



## **CONFIDENTIALITY AGREEMENT**

### **Vendor Confidentiality / Security Agreement**

As a Vendor, I understand that while performing my official duties I may have access to protected health information. Protected Health Information (PHI) means individually identifiable health information that is transmitted or maintained in any form or medium. Protected Health Information, such as resident's addresses, telephone numbers, diagnoses, social security numbers, or dates of birth, are NOT open to the public. Special precautions are necessary to protect this type of information from unauthorized access, use, modification, disclosure, or destruction.

Additionally, as a Vendor, I promise that in the process of providing services and/or products to Mid-Atlantic Health Care, LLC and its managed facilities, that all business transactions shall be conducted in the strictest confidence. Including, but not limited to, all matters which are sensitive in nature, and therefore, confidential and proprietary. Accordingly, the undersigned agrees in connection with any and all participation at meetings, conversations, or written correspondence, no information is to be released nor disclosed to third parties except specifically authorized by Mid-Atlantic Health Care, LLC and /or its managed facilities.

Vendors and Vendor sales representatives are expected to conduct themselves in a professional manner at all times, and to comply with all MAHC. In addition to MAHC facilities' general policies, Vendors and Vendor sales representatives are required to comply with the Vendor-specific policies set forth below.

#### **Procedures:**

#### **I. Vendor Sales Representative Visits to MAHC and any of its Managed Facilities**

##### **A. Registration**

- a. At the time of their initial visit to an MAHC skilled nursing and rehabilitation facility, all Vendor sales representatives must first register with the receptionist/front desk.

##### **Sign-in**

Each time a Vendor sales representative visits Mid-Atlantic Health Care and any of its managed skilled and rehabilitation facilities he/she must proceed directly to the front desk, sign in and procure a temporary visit badge with the date of that visit. The visitor badge must be visible at all times while the Vendor sales representative is on the premises.

**B. Agreement:**

Each Vendor sales representative must sign and agree to the terms of this agreement.

**C. Authorized Visits**

All visits by Vendor sales representatives to Mid-Atlantic Health Care and its managed skilled and rehabilitation facilities personnel must be made on an appointment only basis. Sales representatives must call the person (or administrative assistant) they wish to visit and arrange an appointment time.

**D. Access to Patient Care Areas**

Vendor sales representatives are prohibited from entering resident care areas, except that Vendor sales representatives may access patient care areas when (1) access is required for measuring or customizing on new equipment or supplies ordered by a physician.

- a. Vendor sales representatives may not enter patient care areas unless there is disclosure to, and consent by, the patient.
- b. Vendor sales representatives may not approach nursing staff to retrieve resident PHI for vendor billing purposes.
- c. Vendors are not to freely walk through nursing facility, access resident areas, resident records or nursing station areas.

**E. Request For Documents:**

All Vendors who require documentation for billing purposes must send in a request 24 hours before arrival to facility. The Medical Records /or Central Supply Clerk will prepare necessary documents for pick up.

**II. Personal Gifts and Meals**

- A. Vendors and Vendor sales representatives are prohibited from providing personal gifts (as defined below) to MAHC employees (as defined in the MAHC Compliance Plan). This prohibition on providing personal gifts to MAHC employees applies both at MAHC facilities and at offsite locations, including at all in-service educational programs, and meetings.
- B. Entertainment or recreational items of any value (e.g., golf balls, sports bags, artwork, tickets to a sporting event, etc.);
  1. Grants, scholarships, consulting contracts, or educational or practice items provided in exchange for prescribing or using drugs or devices or supplies;
  2. Any other items or payments (including cash, cash equivalents, and “in kind” payments).
- C. The following items are not considered personal gifts:
  1. Meals, food, and beverages provided in connection with programs;

- 2.. Educational Items (as defined below); and
3. Evaluation and Demonstration Products (as defined below).

### **III. Educational Items**

- A. Educational items (“Educational Items”) include the following:
  - 1.. Product reimbursement information (including identifying appropriate coverage, coding, or billing of products) in support of accurate and responsible billing to payors if the information is not offered to induce purchase, lease, or use of the products;
  - 2.. Medical or scientific books that do not bear company logos; and
  3. Anatomical models and illustrations that do not bear company logos.
- B. Vendors and Vendor sales representatives may provide Educational Items to MAHC only if the educational items
  1. Provided to and distributed through a MAHC department,
  2. Do not have a combined value of more than \$100,
  3. Not offered on more than an occasional basis, and
  4. Do not have value to healthcare professionals outside of their professional responsibilities.

### **IV. Evaluation and Demonstration Products**

- A. Vendors and Vendor sales representatives may provide **reasonable quantities** of evaluation and demonstration products to MAHC to allow the employees to assess the appropriate use and functionality of the products and determine whether or not to use or recommend the products in the future, subject to the restrictions below.
- B. Evaluation and Demonstration Products include single use products and multiple use products. Vendors and Vendor sales representatives may provide single use products to MAHC employees only if the representatives provide a quantity no greater than reasonably necessary for adequate evaluation. Vendors and Vendor sales representatives may provide multiple use products to MAHC only if:
  1. The products are provided for no more than a reasonable period of time to allow for adequate evaluation, but in no event longer than 90 days;
  2. The terms of the evaluation are set forth in writing in advance; and
  3. The Vendor retains title to the products during the evaluation period.

### **V. Vendor Training and Education Programs**

- A. Vendors may provide training and education on their products and medical technologies to Mid-Atlantic Health Care and its managed skilled and rehabilitation facilities Colleagues provided that (1) the programs are conducted in settings that are

conducive to the effective transmission of information, (2) programs providing “hands on” training are held at appropriate facilities, and (3) training staff have the proper qualifications and expertise.

B. Vendors may not provide Personal Gifts (such as meals or refreshments) to MAHC employees attending training and education programs.

C. Vendors may not utilize an educational training session to market their products to employees and residents/families. Vendors may provide product and company information at a designated place for families to seek out information for resident care purposes.

**VIOLATIONS OF ANY OF THE FOLLOWING POLICIES WILL RESULT IN NOTIFICATION TO THE NURSING HOME ADMINISTRATOR OR THE VICE PRESIDENT OF CORPORATE COMPLAINE, DEPENDING UPON THE SEVERITY OF THE VIOLATION, PERMANENT SUSPENSION OF THE VENDOR OR REPRESENTATIVE FROM INTERACTING OR DOING BUSINESS WITH MID-ATLANTIC HEALTH CARE AND ITS MANAGED SKILLED AND REHABILITATION FACILITIES.**

My signature below indicates that I agree to the aforementioned terms.

<hr/> <b>Vendor Name and Title</b>	<hr/> <b>Signature/Date</b>
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*Report Compliance Issues to: Donna Rooney, JD, BSN, CHC, CPC-A  
Vice President of Corporate Compliance  
Mid-Atlantic Health Care, LLC  
410-308-2300 Ext. 227*