainstay Music Therapy, Inc. shall develop and enforce policies and procedures regarding a code of ethics for agents and employees. The policies and procedures shall be consistent with 460 IAC 6-36.

460 IAC 6-36-2 Code of ethics

Mainstay Music Therapy, Inc., in the provision of services under this article, shall abide by the following code of ethics:

1. Mainstay Music Therapy, Inc. shall provide professional services with objectivity and with respect for the unique needs and values of the individual being provided services.
2. Mainstay Music Therapy, Inc. shall avoid discrimination on the basis of factors that are irrelevant to the provision of services, including, but not limited to: race; creed; gender; age; or disability.
3. Mainstay Music Therapy, Inc. shall provide sufficient objective information to enable an individual, or the individual's guardian, to make informed choices.
4. Mainstay Music Therapy, Inc shall accurately present professional qualifications and credentials.
5. Mainstay Music Therapy, Inc. shall accurately present professional qualifications of all employees or agents.
6. Mainstay Music Therapy, Inc. shall require all employees or agents to assume responsibility and accountability for personal competence in the practice of the person's profession and in the provision of services under this article.
7. Mainstay Music Therapy, Inc. shall require employees or agents to maintain knowledge and skills required for continued professional competence including all requirements necessary for a license or accredited professional to maintain the professional's licensure or accreditation.
8. Mainstay Music Therapy, Inc. shall require professional, licensed, or accredited employees or agents to adhere to acceptable standards for the employee or agent's area of professional practice.
9. Mainstay Music Therapy, Inc. shall require employees or agents to comply with all laws and regulations governing a licensed or accredited person's profession.
10. Mainstay Music Therapy, Inc. shall require all employees or agents to maintain the confidentiality of individual information consistent with the standards of this article and all other laws and regulations governing confidentiality of individual information.
11. Mainstay Music Therapy, Inc. shall require all employees or agents to conduct all practice with honesty, integrity and fairness.
12. Mainstay Music Therapy, Inc. shall require all employees or agents to fulfill professional commitments in good faith.
13. Mainstay Music Therapy, Inc. shall require all employees or agents to inform the public and colleagues of services by use of factual information.
14. Mainstay Music Therapy, Inc. shall not advertise or market services in a misleading manner.
15. Mainstay Music Therapy, Inc. providing services shall not engage in uninvited solicitation of potential clients, who are vulnerable to undue influence, manipulation, or coercion.
16. Mainstay will avoid discrimination on the basis of factors that are irrelevant to the provision of services (DDRS Policy: Provide Code of Ethics, eff. 2-28-11)

17. Mainstay will inform the public and colleagues of services by using factual information (DDRS Policy: Provider Code of Ethics, eff 2-28-11)
18. Mainstay Music Therapy, Inc. shall make reasonable efforts to avoid bias in any kind of professional evaluation.
19. Mainstay Music Therapy, Inc. does not allow for nepotism during the conducting, directing, reviewing or other managerial activity of an investigation into an allegation of abuse or neglect, by prohibiting friends and relatives of an alleged perpetrator from engaging in these managerial activities.
20. Mainstay Music Therapy, Inc. shall notify the appropriate party, which may include:
 - a. The division;
 - b. The Indiana state department of health;
 - c. A licensing authority;
 - d. An accrediting agency;
 - e. An employer;
 - f. The office of the attorney general, consumer protection division; of any unprofessional conduct that may jeopardize an individual's safety or influence the individual or individual's representative in any decision making process.
21. Mainstay Music Therapy, Inc. prohibits giving gifts to state employees, special state appointees, the spouse or un-emancipated child of an employee or sub contractor, the spouse or un-emancipated child of a special state appointee, an Individual potentially receiving services from Mainstay, and any guardian or family member of an individual potentially receiving services from Mainstay Music Therapy, Inc..
 - a. Employees or agents of Mainstay Music Therapy, Inc. may not provide gifts to an individual receiving services from Mainstay Music Therapy, Inc., or any guardian or family member of an individual receiving services from Mainstay Music Therapy, Inc..

Penalties:

Any employee/subcontractor found to be in violation of any of this Code shall be subject to penalties from a written reprimand, suspension or termination.

Procedure for Compliance:

In order to ensure compliance, Mainstay Music Therapy, Inc. shall:

1. Provide a new client and/or their legal guardian with a written copy of the Code of Ethics. At this time, the employee/subcontractor will explain the process for filing client grievances regarding a violation of the Code of Ethics in the individual's own mode of communication. A signed copy of receipt and acknowledgement from the client/guardian will be kept in the Client's file. (Appendix B)
2. Upon hiring, Mainstay Music Therapy, Inc. will provide such employee /subcontractor with a written copy of the Code of Ethics. The employee/subcontractor shall then sign a form stating that such person read, understood and has agreed to abide by the Code. A signed copy will be kept in their Personnel File. (Appendix A)

Please refer to the Incident Reporting section for more information on filing a Client Grievance.

Non-discrimination Policy

It is the policy of Mainstay Music Therapy, Inc. to provide music therapy services to individuals without regard to race, color, sex, religion, national origin and/or mental or physical disabilities. Mainstay Music Therapy, Inc. reserves the right to terminate services in cases where extreme physical danger may be present.

Conflict of Interest

It is the policy of Mainstay Music Therapy, Inc. that situations involving conflicts of interest by an owner, director, agent, employee, contractor, subcontractor or officer performing any management, administrative or direct service to an individual shall be avoided. Mainstay:

- requires disclosure of possible conflicts of interest by all of the provider's owners, directors, officers, employees, contractors, subcontractors or agents.
- requires disclosure of possible conflicts of interest by all of the provider's owners, directors, officers, employees, contractors, subcontractors or agents (BDDS Policy: Conflict of Interest eff 2/28/11)

IC 22-5-3-3

Protection of employees reporting violations of federal, state, or local laws; disciplinary actions; procedures

Sec. 3. (a) An employee of a private employer that is under public contract may report in writing the existence of:

- (1) a violation of a federal law or regulation;
- (2) a violation of a state law or rule;
- (3) a violation of an ordinance of a political subdivision (as defined in IC 36-1-2-13); or
- (4) the misuse of public resources;
- (5) a violation of Mainstay's policies and procedures;
- (6) a violation of DDRS policies and procedures;
- (7) allegations of abuse and neglect of an individual;

concerning the execution of public contract first to the private employer, unless the private employer is the person whom the employee believes is committing the violation or misuse of public resources. In that case, the employee may report the violation or misuse of public resources in writing to either the private employer or to any official or agency entitled to receive a report from the state ethics commission under IC 4-2-6-4(b)(2)(G) or IC 4-2-6-4(b)(2)(H). If a good faith effort is not made to correct the problem within a reasonable time, the employee may submit a written report of the incident to any person, agency, or organization.

(b) For having made a report under subsection (a), an employee may not:

- (1) be dismissed from employment;
- (2) have salary increases or employment related benefits withheld;
- (3) be transferred or reassigned;
- (4) be denied a promotion that the employee otherwise would have received; or
- (5) be demoted.

(c) Notwithstanding subsections (a) through (b), an employee must make a reasonable attempt to ascertain the correctness of any information to be furnished and may be subject to disciplinary actions for knowingly furnishing false information, including suspension or dismissal, as determined by the employer. However, any employee disciplined under this subsection is entitled to process an appeal of the disciplinary action as a civil action in a court of general jurisdiction.

(d) An employer who violates this section commits a Class A infraction.