

	<p>1.3.7</p>	<p>ADMINISTRATIVE LEAVE PENDING INVESTIGATION POLICY</p>	<p>Effective: 06/26 Revised: Reviewed/Approved by Bd. Of Dir.: 06/26</p>  <p>Teddi Hernandez, President/CEO</p>
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1. Purpose

Lakemary Center (LMC) is committed to maintaining a safe, professional, and compliant work environment for individuals supported, employees, and business partners. The purpose of this policy is to establish a clear, consistent, and defensible process for placing LMC employees on administrative leave during an investigation into alleged misconduct, boundary concerns, safety risks, abuse/neglect/exploitation (ANE), or other potential violations. This policy ensures the protection of individuals served, employees, and organizational integrity.

This ensures the integrity of the investigation while protecting all parties involved.

2. Scope

This policy applies to all LMC employees, including full-time, part-time, temporary, and contract staff at all LMC locations.

3. Definitions

- **Administrative Leave:** The temporary suspension of job responsibilities during an ongoing investigation or risk evaluation.
- **Investigation:** A formal fact-finding process conducted by Employee Relations (ER), Compliance, Risk Management, and/or program leadership.

4. Criteria for Placement on Administrative Leave

Administrative leave may be used when:

- Allegations involve abuse, neglect, or exploitation (ANE) requiring immediate safety measures.
- A boundary violation, safety concern, or incident presents potential risk to individuals supported or staff.
- The employee's presence could compromise the investigation.
- ER, Compliance, or Risk Management determines temporary removal is necessary.

5. Authority to Initiate Administrative Leave

Policy Reference: None

Procedure reference: Employee Handbook

Application: All Services

Administrative leave may be initiated by:

- ER Manager or ER Department
- Risk Manager or Designee
- CEO
- Executive Team (ET)
- Corporate Compliance Officer

Supervisors may temporarily remove staff only in urgent safety situations, followed by immediate notification to ER.

6. Employee Notification Process

When someone is placed on administrative leave:

1. The employee will be informed verbally or in writing of:
 - The reason for the leave (general category; details not required)
 - The expected duration
 - Their obligation to remain available during business hours.
 - Pay status
 - Their requirement to refrain from discussing the matter with coworkers, witnesses, or individuals supported.
2. Written notice will come from ER in partnership with Corporate Compliance and/or Leadership.

7. Expectations During Leave

Employees must:

- Remain reachable during normal work hours.
- Refrain from contacting coworkers, individuals supported, or witnesses.
- Maintain confidentiality.
- Provide documentation as required.
- Cooperate with the investigation

8. Investigation Procedures

Investigations will begin within 24 hours or on the 1st business day following a placement of leave. Investigators may include ER, Compliance, Risk Management, and program leadership. Steps include:

- Interviews
- Documentation review
- Camera footage review

Policy Reference: None

Procedure reference: Employee Handbook

Application: All Services

- Coordination with outside agencies when required (Kansas Department of Child and Family (DCF), Community Developmental Disability Organization (CDDO), Managed Care Organization (MCO), Kansas Department for Aging and Disability Services (KDADS), Law Enforcement, Governing Bodies)
- Risk assessment (if applicable)

9. Duration of Administrative Leave

- Initial leave lasts up to 5 business days pending preliminary review.
- Extensions may occur in extenuating circumstances.
- Pay status determined by ER and applicable laws.

10. Documentation

To include but not limited to:

- Leave justification.
- Notifications
- Investigative steps (in partnership with Compliance, Risk & Program Leadership)
- Evidence summary, regulatory reporting, and outcomes.

11. Return-to-Work Determinations

After the investigation is complete, one of the following outcomes will be issued:

- Unsubstantiated / Inconclusive
 - Employee may return to their regular position.
 - Coaching, training, or refresher education may be required.

The documentation is placed in the employee's private ER/Compliance records.

- Substantiated Violation

Corrective action may include:

- Written warning
- Retraining
- Suspension
- Reassignment
- Termination (depending on severity and policy violated)

- Policy Violation Confirmed but Not the Full Allegation

If a lesser violation is confirmed (e.g., inappropriate physical contact admitted, but allegation of additional misconduct is unproven), LMC may:

- Allow return with corrective action, or
- Implement additional protective measures based on risk assessment.

Policy Reference: None

Procedure reference: Employee Handbook

Application: All Services