

## **Introduction**

As part of the Edwards County Hospital Compliance Program, the Code of Conduct has been adopted by the Board of Directors to provide standards by which all employees (including members of the Board of Directors, employees, volunteers, students, and other persons whose conduct, in the performance of work for Edwards County Hospital, is under the direct control of Edwards County Hospital, whether or not they are compensated by Edwards County Hospital for such services) shall conduct themselves to protect and promote organization-wide integrity and enhance Edwards County Hospital's ability to achieve its mission.

Adherence to the Code of Conduct is a condition of continued employment for all employees. An employee's failure to abide by the Code of Conduct may lead to disciplinary action. For alleged violations of the Code of Conduct, Edwards County Hospital shall weigh relevant facts and circumstances including, but not limited to, the extent to which the behavior was contrary to the express language or general intent of the Code of Conduct, the egregiousness of the behavior, the employee's history with the organization, and other factors which Edwards County Hospital deems relevant. Discipline for failure to abide by the Code of Conduct may, in Edwards County Hospital's sole discretion, range from oral correction to termination.

With respect to those who are not employees, adherence to the Code of Conduct is a condition of such persons' continued relationship with Edwards County Hospital. Such persons' failure to abide by the Code of Conduct may, in Edwards County Hospital's sole discretion, lead to an alteration of the terms or discontinuation of such relationship.

Employees are expected to be knowledgeable of and comply with the various policies and procedures adopted by Edwards County Hospital implementing the principles and standards contained in the Code of Conduct. To the extent that any policy or procedure is inconsistent with the principles and standards contained herein, that policy or procedure is superseded by the Code of Conduct.

Nothing in the Code of Conduct is intended to nor shall be construed as providing any additional employment or contract rights to any employee or other person.

The Code of Conduct is a living document, and shall be reviewed and, as necessary, revised on an annual basis.

## **Employees' Compliance Responsibilities**

Edwards County Hospital requires every employee to comply with all applicable legal and ethical obligations in the performance of his/her responsibilities. In addition, Edwards County Hospital expects every employee to take an active role in detecting and correcting activities that potentially violate applicable laws and regulations. Each employee must do the following:

### **LEARN**

First, every employee shall participate fully in all educational programs concerning compliance-related issues. This includes active attendance at in-service and departmental meetings at which such issues are addressed, as well as thoughtful review of written materials provided to the employees.

### **ASK**

Second, any employee who has a question concerning a compliance-related issue shall seek assistance from an appropriate member of Edwards County Hospital's management team.

### **REPORT**

Third, any employee who suspects inappropriate conduct shall report such activities to an appropriate member of Edwards County Hospital's management team.

### **COOPERATE**

Fourth, every employee shall cooperate fully with any internal or external investigation concerning alleged non-compliance and any remedial measures taken to correct non-compliance.

Employees shall be evaluated for compliance with these obligations. Failure to perform these responsibilities shall be a basis for discipline up to and including termination.

An employee seeking an answer to a compliance-related question or wanting to report a suspected incident of non-compliance should contact one of the following:

\*His or her supervisor

\*Edwards County Hospital Compliance Officer (620-659-3621 ext#228)

\*Edwards County Hospital Compliance Hotline (620-255-6679)

Some provisions of the Code of Conduct direct an employee to contact the Compliance officer with respect to questions or concerns relating to certain matters. These particular matters are of critical importance to Edwards County Hospital and must be handled directly by the Compliance Officer. An employee is obligated to report these matters to the Compliance Officer even if his or her supervisor has directed the employee to do otherwise. If any employee receives a question or concern relating to these matters from another employee, that employee should communicate such information to the Compliance Officer as soon as possible.

Edwards County Hospital shall not tolerate retaliation of any type against any employee who, in good faith, raises questions concerning legal compliance and/or reports any suspected incident of non-compliance, either internally or to any government entity. All such information reported by an employee internally shall be kept confidential to the extent confidentiality is possible throughout any resulting investigation.

# **Principle 1 – Patient Care and Treatment**

**Edwards County Hospital is committed to providing the highest quality patient care and protecting patient safety. All employees shall treat patients in a manner that preserves their dignity, autonomy, self-esteem, civil rights, and involvement in their own care.**

## **Standard 1.1 – Quality of Care and Patient Safety**

Edwards County Hospital’s mission is to provide compassionate healthcare for our community. A commitment to quality of care and patient safety is an obligation shared by all employees. Edwards County Hospital shall strive for compliance with various standards relating to quality of care and patient safety.

## **Standard 1.2 – Patient Rights**

Upon admission, all Edwards County Hospital patients shall receive a copy of Patient Rights and Grievance Process. Patients have the right to make informed decisions regarding their medical care and the right to refuse or accept treatment.

Edwards County Hospital shall provide care and treatment to patients without regard to the race, color, religion, creed, sex, national origin, age, or disability of such person, or any other classification prohibited by law. Employees shall respect each patient’s cultural heritage and needs.

Patients and their representatives shall be accorded appropriate confidentiality, privacy, security and protective services, and pastoral counseling. Edwards County Hospital shall maintain appropriate processes for prompt resolution of patient grievances.

## **Standard 1.3 – Medical Decision Making**

Employees shall use standard clinical criteria to determine whether to treat an individual with specific interventions. Clinical decisions, including tests, treatments, and other interventions, shall be based on identified patient needs, and shall not in any way be based on the manner in which Edwards County Hospital compensates or shares financial risk with its leaders, managers, clinical staff, or licensed practitioners.

## **Principle 2 – Compliance with Health Care Laws**

**Edwards County Hospital shall conduct its operations in compliance with state and federal laws and regulations specific to health care providers. Edwards County Hospital shall cooperate with any government inquiry concerning its compliance with such rules.**

The health care industry is one of the most highly regulated segments of the U.S. economy. While employees are not expected to have expert knowledge of all legal and regulatory requirements that may apply to their work, each employee must be sensitive to relevant legal issues. Any employee who is uncertain about any given situation should seek guidance from an appropriate member of management.

The following standards summarize some of the important legal requirements applicable to health care providers and the impact of those requirements on Edwards County Hospital's operations. Employees must comply with all laws and regulations in the performance of their job duties, regardless of whether they are specifically addressed here.

### **Standard 2.1 – Submission of Claims to Federal Health Care Programs and Other Payors.**

All employees involved in the delivery of patient care shall be responsible for producing and maintaining complete and accurate documentation in the appropriate medical record and submitting complete and accurate charges for all medical goods and services provided to patients. All employees involved in coding and billing shall be familiar and submit claims in compliance with all applicable requirements.

Any employee who discovers inaccuracies in claims submitted to any federal health care program shall immediately communicate this information to the Compliance Officer so that appropriate action may be taken. Edwards County Hospital shall promptly refund any payment it receives to which it is not entitled.

### **Standard 2.2 - Anti-Kickback Statute**

Edwards County Hospital is committed to providing an excellent work environment for the members of its Medical Staff. Federal and state law, however, places certain restrictions on the relationships between Edwards County Hospital and the

Physicians and health care facilities for the referral of Medicare and Medicaid business. Courts have broadly construed this law to include virtually anything of value given to an individual or entity if one purpose of the remuneration is to influence the recipient's reason or judgment relating to referrals.

Edwards County Hospital does not provide remuneration (in the form of cash payment, gift, contribution, or otherwise) in exchange for referrals or as an inducement for referrals. Edwards County Hospital accepts patient referrals and admissions based solely on the patient's clinical needs and Edwards County Hospital's ability to render the needed services. Edwards County Hospital does not pay or offer to pay anyone – colleagues, physicians, or other persons – for referral of patients.

Edwards County Hospital does not accept payments for referrals that it makes. No employee shall solicit or receive anything of value, directly or indirectly, in exchange for the referral of patients. Similarly, when making patient referrals to another health care provider, Edwards County Hospital shall not take into account the volume or value of referrals that the provider has made (or may make) to Edwards County Hospital.

Any transaction involving another health care provider, whether formal or informal, must be scrutinized for compliance with the Anti-Kickback Statute. All such transactions shall be based on fair market value for the goods or services provided. Any employee who has any concern about the propriety of Edwards County Hospital's relationship with another health care provider should raise that matter with the Compliance Officer so that appropriate action may be taken.

### **Standard 2.3 – The Stark Law**

The federal Stark Law (named after the sponsor of the legislation) prohibits a physician from making referrals to entities furnishing certain designated health services if the physician owns an interest in the entity or has a financial relationship with the entity, unless the ownership interest or financial relationship meets certain limited exceptions. For example, a hospital is permitted to offer a certain limited business courtesies to Medical Staff members. Edwards County Hospital shall comply with the Stark Law in all of its financial arrangements with physicians. Any transaction between Edwards County Hospital and a referring physician should be reviewed in advance by the Compliance Officer.

### **Standard 2.4 – Patient Inducements**

Federal law also prohibits Edwards County Hospital from offering or transferring

anything of value to any person eligible for federal health care benefits if Edwards County Hospital knows or should know such inducement would cause the eligible person to choose to receive federally reimbursable items or services from Edwards County Hospital except as specifically permitted by law. In light of this prohibition, no employee acting on behalf of Edwards County Hospital shall give anything of value to any patient or prospective patient unless such gift has been reviewed and approved in writing by an appropriate member of management.

Edwards County Hospital shall not waive deductibles, co-payments, or otherwise provide financial benefits to patients in return for business. Edwards County Hospital shall not permit professional discounts, and courtesy discounts are permitted only in limited circumstances. Under certain circumstances, Edwards County Hospital may provide appropriate financial accommodations to patients (e.g., permitting monthly payments over time) based solely on the financial needs of the patient. All patient account balances shall be resolved using Edwards County Hospital documented collection policies and procedures.

#### **Standard 2.5 – HIPAA Administrative Simplification**

Edwards County Hospital shall devote necessary resources to ensure compliance with the federal regulations concerning the security and privacy of protected health information. Employees shall receive appropriate training to enable them to perform their job duties in compliance with these legal requirements.

#### **Standard 2.6 – Licensing Requirements**

Edwards County Hospital shall remain in compliance with all state and federal licensing requirements for health care facilities including, but not limited to, the applicable Medicare Conditions of Participation. Any employee who is licensed by a state agency (e.g., registered nurse, physical therapist) shall be personally responsible for maintaining such licensure.

#### **Standard 2.7 – Controlled Substances**

Some employees have access to prescription drugs, controlled substances, and other medical supplies. The use of these items is governed by government regulations and must be administered pursuant to physician order. It is extremely important that these items be handled properly by authorized individuals to minimize risk to patients and Edwards County Hospital. If an employee becomes aware of the diversion of drugs from Edwards County Hospital, the employee shall report the matter immediately to the Risk Manager.

### **Standard 2.8 – Safe Medical Devices Act**

Edwards County Hospital is committed to participation in this governmental program to prevent patient injury from medical devices by reporting appropriate events to the device manufacturer and/or the Food and Drug Administration. Any event in which a patient is injured by a device should be reported to Edwards County Hospital's Risk Manager, and such reports shall be handled pursuant to established policies and procedures.

### **Standard 2.9 – EMTALA**

Edwards County Hospital shall comply with the requirements of the Emergency Medical Treatment and Labor Act ("EMTALA") in providing medical screening examinations and stabilizing treatment to all patients, regardless of ability to pay.

When a person presents at a dedicated emergency department for a non-scheduled visit and requests medical examination and/or treatment, Edwards County Hospital shall provide such person with an appropriate medical screening examination to determine whether the person has an emergency medical condition, regardless of the person's ability to pay.

If a patient is diagnosed as having an emergency medical condition, Edwards County Hospital shall provide medical treatment within its capabilities to stabilize the medical condition. If Edwards County Hospital does not have the capabilities to stabilize the patient, it shall make an appropriate transfer to a facility having such capabilities. Edwards County Hospital shall not discharge an unstable patient with an emergency medical condition unless such person refuses medical examination and/or treatment.

### **Standard 2.10 – Mandatory Reporting Obligations**

Numerous federal and state laws and regulations require Edwards County Hospital and/or employees to disclose certain information to specified government officials. For example, health care providers must report suspected incidents of child abuse to the Kansas Department of Social and Rehabilitation Services. Any employee with a legal obligation to report certain information to a government agency shall do so in a timely and complete manner.

### **Standard 2.11 – Government Inquiries and Investigations**

Health care providers often are the subjects of government investigations targeting alleged billing improprieties or violations of the aforementioned laws. The

fact a government agent makes inquiries concerning Edwards County Hospital's practices does not mean Edwards County Hospital has engaged in any wrongdoing. Edwards County Hospital shall respond to all inquiries with openness and accurate information. All employees shall be familiar with and comply with Edwards County Hospital's policy and procedure concerning the proper handling of government inquiries and investigations.

## **Principle 3 - Compliance With Other Laws**

**Edwards County Hospital shall conduct its operations in compliance with state and federal laws and regulations applicable to businesses and employers.**

In addition to those laws and regulations applicable to health care providers, Edwards County Hospital also must comply with those legal requirements applicable to most businesses and employers. The following standards summarize some, but not all, of those legal requirements and the impact of those requirements on Edwards County Hospital's operations. Employees must comply with all laws and regulations in the performance of their job duties, regardless of whether they are specifically addressed here.

### **Standard 3.1 – Health and Safety**

Employees shall be familiar with all applicable health and safety laws and regulations, and shall act in compliance with the letter and spirit of those requirements at all times. An employee shall immediately advise his or her supervisor or the Safety Officer of any serious workplace injury or any situation presenting a danger of injury so timely corrective action may be taken to resolve the issue.

### **Standard 3.2 – Environmental Compliance**

Edwards County Hospital shall operate its facilities with the necessary permits, approvals, and controls. All employees shall adhere to all requirements for the proper handling of hazardous materials, and immediately alert supervisors to any situation regarding the discharge of a hazardous substance, improper disposal of hazardous and medical waste, or any other situation which may be potentially damaging to the environment. Employees shall strive to utilize resources appropriately and efficiently and to recycle where possible.

### **Standard 3.3 – Weapon, Illegal Drugs, and Alcohol**

No employee shall bring any weapon of any kind into the workplace. Edwards County Hospital prohibits the use, sale, dispensing, or possession of illegal drugs by its employees, whether on or off the premises of Edwards County Hospital.

Illegal drugs include prescription drugs used in a manner inconsistent with package directions. No employee shall report to work under the influence of illegal drugs or alcohol, nor shall any employee report to work with an impairment resulting from the use of over-the-counter or prescription drugs. An employee may be asked to submit to a drug test at any time deemed appropriate by Edwards County Hospital and permitted by law.

### **Standard 3.4 – Equal Employment Opportunity**

Edwards County Hospital believes that the fair and equitable treatment of employees is critical to fulfilling its vision and goals. It is a policy of Edwards County Hospital to recruit, hire, train, promote, assign, transfer, lay off, recall, and terminate employees based on their own ability, achievement, experience, and conduct without regard to race, color, religion, creed, sex, national origin, age, disability, or any other classification prohibited by law.

No form of harassment or discrimination on the basis of sex, race, color, age, religion, creed, national origin, disability, or any other classification prohibited by law shall be permitted. Employees shall not engage in inappropriate conduct or disruptive conduct in the workplace. Employees shall report any harassment, discrimination, inappropriate conduct, or disruptive conduct in the workplace of which they are aware pursuant to the reporting methods outlined above. Allegations of harassment, discrimination, inappropriate conduct, or disruptive conduct shall be investigated promptly pursuant to applicable policies and procedures.

### **Standard 3.5 – Accuracy and Retention of Records**

Each employee shall be responsible for the accuracy and integrity of all records (both paper and electronic) prepared by the employee in the course of performing his/her job duties. No employee may falsify, alter, or purposefully omit information from any records for any reason. Such records shall be retained in accordance with the law and Edwards County Hospital record retention policies. Any employee with a question concerning record retention requirements shall communicate with the Compliance Officer concerning such matter. Records shall never be destroyed in an effort to deny governmental authorities information which may be relevant to a government investigation or to avoid liability in a civil lawsuit.

When litigation against Edwards County Hospital or its employees is filed or threatened, the law imposes a duty upon Edwards County Hospital to preserve all documents and records that pertain to the issues. As soon as Edwards County Hospital is

made aware of pending or threatened litigation, a litigation hold directive will be issued. Such directive overrides any records retention schedule that may have otherwise called for the transfer, disposal, or destruction of the relevant documents. No employee who has been made aware of a litigation hold directive may alter or delete an electronic record that falls within the scope of that hold. Violation of such directive may subject the employee to disciplinary action, up to and including dismissal, as well as personal liability for civil and/or criminal sanctions by the courts or law enforcement agencies.

### **Standard 3.6 – Antitrust**

Federal and state antitrust laws are designed to create a level playing field in the marketplace and to promote fair competition. Discussions with competitors concerning Edwards County Hospital's business can violate these laws. Prohibited subjects of conversation include any aspect of pricing, terms of supplier relationships, Edwards County Hospital's services in the market, key cost such as labor cost, and marketing plans. No employee shall discuss with any competitor market allocation or refusals to deal with certain suppliers.

In general, employees shall avoid discussing sensitive topics with competitors or suppliers, unless proceeding with the advice of the Compliance Officer. Employees shall not provide any information in response to oral or written inquiries concerning antitrust matters without first consulting the Compliance Officer.

### **Standard 3.7 – Copyright**

Copyrighted materials such as books, magazines, computer software, and recordings are protected by federal law. Unauthorized copying may constitute copyright violation. Copying is allowed for educational and research purposes. An employee who desires to reproduce copyrighted material should receive permission from his/her supervisor prior to doing so. Use of any computer software without an appropriate license is strictly prohibited.

### **Standard 3.8 – Kansas Open Records and Meetings Acts**

Kansas law requires certain records maintained by governmental entities to be made available upon request by members of the general public. The law also requires certain meetings be conducted in a manner that affords the general public an opportunity to participate. As a county hospital, Edwards County Hospital shall comply with these requirements.

## **Principle 4 – Confidentiality**

**All employees shall execute and abide by the Edwards County Hospital Compliance/Confidentiality Agreement & Acknowledgement. A copy of this form is located at the end of the Code of Conduct and incorporated herein by reference.**

## **Principle 5 – Business Ethics**

**In furtherance of Edwards County Hospital’s commitment to the highest standards of business ethics and integrity, employees shall accurately and honestly represent Edwards County Hospital and shall not engage in any activity or scheme intended to defraud anyone of money, property, or honest services.**

### **Standard 5.1 – Honest Communication**

Edwards County Hospital requires candor and honesty from employees in the performance of their responsibilities. No employee shall make false or misleading statements to any person or entity, including other employees, concerning any aspect of Edwards County Hospital’s operations.

### **Standard 5.2 – Advertising and Marketing**

Edwards County Hospital shall market and advertise its services fairly, honestly, and in a non-deceptive manner, stressing their value and merits. Employees shall not use tactics that misrepresent Edwards County Hospital or that unfairly undermine the products and services of a competitor. This includes the use of disparaging comments or innuendoes.

### **Standard 5.3 – Patient Billings**

The importance of submitting proper claims to federal health care programs is addressed in Standard 2.1. The same standards of conduct apply with respect to claims for services provided to persons with private insurance and self-pay patients.

Edwards County Hospital shall strive to comply with all contractual requirements for private payors. Edwards County Hospital shall provide complete and accurate responses to all reasonable inquiries concerning patient bills. Edwards County Hospital shall utilize established policies and procedures to resolve any dispute concerning such bills.

Edwards County Hospital shall cooperate fully with any duly authorized third-party audit of patient accounts. Edwards County Hospital shall respond promptly to any reasonable request for information from any such auditor in compliance with established policies and procedures.

Any employee who discovers inaccuracies in claims submitted to any private payor or a patient shall immediately communicate this information to the Compliance Officer so that appropriate action may be taken. Edwards County Hospital shall promptly refund any payment it receives to which it is not entitled.

#### **Standard 5.4 – Relationships with Vendors**

The selection of vendors, suppliers, contractors, and consultants shall be made on the basis of objective criteria including quality, technical excellent, price, delivery, adherence to schedules, service, and maintenance of adequate sources of supply. Edwards County Hospital shall promote competitive procurement to the fullest extent possible. Business transactions with such persons or entities shall be transacted free from offers or solicitation of gifts and favors or other improper inducements in exchange for influence or assistance in a transaction.

#### **Standard 5.5 – Relationships Among Employees**

No employee should be made to feel compelled to give a gift to any co-worker, and gifts offered and received should be appropriate to the circumstances. For example, an employee should not give a lavish gift to his or her supervisor. No employee should be made to feel compelled to participate in any fundraising activity or contribute to any charitable organization.

## **Principle 6 – Protection of Assets**

**All employees shall strive to preserve and protect the facility’s assets by making prudent and effective use of Edwards County Hospital’s resources and properly and accurately reporting its financial condition.**

### **Standard 6.1 – Internal Controls and Financial Reporting**

Edwards County Hospital shall maintain a system of internal controls to provide reasonable assurances that all transactions are executed in accordance with management’s authorization and are recorded in a proper manner so as to maintain accountability of the organization’s assets. Employees shall comply with these controls. All financial information shall reflect actual transactions and conform to generally accepted accounting principles. All funds or assets shall be properly recorded in Edwards County Hospital’s books and records; no undisclosed or unrecorded funds or assets shall be established. Any employee who has concerns regarding compliance with internal controls or the accuracy of Edwards County Hospital’s financial reports shall report such concerns to the Compliance Officer.

### **Standard 6.2 – Contracts**

Employees shall comply with the requirements of Edwards County Hospital’s policy on the review, preparation, and administration of contracts. No employee shall purport to enter into a contract on behalf of Edwards County Hospital with any person or entity or modify an existing contract unless the employee has been specifically authorized to do so.

### **Standard 6.3 – Business Expenses**

If an employee is authorized to incur business expenses on behalf of Edwards County Hospital, such employee is responsible for the accurate and timely reporting of such expenses. All expenditures must be in accordance with applicable policies.

### **Standard 6.4 – Personal Use of Corporate Assets**

All employees are expected to refrain from using Edwards County Hospital’s assets for personal use. All operations of the organization shall be conducted in the

manner designed to further Edwards County Hospital's interests rather than the personal interests of an individual employee. Any use of organization resources for personal financial gain unrelated to Edwards County Hospital's business is prohibited. Any community or charitable use of organization resources must be approved in advance by one's supervisor.

### **Standard 6.5 – Intellectual Property Rights and Obligations**

Any work of authorship or invention created by an employee during the scope of his or her employment with Edwards County Hospital shall be considered the property of Edwards County Hospital, including any patent, trademark, copyright, trade secret, or other intellectual property right in such work of authorship or invention. Employees shall assist Edwards County Hospital in obtaining and enforcing intellectual property rights in their works of authorship and inventions, while employed by Edwards County Hospital and thereafter.

### **Standard 6.6 – Use of Computers, Communications Systems, and Related Equipment**

Edwards County Hospital has implemented and maintains a number of safeguards to protect the confidentiality, integrity, and availability of information created, maintained, or received in electronic form. Employees shall be aware of and adhere to such safeguards in performing their job duties. Employees shall report any suspected breach of such security measures.

E-mail and voice-mail messages reflect the image of Edwards County Hospital. Employees should compose and deliver such messages in a professional manner that is similar to messages sent on Edwards County Hospital letterhead. Employees should keep in mind that electronic files and even voice mail may be subject to discovery and may subsequently be used in litigation or investigations involving Edwards County Hospital or an employee.

All computers, communications systems, and related equipment (including, but not limited to, computer files and drives, electronic mail, intranet service, internet access, and voice mail) are the property of Edwards County Hospital and are to be primarily used for business purposes. Highly limited reasonable personal use of computers, communications systems, and related equipment is permitted.

Employees should presume no expectation of privacy in anything they create, store, view, send, or receive on any Edwards County Hospital computer, communications systems, and related equipment. Edwards County Hospital reserves the right to

periodically access, monitor, print, copy, and disclose the contents of computer files and drives and e-mail and voice mail messages. Such action taken may only be done with the prior approval of the Compliance Officer.

Employees shall not use Edwards County Hospital computers, communication systems, or related equipment to send or receive any message or download or retrieve any materials (video or audio) that could be considered inappropriate or illegal under state or federal law. Edwards County Hospital computers, communication systems, or related equipment shall not be used to create, store, view, send, or receive messages or materials (video or audio) having language or images that may reasonably be considered offensive, harassing, demeaning, or disruptive to any employee. Such prohibited conduct includes, but is not limited to, sexually explicit or derogatory comments or images, gender-specific comments, racial epithets and slurs, or any comments, jokes, or images that would offend someone or create a hostile work environment based on his/her race, color, sex, religion, creed, national origin, age, or disability.

No employee shall use Edwards County Hospital computers and communications systems, or related equipment to send chain letters, personal broadcast messages, or copyrighted materials that are not authorized for reproduction; to conduct a job search; or open misaddressed mail.

#### **Standard 6.7 – Political Activity**

No employee shall use corporate resources, including e-mail, for personally engaging in political activity. While an employee may participate in the political process on his or her own time and at his or her own expense, an employee shall not give the impression he or she is speaking on behalf of or representing Edwards County Hospital in these activities.

## **Principle 7 – Conflicts of Interest**

**Employees owe a duty of undivided and unqualified loyalty to the organization. Employees shall not use their positions to profit personally or to assist others in profiting in any way at the expense of the organization.**

A conflict of interest may occur if an employee's outside activities, personal financial interests, or other personal interests influence or appear to influence his/her ability to make objective decisions in performing his/her job responsibilities. A conflict of interest may also exist if the demands of any outside activities hinder or distract an employee from the performance of his/her job responsibilities. Every employee is obligated to ensure he/she remains free of any such conflict of interest.

### **Standard 7.1 – Outside Financial Interests**

While not all inclusive, the following are examples of the types of activities by an employee, or household member of such person, which might cause conflicts of interest. Employees, therefore, must refrain from engaging in these and similar activities.

1. Ownership in or employment by any outside concern which does business with Edwards County Hospital. This does not apply to stock or other investments held in a publicly held corporation, provided the value of the stock or other investments does not exceed 5 percent of the corporation's stock. Edwards County Hospital may, following a review of the relevant facts, permit ownership interests which exceed this amount if management concludes such ownership interests will not adversely impact Edwards County Hospital's business interest or the judgment of the covered person.
2. Conduct of any business not on behalf of Edwards County Hospital with any vendor, supplier, contractor, or agency, or any of their officers or employees.
3. Representation of Edwards County Hospital by an employee in any transaction in which he or she or a household member has a substantial personal interest.
4. Disclosure or use of confidential, special, or inside information of or about Edwards County Hospital, particularly for personal profit or advantage of the member of the workplace or a household member.

5. Competition with Edwards County Hospital by an employee, directly or indirectly, in the purchase, sale, or ownership of property or property rights or interests or business investment opportunities.

**Standard 7.2 – Services for Competitors/Vendors**

No employee, or household member of such person, shall perform work, consult with, or render services for any competitor of Edwards County Hospital or for any organization with which Edwards County Hospital does business or which seeks to do business with Edwards County Hospital outside of the normal course of his/her employment with Edwards County Hospital without the approval of the employee's supervisor. Nor shall any such employee be a director, officer, or consultant of such an organization, nor permit his/her name to be used in any fashion that would tend to indicate a business connection with such organization.

# Edwards County Hospital and Healthcare Center

## Compliance/Confidentiality Agreement & Acknowledgement

As used herein, the following terms shall have the following meanings:

1. **“Confidential Information”** includes any information, regardless of the manner in which is communicated or maintained, created or received by Edwards County Hospital that falls into one or more of the following categories:

**Protected Health Information:** Information relating to the past, present or future physical or mental health or condition of an individual; the provision of health care to an individual; or the past, present, or future payment for the provision of health care to an individual. Protected Health Information includes demographic information, e.g., address, telephone number, employer, date of birth, next of kin, identification numbers.

**Business Operations Information:** Information relating to Edwards County Hospital’s business operations, including but not limited to financial and statistical records, strategic plans, internal reports, memos, contracts, pricing, staffing levels supplier information, remote site information, peer review information, communications, proprietary computer programs, source code, and proprietary technology.

**Third Party Information:** Information belonging to a third party utilized by Edwards County Hospital for limited purposes pursuant to an agreement with the third party, including but not limited to computer programs, client and vendor proprietary information source code, and proprietary technology.

2. **“Use”** means, with respect to Confidential Information, accessing, reviewing, employing, applying, utilizing, examining, or analyzing such information, or sharing or discussing such information with other members of Edwards County Hospital’s workforce.
3. **“Disclose”** means, with respect to confidential information, release, transfer, provision of access to, or divulging in any other manner such information to a person or entity who is not a member of Edwards County Hospital’s workforce.

4. **“Computer Systems”** includes computer files, computer hard drives, local area network, wide area network, mainframe, electronic mail, internet access, intranet access, electronic medical records, and electronic order entry.

In performing your job duties, you may receive or create Confidential Information. As a condition of and in consideration of your receipt of Confidential Information, you agree to the following:

1. You understand that you have no right or ownership interest in any Confidential Information which you may receive. Edwards County Hospital may, at any time and for any reason, revoke your password, access code, or any other authorization you have that allows you to receive Confidential Information in any form. You understand that your obligations under this Agreement will continue after termination of your relationship (employment or otherwise) with Edwards County Hospital. You understand that your privileges hereunder are subject to periodic review, revision, and if appropriate, renewal.
2. You shall use and disclose Confidential Information only to the extent necessary to perform your assigned job duties. Such use and disclosure shall be in a manner consistent with applicable policies and procedures. Your use or disclosure of Confidential Information for any reason other than the performance of your assigned job duties or your failure to conform to applicable policies and procedures shall constitute misuse of Confidential Information. You understand that any misuse of Confidential Information may be grounds for discipline (up to and including termination of your employment or other relationship with Edwards County Hospital) and/or the initiation of legal action against you.
3. Edwards County Hospital is committed to protecting the privacy of those persons for whom it provides services. To fulfill its commitment, Edwards County Hospital prohibits members of its workforce from disclosing protected health information to any person except as needed to perform your specific job duties. You shall not engage in casual conversations concerning the fact that a person is or has been a patient of Edwards County Hospital or concerning any information relating to such persons, e.g., diagnosis, procedures, outcome, payment.
4. If you have any question concerning whether your assigned job duties permit you to use or disclose certain Confidential Information in a particular manner, you shall bring the matter to your supervisor for direction. If you have any question concerning the application of a particular policy or procedure to a particular use

- or disclosure of Confidential Information, you shall bring the matter to your supervisor for direction.
5. You shall appropriately safeguard Confidential Information so as to prevent any inappropriate use or disclosure of such information. If you have reason to believe the confidentiality of information may have been compromised, you shall report such concerns to your supervisor as soon as possible.
  6. In performing your job responsibilities, you shall not knowingly include or cause to be included in any record or report a false, inaccurate, or misleading entry. Nor shall you make or cause to be made any false, inaccurate, or misleading statement to any person. If you become aware of false, inaccurate, or misleading information contained in any record or report, or a false, inaccurate, or misleading statement, you shall report the matter to your supervisor and cooperate in taking all steps necessary to correct the record, report, or statement pursuant to Edwards County Hospital's policies procedures.
  7. You shall comply with Edwards County Hospital's policies and procedures concerning the alteration, deletion, or destruction of Confidential Information in any form. If you have any question concerning such policies and procedures, you shall bring the matter to your supervisor for direction. If you have any reason to believe such policies and procedures have been violated, you shall report such concerns to your supervisor as soon as possible.
  8. You understand that Edwards County Hospital may monitor each and every time its computer systems are accessed. You understand that any action you take in these computer systems may be tagged with your unique identifier as established in your user profile, and such actions may be traced back to you.
  9. You shall safeguard and shall not disclose to any person your computer password, access code, or any other authorization you have that allows you to access Edwards County Hospital's computer systems. You shall be responsible for all activities undertaken using your password, access code, and other authorization, and you shall be responsible for any misuse or wrongful disclosure of Confidential Information resulting from the use of your password, access code, or authorization. You shall not utilize any other person's computer password, access code, or any other authentication to access any computer system. If you have reason to believe the security of your computer password, access code, or any authorization you have that allows you to access to Edwards County Hospital's computer systems has been compromised, you shall report such

concerns to your supervisor as soon as possible.

10. You shall respect the ownership of proprietary software. For example, you shall not make unauthorized copies of any software for your own use, even if the software is not physically protected against copying, nor shall you operate any non-licensed software on any computer provided by Edwards County Hospital.

# EDWARDS COUNTY HOSPITAL

## Overview and Structure of the Compliance Program

Edwards County Hospital's Compliance Program, as described in this document and related policies and procedures compiled herewith, is a systematic process aimed at ensuring Edwards County Hospital and its employees and agents comply with applicable laws, regulations, and standards. Edwards County Hospital's Compliance Program has been developed in accordance with applicable law, with guidance from state and federal authorities, including the United States Sentencing Commission's Federal Sentencing Guidelines for Organizations and the Office of Inspector General's Compliance Program Guidance for Hospitals.

Edwards County Hospital's Compliance Program has two components: structural and substantive. The structural component includes the basic framework necessary to build and operate an effective compliance program, including the Code of Conduct, high-level oversight, education, reporting, employee screening, auditing/monitoring, enforcement, and prevention. The substantive component includes policies addressing specific legal requirements as they relate to particular aspects of Edwards County Hospital's operations.

### I. Relevant Documents.

Edwards County Hospital's Compliance Program is not merely a document that sits on the shelf; it consists of a series of processes to promote Edwards County Hospital's compliance with all applicable legal requirements and ethical obligations and prevent, detect, and correct non-compliance. The following documents, which have been developed and approved by the appropriate persons, provide the basis for the functioning of Edwards County Hospital's Compliance Program:

- Code of Conduct
- Code of Conduct Training
- Employee Screening
- Compliance-Related Inquiries
- Reports of Possible Compliance Problems
- Government Investigations
- Contract Review and Execution
- Documentation, Coding, and Billing for Services Furnished to Federal Healthcare Program Beneficiaries
- Financial Relationships With Physicians

Interactions With Vendors and Their Representatives  
Patient Inducements – Federal Healthcare Program Beneficiaries  
Discounting and Waiving Charges

Such policies and procedures shall be reviewed and updated on a regular basis, and additional policies and procedures shall be developed and implemented as necessary to achieve the goals of the Compliance Program.

**II. The Compliance Team.**

Certain individuals have been charged with responsibility for overseeing the processes that comprise the Edwards County Hospital Compliance Program. The following is a description of these responsibilities. All employees shall be familiar with individual roles in the Compliance Program and call upon them as resources as necessary.

**A. The Compliance Officer.**

The Compliance Officer shall have primary responsibility for the development, implementation, monitoring, operation, and refinement of the Compliance Program, and shall serve as a resource for managers with respect to compliance-related issues. The Compliance Officer shall report directly to the Administrator. The responsibilities of the Compliance Officer shall include the following:

1. Prepare and retain all appropriate documentation concerning the development, implementation, monitoring and refinement of the Compliance Program.
2. Participate in continuing education activities concerning compliance-related issues.
3. Oversee Code of Conduct training for all employees, as well as other compliance-related training.
4. Provide support to department managers with respect to compliance education, internal auditing, and operational matters.
5. Communicate regularly with the Chief of Medical Staff and properly document such communications.

6. Implement and oversee mechanisms by which employees and agents may ask questions concerning compliance-related matters or report possible compliance-related problems including, but not limited to, the Compliance Hotline.
7. Properly document and provide a timely response to each compliance-related inquiry as reported, involving appropriate persons as necessary.
8. With respect to reports of possible compliance-related problems, conduct an initial investigation of each such report to determine whether further investigation is warranted; coordinate additional investigation of such reports as warranted, involving legal counsel as necessary; make recommendations to appropriate persons concerning remedial and proactive measures to address any detected incident of noncompliance and proactive measures to ensure incidents of noncompliance are not repeated; involve appropriate persons as necessary to assist with and participate in the aforementioned tasks; and properly document all such reports and related activities.
9. Coordinate with the Business Office in investigating potential overpayments received from federal healthcare programs and develop and implement strategy for resolving any such overpayment, including communications with the Medicare Administrative Contractor.
10. Serve as the primary contact person with respect to any government inquiry or investigation and coordinate Edwards County Hospital's response to any such inquiry or investigation.
11. Facilitate the identification of potential compliance risk areas and the development and implementation of internal auditing programs and audit work plans to address those risk areas.
12. Monitor changes in statutes, regulations, and program guidance and identify necessary changes to Edwards County Hospital's processes to comply with such changes.
13. Prepare a written annual report to the Board of Directors concerning the status of compliance-related activities.

14. Make regular reports concerning matters relating to the Compliance Program and otherwise report to the Board of Directors specific compliance-related matters as deemed necessary by the Compliance Officer or as requested by the Board.
15. Conduct periodic reviews and updates of the Compliance Program.
16. Perform other such duties and responsibilities as requested by the Administrator and/or Board of Directors.

**B. The Administrative Team. (CEO, CFO, DON and Chief of Staff)**

1. Responsibilities. The Compliance Program shall be implemented under the guidance and supervision of the Administrative Team. The Administrative Team shall be responsible for the coordination and oversight of Edwards County Hospital's compliance efforts on an ongoing basis. The responsibilities of the Administrative Team with respect to the Compliance Program shall include, but not be limited to, the following:
  - a. Develop and implement a strategy to promote the Compliance Program to all Edwards County Hospital employees and Medical Staff members
  - b. Assist the Compliance Officer in responding to compliance-related issues as they arise on an ongoing basis.
  - c. Serve as a forum to share information and ideas concerning compliance-related issues.
2. Meetings and Minutes.
  - a. The Compliance Officer shall report to the Administrative Team on at least a monthly basis concerning (i) all compliance reports received by the Compliance Officer since the team's last meeting, (ii) the status of all on-going compliance-related internal investigations and remedial actions, and (iii) other matters relating to the operation of the Compliance Program. As necessary, the Compliance Officer may request a special meeting of the Administrative Team to address matters relating to the Compliance Program.

- b. Any discussion of matters relating to the Compliance Program during Administrative Team meetings shall be included in the minutes for that meeting. The Compliance Officer shall make appropriate designations on such minutes to identify the information contained therein that is confidential and/or subject to the privilege for attorney-client communications, and shall take such action as necessary to protect the status of such information.

**C. Chief of Medical Staff**

The Chief of Medical Staff shall serve as a liaison for the Medical Staff to the Compliance Program. The Chief of Medical Staff shall assist the Compliance Officer in responding to compliance-related issues involving Medical Staff members as they arise on an ongoing basis.

**D. Department Managers**

Each Department Manager shall make certain his/her department's operations are conducted in compliance with all legal requirements and ethical obligations. Department Managers shall oversee compliance-related activities in their respective departments including, but not limited to, the following:

1. Develop and present compliance-related in-service training on a regular basis.
2. Evaluate all employees for adherence to the Code of Conduct.
3. Participate with the Compliance Officer in responding to compliance-related inquiries and investigating reports of possible compliance-related problems.
4. Develop and implement internal auditing programs and audit work plans to address potential compliance risk areas within the department.
5. Implement necessary changes to departmental operational as required by changes to statutes, regulations, and program requirements.

6. Follow the established process for review and approval of contracts.







