



CODE OF ETHICAL CONDUCT

2010

*SALINA REGIONAL HEALTH CENTER
SALINA, KANSAS*

A message from Micheal Terry, CEO/President:

I look at Salina Regional Health Center (the “Health Center”) with pride, not only for what we do but also for how we do it.

Ours is an organization that operates with the highest standards of integrity and honesty in our business dealings. We are committed to providing world class service to our patients, families and those we do business with.

As our business has grown, it has become more complex. To assist employees as well as those with whom we do business to know the business rules we live by, the Board of Trustees and the Compliance Committee have adopted the Code of Ethical Conduct (the “Code”). The Code summarizes policies and procedures that apply to our business. It is a guideline for how we conduct business.

I encourage you to take the time to read the Code, to call Ava O'Flannagan, the Corporate Compliance Officer, or a member of the Compliance Committee, for help in clarifying issues or resolving questions. Do not hesitate to report any violation or suspected violation of the Code to your supervisor, director, Corporate Compliance Officer, or the Compliance Hotline at 785-452-7848.

The Code is available to those who do business with the Health Center.

A message from Ava O'Flannagan, Corporate Compliance Officer:

As the Corporate Compliance Officer for SRHC, I want to offer you the 3 C Decision Making Model to help you when faced with an ethical or compliance concern.

Ask yourself:

- **C**ompliance: does the situation involve the violation of a law, regulation or internal policy or procedure?
- **C**onscience: does the situation involve a violation of an ethical principle?
- **C**onduct: assess your alternatives for addressing the situation and decide on a course of action which will resolve the situation in a timely manner.

Report known or suspected compliance or HIPAA violations to me, the Corporate Compliance Officer. My contact information is:

Ava O'Flannagan
Director, Corporate Compliance & Quality
400 S. Santa Fe Ave.
Salina, KS 67401
aoflann@srhc.com
785-452-7094

There are also Compliance/HIPAA drop boxes located throughout the hospital.

A Compliance Hotline is also available, 785-452-7848, 24 hours per day, 7 days a week.

All inquiries will remain confidential. You may remain anonymous. Your communication and anonymity will be protected to the greatest extent possible.

Retaliation against an employee for reporting a violation or suspected violation is strictly prohibited; anyone engaging in such retaliation will be subject to discipline up to and including termination.

Ava O'Flannagan, Corporate Compliance Officer

CODE OF ETHICAL CONDUCT

The Code of Ethical Conduct (Code) has been approved by the Board of Trustees of Salina Regional Health Center to provide standards for employees to conduct themselves in order to protect and promote organization-wide integrity and to achieve the organization's mission. All employees are responsible to ensure that their behavior is consistent with the Code. The integrity of clinical decisions is protected and supported by the Health Center administration. At no time does financial risk affect the decisions of the health care provider. Clinical decisions (including tests, treatments, and other interventions) are based on identified patient health care needs. The Code ensures that the Health Center conducts its business and patient care practices in an honest, decent, and proper manner.

The Code is given and discussed with all new employees and volunteers at orientation. A signed Confidentiality, Compliance Statement and Acknowledgement will be placed in each new employee's/volunteer's personnel file. Annually during performance evaluations employees will recommit to the Code and the Compliance program.

To Salina Regional Health Center Employees:

The **CODE OF ETHICAL CONDUCT** requires compliance with all laws and regulations affecting the Health Center and a commitment to:

- Fair Dealing
- Honesty
- Integrity
- Professionalism

...Fellow employees, suppliers, vendors, physicians, consultants, regulatory authorities, and the public at large including **those in need of the services** we offer and provide.

The Code is a guide. It cannot answer all legal or ethical questions. Employees who question whether certain conduct may violate legal requirements or the policies and practices of the Health Center should talk to their supervisor, director, or Corporate Compliance Officer.

STANDARDS OF ETHICAL CONDUCT

I. Legal Compliance

Standard for Legal Compliance: These standards are intended to provide guidance to comply with applicable laws.

Fraud and Abuse: The Health Center expects employees to not do anything that may violate the fraud and abuse laws.

False Claims Act: SRHC will not submit or cause to be submitted false claims. Furthermore, employees of SRHC can be held liable for filing or causing to be filed false claims. SRHC strictly prohibits the submission or participation in the submission of any false claims. The Federal False Claims Act (FCA) outlines the liability for individuals who file or cause to be filed false or fraudulent claims.

It is a violation of the Code to:

- Bill the patient or payor for services that are not actually given.
- Submit claims to a patient or payor that seek reimbursement for a service that is not necessary for the patient's medical condition.
- Bill codes and assign DRG codes that do not accurately reflect the service provided to the patient.
- Bill codes and assign DRG codes that provide for a higher payment rate than the level of service the patient received.
- Submit claims for non-physician outpatient services that are included in inpatient payments under the Prospective Payment System.
- Submit more than one claim to more than one primary payor at the same time.
- Submit a false cost report with inaccurate statistics, financial data and payor information not supported by auditable documentation.
- Submit claims to maximize reimbursement for tests or procedures that are required to be billed together at a reduced cost.
- Not refund credit balances in a timely manner.
- Provide financial incentives to physicians in exchange for kickbacks or for the referral of patients.
- Engage in the practice of patient dumping and not following appropriate medical screenings, stabilization of the patient and appropriate transfer protocols.
- Not submit claims in accordance with Medicare Secondary Payer (MSP) regulations.

SRHC has implemented policies and procedures to prevent the filing of false claims and has established a confidential disclosure program for employees, vendors and contractors to report suspected false claims directly to the Compliance Officer. If you know of or suspect that false claims are being filed, you are required to report this to the Compliance Officer.

The federal False Claims Act has what is known as "whistleblower protections". Individuals with specific knowledge of false claims submissions have the right to file a claim and will be protected under the federal False Claims Act for doing so. Under SRHC's Compliance Program employees are required to report suspected or known violations to the Compliance Officer.

Antitrust Compliance: Employees will comply with applicable antitrust and similar laws that regulate competition.

It is a violation of the Code to:

- Fix prices, rig bids, or price share with competitors.
- Participate in boycotts, conduct exclusive deals or price discriminate.
- Participate in unfair trade practices such as bribery, misappropriate confidential Health Center plans, deception, intimidation, or similar unfair practices.

Lobbying/Political Activity: Employees will not participate in activity that may jeopardize the tax exempt status of the organization.

It is a violation of the Code to:

- Give money, property, or services at the Health Center's expense to any political candidate.

Discrimination: The Health Center will provide fair and equal treatment to employees, patients, and their families.

It is a violation of the Code to:

- **Not** treat patients -- regardless of race, color, religion, gender, sexual orientation, ethnic origin, age, ability to pay, or disability.
- Participate in any form of harassment or discrimination against employees on the basis of gender, sexual orientation, race, color, disability, age, religion, financial state, or ethnic origin.

II. Business Ethics

Standard for Business Ethics: Employees will accurately and honestly represent the Health Center and not engage in any activity to defraud anyone of money, property or honest services.

It is a violation of the Code to:

- Make false or misleading statements to any patient or person doing business with the Health Center.
- Copy for personal use documents or computer programs in violation of copyright laws or licensing agreements.
- Utilize for personal use confidential business information obtained from competitors including customer lists, price lists, contracts or other information in violation of a covenant not to compete, prior employment agreements or any other activities likely to provide an unfair competitive advantage to the Health Center.
- Participate in any other unlawful activities (See Legal Compliance).

III. Confidentiality

Standard for Confidentiality: Employees will protect confidential, sensitive, and proprietary information to prevent the unauthorized disclosure of information. Employees will follow the Health Insurance Portability and Accountability Act of 1996 (HIPAA), Public Law 104-91.

It is a violation of the Code to:

- Discuss patient's protected health information unless it is for payment, treatment or hospital business.
- Discuss business plans, payment, reimbursement, and information relating to negotiations except by employees authorized to do so to fulfill their job responsibilities.
- Share salary, benefit and other information in the employee's personnel file between employees.
- Share personnel files, payroll information, disciplinary matters and similar confidential data except by authorized directors or supervisory staff.
- Disclose the Health Center's confidential business, like financial data, prospective transactions, litigation threats, pricing data, billing practices, non-compliance regulatory threats, billing practices and/or financial condition of the Medical Staff and/or its respective clinical operations.
- Use, directly or indirectly, any information considered confidential by the Health Center for personal gain or for the gain of any other person or business. It is a violation of policy for any employee to use, directly or indirectly, any information considered confidential by the Health Center to the detriment of the Health Center.

IV. Conflicts of Interest

Standard for Conflicts of Interest: All employees are expected to regulate their activities so as to avoid actual impropriety and/or the appearance of impropriety that might arise from the influence of those activities on business decisions of the Health Center or from private use of business affairs or plans of the Health Center.

It is a violation of the Code for:

- Any employee to hold any position in any commercial business which would interfere with the performance of the employee's job.
- Any employee, any member of the employee's immediate family or anyone designated by the employee, to receive anything of value from any supplier in return for business or the opportunity to present a business proposal.
- Any employee to deliberately purchase materials or services at a cost to the Health Center greater than reasonable value or in quantities greater than reasonably required to meet the need.
- Any employee, or any member of the employee's immediate family, to hold a significant financial interest in the business of any supplier or of any competitor with the Health Center when the employee is in a position to influence the relationships between the Health Center and the supplier or the competitor.
- Any employee to hold the position of Director in any commercial business without written consent from the Health Center. This approval will be given by Administration.
- Any employee's immediate family, without informing administration, to hold any position as director, officer or employee of any Health Center supplier or competitor when such family member is in a position to significantly influence the relationship between the Health Center and such supplier or competitor.
- Any employee to directly or indirectly compete with the Health Center in the purchase, sale or ownership of property or property rights or interests, or business investment opportunities.

V. Business Relationships

Standards for Business Relationships: These standards are a guide to determine the appropriateness of business relationships, with vendors, providers, contractors, third party payors and government entities. The Health Center respects and values other health care providers, educational institutions, and payors. Every effort is made to collaborate and communicate clinical data necessary for health care, billing, and education.

It is a violation of the Code for:

- Purchase materials or services that provide kickbacks or rebates to employees and/or their immediate family. *Kickbacks and rebates* are not limited to direct cash payments or credits. If you or your family stand to gain personally through the transaction, it is prohibited. Such practices are not only unethical but are in many cases illegal.
- Employees to **solicit** tips, personal gratuities or non-monetary gifts, or any other personal benefit or favor of any kind from patients and families.
- Employees to accept monetary tips or gratuities from patients and families. If a patient or another individual wishes to present a monetary gift, they should be referred to the Health Center Foundation.
- Employees may accept gifts of a **nominal value** from patients and families if they can be shared with their co-workers. If an employee should have questions as to whether a gift should be accepted, the employee should consult with their supervisor, director or Corporate Compliance Officer.
- Employees should not accept gifts, meals, entertainment or other offers of goods or services that have more than a **nominal** value from vendors, suppliers, contractors, physicians, or other persons.
- Employees may not solicit gifts from vendors, suppliers, contractors, or other persons.

It is not a violation of the code:

- For employees, at a vendor's invitation, to accept meals or refreshments at the Health Center.
- For employees to attend, at the vendor expense, out-of-town seminars, workshops, or training sessions with permission/approval of their supervisor, director, and, if needed, the Corporate Compliance Officer.

VI. Protection of Assets and Record Keeping

Standards for Protection of Assets: These standards guide employees to perform activities that positively reflect a reasonable and appropriate use of records that reflect the financial condition of the Health Center.

It is a violation of the Code for:

- Employees to convert assets of the Health Center to personal use. Employees are prohibited from the unauthorized use of or taking the Health Center's equipment, supplies, materials, software or services.
- Employees to not follow the standards and procedures that ensure assets are protected and properly used and that financial records and reports are accurate and reliable. All employees are responsible for maintaining and complying with required internal controls for records and reports.
- Employees to improperly or fraudulently document on financial reports, accounting records, research reports, expense accounts, time sheets, and other documents of the Health Center. Employees are accountable to comply with all accepted accounting standards and practices, rules, regulations and controls.
- Employees to make false or artificial entries in books or records. All entries must be promptly and accurately recorded and documented.
- Employees to fail to disclose or record funds or assets.
- Employees to not maintain books and records which will fairly and accurately reflect, the Health Center's business transactions, asset acquisitions and disposal, and any other pertinent activities.
- Employees to not protect the financial and operational data from accidental destruction and maintain record retention procedures.
- Employees to sign documents that they believe are **not** accurate and truthful.
- Employees to not restrict access to sensitive data such as financial records, customer information and personnel records.
- Employees to inaccurately document and report travel expense.

VII. Quality of Care/Ethical Compliance

Statement of Policy for Quality of Care/Ethical Compliance: The Health Center intends to provide quality health care to all patients. The Health Center provides care in response to a patient's request and need, so long as that care is within the scope of care offered at the Health Center, its stated mission and philosophy, and relevant laws and regulations. The Health Center operates in accordance with ethical responsibility to the patients and community. An ethical framework is present for the patient care and business practices provided.

It is Health Center policy that:

- Employees provide patient care based on patient need as directed by physician order -- regardless of cost.
- Clinical decision making is based on patient need regardless of ability to pay and financial compensation. At no time is the practice of financial incentives considered in the process of care delivery.
- The Health Center recognizes the patient's right to self-determination regarding their health care or refusal to accept medical treatment to the extent permitted by law while considering consequences of this behavior.

- The Health Center recognizes the patient's right to participate in considerations of ethical issues in the provision of care, including facilitation of conflict, withholding of resuscitative services, foregoing or withdrawal of life-sustaining treatment, pain management, investigational studies or clinical trials.
- The Health Center recognizes the patient's right to perform or refuse to perform tasks in a plan of care.
- The Health Center supports the patient's right to protective services (guardianship and advocacy services, conservatorship, and child or adult protective services).
- The Health Center recognizes the patient's right to request and receive an itemized statement and explanation of charges.
- The Health Center recognizes the right of the attending physician to transfer the responsibility of patient care to another qualified physician who supports the patient's ethical choices.
- The Health Center recognizes the importance of discharge planning with the patient, family, and/or significant other upon admission and completes this process before dismissal. Patient admission and discharge from the Health Center is entered around a collaborative plan and the physician in charge of the patient. The discharge process provides for continuing care based on the assessed needs at the time of discharge. Appropriateness of patient admission and discharge is fairly assessed and is based on criteria developed by the Medical Staff Performance Improvement Committee. Admission and transfer policies of the Health Center are not based on patient or Health Center economics.
- When the Health Center cannot meet the request or need for care, the patient may be transferred to another facility when medically permissible. Employees are required to provide the patient with complete information and explanation concerning the need for, and alternatives to, such a transfer. The employee must assure the transfer is acceptable to the receiving facility.
- Employees providing patient care will accurately charge for supplies, medication, treatment, or services provided to the patient. If errors occur, it is the responsibility of the Health Center to correct these errors in a timely manner. Customer service representatives are available to address billing issues. All questions regarding bills are addressed without harassment. When appropriate, chart audits will be done to authenticate charges. Each patient is provided an itemized bill upon request.
- Marketing of services available at the Health Center is accurate and at no time misleading to the patients served. Marketing materials only reflect the services available and the level of licensure and accreditation of the Health Center.
- All proposed relationships with providers of services that require contractual agreement are approved or rejected based on best-bid practices and with sensitivity for the potential of conflicts of interest.

VIII. Administration and Application of the Code of Ethical Conduct

- Employees are expected to be familiar with all principles and standards of the Code of Ethical Conduct. This knowledge will guide employees in their work at the Health Center.
- Failure to abide by this Code may lead to disciplinary action from verbal counseling to termination.
- Nothing in this Code is intended to nor shall be viewed as providing any additional employment or contract rights to employees or other persons.
- Non-employees, including patients, who do business with the Health Center, will be provided information about ethical business transactions and any concerns they may have regarding the use of services and financial incentives.