

DEPARTMENT: Hospital Administration
MANUAL: Policy & Procedure
REVISED: 3/13
REVIEWED: 3/13
ORIGINAL: 4/99

Code of Business Conduct / Ethical Business Practices

Affected Departments:

- All Departments

I. PURPOSE:

Founded on the St. Joseph Health System Values and Value Standards, the Code of Business Conduct/Ethical Business Practices promotes the highest ethical business practices by requiring adherence to standards of business conduct and through examples of appropriate and inappropriate behavior as defined by relevant compliance standards.

II. POINTS TO EMPHASIZE:

SCOPE:

St. Jude Medical Center has established a Code of Business Conduct/Ethical Business Practices policy and procedure as part of the Corporate Responsibility Program to provide employees with the essential guidelines needed to understand their responsibilities in connection with the Corporate Responsibility Program. The policy and procedure shall guide employees in their business interactions with suppliers, vendors, physicians, donors, politicians, and other interested parties. Such parties are a natural extension of St. Joseph Health System's own resources.

III. POLICY:

Standards of Business Conduct/Corporate Compliance With Laws

A. BUSINESS CONDUCT AND PRACTICES

Value Standard: *Business is conducted ethically, with integrity, honesty, and confidentiality and in accordance with applicable laws and regulations.*

1. Records Management

Business records must be prepared and maintained consistent with all applicable SJHS policies including those within the Corporate Responsibility Program related to ensuring compliance with federal and state fraud and abuse laws, and those policies relating to general operations relating to records management, transaction approval processes, and accuracy and timeliness in the completion of such records. This includes accurate reporting of time worked, business expenses incurred, research test results, billing and all other business-related activities. The law requires that all books, records, and accounts accurately reflect all transactions and disposition of assets. All

transactions must be conducted in accordance with management's authorization. Errors or potential errors involving claims already submitted to the government or other payers, must be reported to the local Compliance Officer at ext. 2580 or the SJHS Compliance Officer at 347-7577.

2. Confidentiality of Information obtained, developed or produced by St. Jude Medical Center and its employees, information supplied by outside consultant or vendors For the benefit of St. Jude Medical Center, and information about St. Jude Medical Center patients is confidential. Confidential information includes, for example: financial data, patient information, proprietary reports, salary, and position information, marketing and sales programs. Confidential information should not be disclosed to anyone outside of SJHS unless they legitimately need the information and have been properly authorized by management to receive such information. Confidential information should not be shared with other SJHS employees except on a "need to know" basis and with the agreement of the recipient to treat the information as confidential. Information shall be protected in a manner that is consistent with all SJHS policies including those related to compliance with the HIPAA Privacy and Security rules and the Ethical and Religious Directives for Catholic Health Care Services.
3. Use of Resources
Employees must respect and protect company property. St. Jude Medical Center assets, such as office supplies, production equipment, and products must not be used for personal reasons. These assets should not be taken out of St. Jude Medical Center facilities unless necessary to perform company work. All employees should actively help to control costs through identification of practices that create redundancy and waste.

B. EMPLOYMENT PRACTICES

Value Standard: *Each ministry develops a work environment that promotes mutual respect, participation, equitable compensation, growth, and effective use of talents.*

1. Fair Treatment of Employees
St. Jude Medical Center has created and strives to maintain a work environment in which employees are treated with respect, diversity is valued and opportunities are provided for development. St. Jude Medical Center is committed to providing a work environment that is free from discrimination based on policies relating to equal opportunity employment, conflict resolution, recruitment and selection. Harassment or abuse of any kind is prohibited in the workplace. Discrimination in any work-related decision on the basis of race, creed, gender, sexual orientation, age, disability status, national origin, or any other illegal basis is also prohibited.
2. Workplace Health and Safety
St. Jude Medical Center provides each of its employees with a safe and healthy workplace in which applicable health and safety laws and regulations are observed. Employees are expected to abide by all safety rules and practices and assume responsibility for taking necessary precautions to protect themselves and their co-workers. Employees are also responsible for immediately reporting accidents and unsafe practices or conditions consistent with all applicable policies relating to workplace injury reporting.
3. Illegal Drugs and Alcohol
St. Jude Medical Center expects employees to report to work in condition to perform

their duties, free from the influence of illicit drugs or alcohol pursuant to policies relating to fitness for duty. Reporting to work under the influence of illegal drugs or alcohol, using, possessing or selling illegal drugs while on the job or on St. Jude Medical Center property is forbidden.

C. PATIENT CARE

1. Value Standard: *Each ministry develops programs and processes to measure and continually improve quality.*
2. St. Jude Medical Center is committed to the compassionate delivery of appropriate, effective and quality care to its patients. Patients must always be treated with sensitivity, respect and professionalism. Employees are expected to observe all applicable standards of professional practice in all St. Jude Medical Center facilities and programs.

D. CONFLICTS OF INTEREST

1. Value Standard: *SJHS values and their key role in shaping organizational life are clear and explicit.*
2. Employees may not participate in any activities that could conflict with their responsibilities at St. Jude Medical Center without satisfying the requirements of the conflict of interest policy and other policies relating to the acceptance of distribution of gifts and gratuities. A conflict of interest arises when the personal interests or
3. activities of an employee appear to or may influence that employee's ability to act in the best interests of St. Jude Medical Center.

E. SPECIAL LEGAL RESPONSIBILITIES

Value Standard: *Business is conducted ethically, honestly and in accordance with applicable laws and regulations.*

1. Marketing Practices and Antitrust
St. Jude Medical Center products and services must be marketed, appraised and sold fairly and honestly solely on the basis of quality, capability, price, service level, and other legitimate attributes. St. Jude Medical Center and its employees are expected to compete fairly and in compliance with all antitrust laws. Employees should seek advice from their managers before taking any action which may compromise fair competition or compliance with antitrust laws or violate existing Corporate Responsibility Program policies applicable to marketing practices.
2. Not for Profit Status
St. Jude Medical Center and many of its affiliates are not-for-profit, tax-exempt entities. As such, the requirements for organizations not taxed under Section 501(c)(3) of the Internal Revenue Code and similar provisions of state law must be followed. Employees shall not use St. Jude Medical Center resources or property for private use or benefit. Transactions must be in the best interest of St. Jude Medical Center and negotiated at arms length for fair market value. Employees faced with sensitive situations should consult with management for guidance.
3. Government Investigations
Employees shall cooperate with legitimate government investigations. If an employee is approached by any person who identifies himself or herself as a government investigator or receives a subpoena or other written request for information, the employee should contact the SJHS Chief Compliance Officer at 347-7577.

IV. PROCEDURE:

Procedures/Implementation of the Code

A. Disciplinary Actions

Employees shall conduct themselves in a manner that upholds SJHS Values and complies with the Code of Business Conduct/Ethical Business Practices. Candidates for employment shall be subject to inquiry about past compliance violations and status relative to participation in federal health care programs. Continued employment shall be conditioned upon compliance with the Corporate Responsibility Program. Violations of the Code of Business Conduct/Ethical Business Practices (the "Code") and/or failures to adhere to requirements of the Corporate Responsibility Program and related policies will result in disciplinary action, up to and including termination.

B. Reporting

Concerns regarding compliance with the Corporate Responsibility Program and related policies and possible violations of the Code or related policies and procedures are to be promptly reported to the SJHS Vice President, Ministry Integrity/Compliance Officer. A *special* resource line that permits anonymous reports of non-compliance or possible violations has been established for this purpose, (877-808-8133). Employees are expected to fully cooperate in any investigation of business conduct which may violate the Code. Making a false report intentionally for personal gain is a violation of the Code and will result in appropriate disciplinary action.

C. No Retaliation for Good Faith Reporting

The success of the Corporate Responsibility Program depends on prompt, accurate reporting of violations and suspected violations without fear of retaliation. Consistent with the St. Jude Medical Center Non-retaliation policy, employees will not be subject to reprisals for reporting, in good faith, actions which they believe violate the law or do not comply with the Corporate Responsibility Program or conform to the Code of Business Conduct/Ethical Business Practices.

D. Role of the Manager/Supervisor

Managers and supervisors have a special responsibility to act and communicate consistently with the Code of Business Conduct/Ethical Business Practices and to comply with the requirements of the Corporate Responsibility Program. Managers and supervisors shall create and maintain a work environment that encourages ethical behavior and promotes adherence to the elements of the Corporate Responsibility Program. As part of the SJHS Human Resources Management Systems program, managers and supervisors will be evaluated based on their ability to meet the above expectations.

E. Questions Regarding the Code of Business conduct

Questions regarding the Code of Business Conduct/Ethical Business Practices or the Corporate Responsibility Program should be directed to your manager. The Compliance Officer at ext 2580 or the SJHS Vice President Ministry Integrity/Chief Compliance Officer at 347-7577. Continuing education regarding the Corporate Compliance Program and the Code will be provided to employees.

F. Dynamic Document

This Code of Business Conduct/Ethical Business Practices will be changed as needed to better accomplish St. Jude Medical Center mission, vision and values.

V. REFERENCES:

- Access, Denial, Inspection, Copying of Protected Health Information
- Accounting For Disclosure of Protected Health Information
- Advance Health Care Directives: Patient Self-Determination in Medical Decision Making
- Affirmative Action
- Alternative Communication of Protected Health Information
- Amendment of Protected Health Information
- Authorized Approval Levels
- Charity Care
- Competency Process
- Communications Requiring Corporate Counsel Review
- Community Benefit Documentation Physician Arrangement
- Compensation Policy
- Compliance Monitoring and Audit
- Cost Report Preparation and Check List
- Cost Report Preparation, Adequate Cost Reporting support documentation
- Credit Balance
- Confidentiality
- Conflict of Interest & Disclosure of Certain Interests
- Conflict Of Interest, Employees
- Conflict Of Interest, Medical Directors
- Conflict Of Interest, Trustees
- Conflict Of Interest, Resolution Of
- Consents
- Contracts, Leases and Rental Agreements
- Corporate Responsibility Program
- Decision to Withhold or Withdraw Life Sustaining Treatment
- Disciplinary Process Compliance Violations
- Disclosure of De-Identified Protected Health Information
- Disclosure of Protected Health Information
- Employee Relations Statement
- Employment of Relatives
- Equal Employment Opportunity
- False Claims Act
- Faxing of Patient Information
- Fitness for Duty
- Foregoing Artificially Supplied Nutrition or Hydration for Seriously Ill Patients Foregoing Treatment
- Gifts, Honoraria and Gratuities
- Governmental Agency Billing Practices
- Guidelines For Loans To Officers
- Guidelines For Responding To Investigatory Questions
- Guidelines for Bloodless Medicine and Surgery Program and Jehovah's Witness Patients
- Grounds for Dismissal
- Harassment
- Healthcare Ethics Consultation
- Health System Transfer

- HIPAA Procurement Compliance Provision and Waiver of SJHS Standard HIPAA Compliance Provision
- HIPAA Training
- Information Physical Security
- Internal Investigations
- Interpreter Services
- Leasing Of Property Or Equipment To Or From Physicians
- Marketing & Public Relations Practices
- Meal Reimbursement for Travels & Seminars
- Medicare Credit Balances
- Non Discrimination
- Non-Emergency Treatment of a Non-Abandoned Minor Whose Parents are Unavailable Non Retaliation
- Notice of Privacy Practice
- Organizational Ethics
- Patient/Family Complaint Procedures
- Patient Requests For CDM Review (AB1627)
- Patient Rights and Responsibilities
- Pediatric Patient Rights
- Personal Representative
- Philanthropy Compliance
- Physician Transactions
- Prisoner Patients, Management of
- Privacy Complaints
- Promotion
- Provision Of Benefits To Certain Qualified Employees
- Provision of Certain Benefits To Trustees/Director
- Rebilling Third Party Claims
- Records Management
- References
- Removal of Medical Records From Facility
- Request for Restrictions on the Use and Disclosure of Protected Health Information
- Restraint/Seclusion
- Safety Education and Training
- Security, Accuracy and Integrity of Data
- Security, Accuracy and Integrity of Data Collections
- Services Provided Prior to Admission
- Smoking
- St. Joseph Health System Corporate Responsibility Program
- Standards of Behavior
- Transactions Requiring Corporate Counsel Approval
- Transfer – Internal
- Values Analysis Committee
- Work-Related Injury or Illness