

# **CORPORATE COMPLIANCE AND CODE OF ETHICS**

**REVISED FEBRUARY 2019**

Dear Colleague,

At Shore Medical Center we are passionate about providing the most advanced, high quality healthcare available to our patients. It is important that this care is delivered in an ethical manner that is in compliance with all applicable laws, government regulations, third-party payor requirements and our own policies and procedures.

To ensure that we fulfill our longstanding commitment to compliance, I strongly encourage all of our Board members, leadership, physicians, employees and other stakeholders to abide by Shore's Compliance Program. Key elements of our Compliance Program – such as the *Code of Ethics*, our compliance policies, procedures and guidelines – are regularly reviewed and enhanced to meet the on-going challenges associated with changes to compliance requirements, rules, and regulations.

I am pleased to share with you the latest edition of our *Code of Ethics*. It reaffirms the values and ethical standards that have always existed among everyone associated with Shore. I encourage you to use the *Code* as a reference guide. It is intended to supplement, but not replace, the Employee Handbook and our existing policies, procedures and guidelines. For further details and links to our Code of Ethics and Corporate Compliance Policies, please visit our Corporate Compliance and Ethics website at [shoremedicalcenter.org/corporatecompliance](http://shoremedicalcenter.org/corporatecompliance).

Our continued success requires the active participation of every individual associated with Shore. If you know or suspect that a law, regulation, policy or our *Code* is not being followed, you **must** report this information. Fred Cantz, our Chief Compliance Officer and our toll-free Hotline are available to assist you to carry out your compliance responsibilities. The Hotline operates 24 hours a day, 7 days a week, 365 days a year. Reports can be made anonymously, and there will be no retaliation against anyone who reports concerns in good faith to any member of the management team, the Compliance Officer, Human Resources or the Hotline at 1-800-700-5420.

Shore's many stakeholders join me in pledging our full commitment to upholding the *Code of Ethics* and the Compliance Program. Your support of these compliance efforts will ensure that we uphold the highest standards in our pursuit of excellence, making Shore an organization that we can all truly be passionate about.

Sincerely,

Ron Johnson  
President and CEO  
Shore Medical Center

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## INTRODUCTION TO THE CODE OF ETHICS

Shore Medical Center is committed to providing the highest quality services to our patients in an ethical, legal, responsible and respectful manner. We are also committed to providing all services in full compliance with all applicable laws, regulations and guidelines, as well as our own policies, procedures and guidelines. We are particularly sensitive to those requirements applicable to Federal health care programs and the submission of accurate billings.

Our *Code of Ethics* is based on the principle of compliance with all laws and regulations affecting our services and on abiding by standards of integrity, honor and concern for others. These standards are the foundation upon which our day-to-day operations exist. Every principle in the Code is part of our longstanding policy and practice.

The *Code of Ethics*, as well as all applicable laws, regulations, business standards, policies or procedures, must be observed by everyone: employees, contract labor, physicians, members of the Board of Trustees, volunteers, and anyone else engaged in our work environment or acting on behalf of the organization.

No one, regardless of position, will be allowed to compromise adherence to the *Code*, laws, regulations, business standards, policies, procedures or guidelines. Failure to comply can result in serious damage to our standing in the community and/or regulatory action against Shore, individual employees or others acting on behalf of the organization. This may result in corrective action up to and including termination, separation or sanctions.

If you have any questions about the *Code of Ethics* or about any of our policies, procedures and guidelines, you should raise the question with your management team, the Compliance Officer, or Human Resources. Management has been charged with the obligation to be available and responsive to employees when questions arise about adherence to the *Code*. Anyone who is not satisfied with the response received from management concerning application of the *Code* is invited to continue raising their concerns to the highest level of management.

The *Code of Ethics* is intended to ensure that we meet our compliance goals in today's highly regulated health care and business environment. The *Code* provides general guidance, but it does not replace our policies procedures and guidelines. If there is no specific policy, the *Code* becomes the policy. If a policy and the *Code* conflict, the *Code* becomes the policy.

The *Code* is a living document. It will be updated periodically to respond to changing conditions. Thus, Shore reserves the right to modify or terminate any or all of these provisions at any time.

A copy of the Code and other useful information is available on the Shore Corporate Compliance and Ethics website:

**[www.shoremedicalcenter.org/corporatecompliance](http://www.shoremedicalcenter.org/corporatecompliance)**

## QUALITY OF CARE

- We are committed to providing the highest quality care and services. Our first responsibility is to our patients, their families, and the communities we serve.
- We have a duty at every level of the organization to maintain our integrity and quality of our job performance.
- We have a duty and responsibility to address any deficiency or error by reporting it to a supervisor who can assess the problem, take appropriate action and follow the problem to resolution.
- We will encourage each individual to continually evaluate existing methods of delivering services in order to discover more effective ways of serving our physicians and patients.
- We will respect the human dignity of each patient by responding to all patients (or their appointed legal representative) questions, concerns and needs in a timely and sensitive manner.
- We will periodically assess and evaluate the goals and objectives established for medical care and related services provided to assure delivery of services according to current standards of practice, and the most current knowledge in the field.
- We will inform patients about therapeutic alternatives and the risks associated with their care. SHORE will constantly strive to respect and support individual rights to treatment or service.
- We will ensure that admissions, transfers, and discharges are medically appropriate and in accordance with all legal requirements.
- We will employ only fully licensed and properly credentialed providers with proper expertise and experience to care for our patients.
- We will not discriminate against any patient for any reason including race, color, religion, sex, sexual orientation, national origin, age, marital status, disability, citizenship, gender identity or expression, veteran's status or any other classification protected by law.
- Even as SHORE works to provide care in a more economical manner, it will strive to provide the highest quality possible in all service areas. When necessary we will disclose to patients our financial relationships with other health care organizations and providers.

## COMPLIANCE WITH LAWS AND REGULATIONS

- We are committed to the highest standards of business and professional ethics and integrity. We will provide patient care and conduct business while following all applicable laws, regulations and policies.
- We will promptly report to management, the Compliance Officer, Human Resources or the Hotline any possible violation of law, regulation or policy. All compliance issues or reported concerns will be acted upon in a fair and truthful manner. Any retaliation or other negative action against an employee who reports a suspected violation in good faith will not be tolerated.
- We will not accept or offer to provide kickbacks, bribes, rebates or anything else of value in order to influence the referrals of patients or services payable by a government health care program or any other payer.
- We will ensure that all agreements with individuals or organizations that may be possible referral sources are in writing and approved by appropriate management and legal counsel.
- We will bill payers and patients according to all applicable laws, regulations and policies.
- We will compete in the market solely on the merit of our services. We will ensure that all marketing information, both oral and written, is clear, correct, and non-deceptive.
- We will comply with all requirements of the Health Insurance Portability and Accountability Act (HIPAA), including maintaining the privacy and security of our patients' protected health information.
- We will maintain complete and accurate patient medical records and keep all such information confidential.
- We will ensure that confidential patient information is accessible only by health care personnel involved in the patient's care, payers, and others authorized to review patient information.
- We will not hire or contract with any individual, supplier or vendor that has been convicted of a criminal offense related to health care, sanctioned by the Office of Inspector General, or barred from Federal procurement programs.
- We will ensure that all drugs or other controlled substances used in treatment are maintained, dispensed, and transported in compliance with all applicable laws and regulations.
- We will comply with all requirements of the Emergency Medical Treatment and Active Labor Act (EMTALA), including providing a medical screening examination to all who seek emergency treatment and providing emergency treatment to all patients regardless of their ability to pay.
- We will maintain all required health care certifications, including but not limited to accreditation by The Joint Commission (TJC).

## HUMAN RESOURCES

- We recognize that our employees are our most valuable assets. We are committed to creating a work place where employees are treated with respect and fairness while being empowered to get the job done at or above expectations.
- We will treat everyone with dignity and respect.
- We will strive to provide a work environment for all employees that is free from harassment and intimidation. We will not tolerate verbal or physical harassment, including sexual harassment.
- We will review and evaluate each employee's performance periodically in an objective, consistent and uniform manner.
- We will continually strive to build confidence and professionalism in every employee.
- We will work to maintain open lines of communication so that the views of each employee may be considered and their opinions given proper respect.
- We will show respect and consideration for one another, regardless of status or position.
- We will maintain the confidentiality of personal employee information.
- We will apply the *Code of Ethics* and personnel policies equally to all employees regardless of position in the workplace.
- We will provide reasonable training opportunities to assist employees to build and maintain professional skills.
- We will ensure that our employees are hired, trained, promoted and compensated on the basis of personal competence and potential for advancement without regard for race, color, religion, sex, sexual orientation, national origin, age, marital status, disability or citizenship, as well as any other classifications as required by law.
- We will make all promotion decisions based on employee performance, skill and abilities.
- All employees in a position requiring licensure/certification will be properly licensed/certified by Federal, State, local and professional agencies.
- We will comply with provisions of the Fair Labor Standards Act (FLSA) and other applicable laws governing employment practices.

## BILLING AND CODING

- We are committed to fair and accurate billing that is in accordance with all Federal and State laws.
- We will bill only for services that are medically necessary, actually provided and documented in the patient's medical records.
- We will not knowingly submit for payment or reimbursement a claim we know to be false, fraudulent or fictitious.
- We will assign diagnostic, procedural and billing codes that accurately reflect the services that were provided. Upcoding, unbundling or any other means of artificially enhancing reimbursement is unlawful and strictly prohibited.
- We will periodically review coding practices and policies, including software edits, to ensure they are consistent with all applicable Federal, State and private payer health care program requirements.
- We will regularly review our records for credit balances and promptly refund any overpayments.
- We will not routinely waive insurance co-payments or deductibles.
- We will ensure that all claims for laboratory services submitted to Federal, State and private payer health care programs are accurate and correctly identify the services ordered and performed by the laboratory.
- We will maintain all records in a secure location for the period of time required by law. The premature destruction or alteration of any document in response to, or in anticipation of, a request for those documents by any government agency or court is strictly prohibited.
- We will conduct general collection/credit procedures according to the Fair Debt Collection Practices Act.
- We will respond to all questions and complaints related to a patient's bill in a direct and honest manner and will provide assistance to those seeking to understand the billing practices.

## PROTECTION AND USE OF INFORMATION, PROPERTY AND ASSETS

- We are committed to protecting Shore property and information against loss, theft, destruction and misuse.
- We acknowledge and understand the competitive value and proprietary nature of Shore's confidential information, and that damage could result to the organization if its confidential information is not properly protected. Information should not be used or revealed except in the proper performance of duties.
- We will maintain the confidentiality and security of individually identifiable patient information – whether in written, electronic or oral form – in accordance with the provisions of the Health Insurance Portability and Accountability Act (HIPAA) and our own policies.
- We will maintain the confidentiality of quality assurance, peer review and health care services review information in accordance with laws and regulations.
- We will correctly use and care for all property and equipment entrusted to us.
- We will maintain, inventory and keep all supplies secure.
- We will dispose of all surplus or obsolete property and equipment according to established procedures.
- We will not permit making unauthorized copies of computer software or using personal software on Shore computer equipment.
- We will not knowingly communicate or transfer any information or documents to any unauthorized persons.
- We will not use computers, e-mail, blogs, facsimile machines and other technology to communicate information to unauthorized people. Further, the use of technology to send offensive, discriminatory or harassing messages is prohibited.

## CONFLICTS OF INTEREST

- We are committed to acting in good faith in all aspects of our work. We will avoid conflicts of interest or the appearance of conflicts between the private interests of any employee and his or her work duties. A conflict of interest may exist whenever an individual or a related party (e.g., family member, friend, or business associate) receives a benefit from any decision or action taken by that individual.
- We will not offer, accept or provide gifts or favors, such as meals, transportation or entertainment that might be interpreted as a conflict of interest.
- We will maintain unbiased relationships with actual and potential vendors and contractors.
- We will exercise good faith and fair dealing in all transactions that involve our responsibilities to Shore.
- We will not misuse our position with Shore for personal gain.
- We will not accept outside employment that conflicts with our position with Shore.
- We will not hire or have a business relationship with a relative without prior approval from our supervisor.
- We will report actual or perceived conflicts to any member of the management team, the Compliance Officer, Human Resources or the Hotline.
- We will not accept a gift that exceeds courtesy value and will never accept cash.
- Physicians will not make referrals for designated health care services to entities in which the physician or immediate family members have a financial interest.
- Shore will not make contributions of any kind to any political candidate for public office or to a political party.

## HEALTH AND SAFETY

- We are committed to maintaining a work place that protects the health and safety of our patients, employees and all individuals providing services on Shore's behalf.
- We will comply with all safety and health requirements whether established by management, Federal, State, local laws, or our accrediting organizations.
- We will comply with all laws and regulations governing health and safety issues, including but not limited to those administered by the Environmental Protection Agency and the Occupational Safety and Health Administration.
- We will take all reasonable precautions and follow all safety rules and regulations to maintain a safe environment for our patients, employees and all individuals while on the campus of Shore.
- We will strive to provide an environment that is free from violence. Unauthorized weapons of any kind are strictly prohibited.
- We will follow all laws and regulations regarding the disposal of medical waste and hazardous material.
- We will promptly report to a supervisor any accidents involving injury to an employee, physician or visitor.
- We will promptly report all spills or accidents involving medical waste or hazardous materials to a supervisor and take action right away to help prevent harm.
- We will provide training in healthy and safe work practices to reduce hazards to the health and safety of employees and others.
- Supervisors are responsible for inspecting the work area under their control for health and safety risks, eliminating or reporting risks to management, being familiar with health and safety procedures, and provide appropriate training in health and safety precautions.
- The manufacture, sale, possession, distribution or use of illegal drugs or alcohol at work will not be permitted. Reporting to work while under the influence of illegal drugs or alcohol or otherwise impaired will not be tolerated.
- We will safely store, secure and count all drugs and pharmaceuticals. Missing drugs will be promptly reported to supervisors.

## FOUR-STEP COMMUNICATION AND REPORTING PROCESS

If you have a question or concern about an activity being unethical, illegal, or wrong, use the following process to answer questions and report concerns. Throughout this process your identity will be kept confidential to the extent permitted by law.

1. Talk to your supervisor. He or she is most familiar with the laws, regulations, and policies that relate to your work.
2. If you are not comfortable contacting your supervisor, or if you don't receive an adequate response, talk to another member of the management team. You may also choose to speak with someone from Human Resources.
3. If you have followed either #1 or #2 and still have questions, contact Fred Cantz, our Compliance Officer at 609-653-3639.
4. If for any reason you feel you cannot follow the above steps, or don't want to give your name, call the Hotline at 1-800-700-5420. The Compliance Officer will address all reports to the Hotline.

**HOTLINE: 1-800-700-5420**

We recognize that there are times when questions or problems cannot be addressed through the normal communication and reporting process. When this happens, you should use the Hotline. We have hired an outside company to take Hotline calls, so callers who do not wish to give their names can remain anonymous. The Hotline is available at any time: 24 hours a day, 7 days a week, and 365 days a year. The Hotline operators are trained to assist you in resolving questions and reporting concerns. The Hotline may be reached at 1-800-700-5420 (English), 1-800-297-8592 (Spanish).

Calls regarding Patient Privacy issues or matters that pertain to suspected or potential identity theft should be directed to the Privacy Officer, who may be reached at 609-926-4300 or the HIPAA Hotline, whose operators may be reached at 1-866-314-4722.

Calls to the Hotline will not be traced or recorded. You will remain anonymous, unless you choose to identify yourself. If you do give your name, your identity will be protected to the extent allowed by law. No disciplinary action or retaliation will be taken against you for calling the Hotline.

All calls made to the Hotline will be reviewed by the Compliance Officer and will be responded to fairly. All claims will be carefully investigated before any action is taken. The rights of all staff, including anyone who is the subject of a Hotline call, will be respected and protected. Actions taken will not be made public.

## NON-RETALIATION POLICY

No disciplinary action or retaliation will be taken against you when you report a perceived issue, problem, concern, or violation to management, Human Resources, the Compliance Office, or the Hotline “in good faith”. “In good faith” means that an employee actually believes or perceives that the information reported is true. We value and respect the dignity of the individual. You have the right to be treated fairly and with respect and the organization must make sure that you are treated that way.

## RESPONSIBILITY OF EMPLOYEES

All employees are expected to follow all laws, regulations, and policies. Anyone who knows about a violation **must** report this information immediately. If you do not report a violation, you may be subject to corrective action even if you were not directly involved. Reporting does not protect you from corrective action regarding your own performance or conduct, but your honesty will be considered.

## RESPONSIBILITIES OF SUPERVISORS AND MANAGERS

Supervisors and managers must demonstrate and promote a commitment to ethical and legal behavior that is consistent with Shore’s mission, vision and values. As a leader, you have the obligation to ensure that employees under your supervision:

- Know about and follow all laws, regulations, and policies within the scope of their responsibilities;
- Know the procedure for reporting suspected or actual violations; and
- Encourage others to ask questions and to report actual or suspected violations.

If an employee comes to you with a question regarding compliance with a law, regulation, or policy, you are responsible for:

- Taking steps to ensure the employee does not fear or experience retaliation;
- Maintaining the employee’s confidentiality;
- Collecting accurate information regarding the employee’s report;
- Pursuing the right process so that reports of violations or suspected violations can be further investigated; and
- Informing the employee that you have followed through on his or her report.

## RESPONSIBILITIES OF ANY AND ALL INDIVIDUALS ACTING ON BEHALF OF THE ORGANIZATION

All individuals are expected to follow all laws, regulations, and policies. Anyone who knows about a violation **must** report this information. If you do not report a violation, you may be held accountable even if you were not directly involved.

You have the obligation to ensure that you:

- Know about and follow all laws, regulations, and policies within the scope of their responsibilities;
- Know the procedure for reporting suspected or actual violations;
- Encourage others to ask questions and to report actual or suspected violations; and
- Maintain confidentiality.