CODE OF CONDUCT

Integrity in Action
OUR MISSION
Our mission is to extend the compassionate ministry of Jesus by improving the health and well-being of our communities and bring good help to those in need, especially people who are poor, dying and underserved.

OUR VISION
Inspired by God’s hope for the world, we will be a ministry where associates want to work, clinicians want to practice, people seek wellness and communities thrive.

OUR VALUES
Human Dignity
We commit to upholding the sacredness of life and being respectful and inclusive of everyone.

Integrity
We commit to acting ethically and modeling right relationships in all of our individual and organizational encounters.

Compassion
We commit to accompanying those we serve with mercy and tenderness, recognizing that “being with” is as important as “doing for.”

Stewardship
We commit to promoting the responsible use of all human and financial resources, including Earth itself.

Service
We commit to providing the highest quality in every dimension of our ministry.
Dear Bon Secours Mercy Health Associate,

At Bon Secours Mercy Health (BSMH), we are blessed to be part of extending the compassionate ministry of Jesus. The foundations of our ministry go back nearly 200 years.

The legacy of BSMH began with women religious from France and Ireland who committed their lives to serving others, especially those who were poor, dying and underserved. They courageously set forth from the safety of their motherhouses and responded to the needs of the people, a calling which eventually brought them across the Atlantic Ocean to the United States.

In time, both lay women and men embraced the work of improving the health and well-being of their communities, bringing mercy, humility and good help to those in need. Inspired by the examples of these selfless visionaries, we have established our Mission, Vision and Values, which collectively serve as BSMH’s “north star,” guiding and orienting all that we do.

Our Mission describes what we hold ourselves accountable to as a ministry of the Catholic Church. It links us to our past and guides our efforts in the present. Our Vision boldly inspires our direction into the future. And our Values are the foundational commitments guiding our relationships and interactions with patients, residents, associates and partners.

This Code of Conduct is a natural and appropriate extension of our Mission, Vision and Values. It provides greater specificity for our actions in the increasingly complex and ever-changing world of health and health care. At the center of this Code, and permeating its pages, is an enduring commitment to ethical behavior. It is a manual for “integrity in action.” Our Board of Directors and Executive Leadership Council urge you to read it and keep it close by as a reference for you in your daily work.

Thank you for choosing to be part of the incredibly important and exciting ministry of Bon Secours Mercy Health! God bless you.

John Starcher  
President and CEO, BSMH

Chris Allen  
Chair, BSMH Board of Directors
Why Do We Have a Code of Conduct?

As John Starcher and Chris Allen have so clearly stated, this Code of Conduct (Code) is first and foremost grounded in BSMH’s Mission, Vision and Values. As such, compliance with the Code is a condition of employment.

The Code sets forth specific expectations for all of us, outlining key processes, actions and behaviors. It is a map pointing us in the right direction when confronted with seemingly conflicting demands. It is also a set of guardrails keeping us from driving off the road amidst a dizzying array of compliance, regulatory and ethical requirements.

In short, the Code is designed to assist you in the performance of your job. It cannot address every detail of every situation for every associate. However, it can and does provide guidance to help you seek the right resources, ask the right questions, and ultimately make the right decisions. It is divided into five sections that list out our commitments to the following groups:

Patients  |  Associates  |  Our Organization
Business Partners  |  Government Regulators

The Code applies to all who have a relationship with BSMH, including, but not limited to: associates, officers, board members and volunteers.

Given its importance, the Code of Conduct is reviewed and approved by both the Executive Leadership Council, and ultimately by the Board of Directors. All policies across BSMH should be consistent with this document. For the details and procedures associated with areas governed by various policies, please refer to the policies themselves. Some Corporate Responsibility (CR) policies are referenced in this Code. Other CR policies may be reviewed and downloaded from BSMH’s intranet site.

Thank you for all you do to advance the Mission of Bon Secours Mercy Health!

Donna Abbondandolo
Chief Compliance Officer
Guided by our Mission, Vision, and Values, we aim to build and strengthen our core culture behaviors across BSMH. We are focused on being an empowered, unified, and agile team of people who are passionately committed to the ministry. We expect all associates to display these core culture behaviors every day:

- Be empowered – we are leaders in Catholic health care, acting with integrity, transparency and accountability.
- Be unified – we are one team, acting with inclusion, collaboration and respect.
- Be agile – we are open to smart risk-taking in a dynamically changing industry.
- Be committed – we are dedicated to our Mission, our communities and our Catholic identity.

If you have specific questions about our culture and these core culture behaviors, please reach out to Human Resources (HR).
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What is Expected of Me?

Every BSMH associate has an important role to play in advancing the ministry and supporting this Code. Honor the dignity of each person, act with integrity, demonstrate compassion, promote stewardship and be of service to others.

This Code applies to all associates, officers, board members and volunteers.

Follow our Code

All associates should:

• Understand and **adhere to the Code!**
  - Pay special attention to those areas that apply to your work. Claiming ignorance is not a valid reason for not following the Code.

• **Ask for help** when you’re not sure about something.

• **Speak up!** If you see or hear anything that’s seems inconsistent with the Code, tell your supervisor or someone else in authority.

• **Cooperate** with internal investigations by CR, Internal Audit (IA), Revenue Cycle Compliance (RCC), Legal, HR and/or other departments. Respect requests for confidentiality within the limits of the law.

Honest Communication

All associates should communicate openly and honestly about clinical, operational and financial matters, while respecting confidential and proprietary information including, but not limited to, information governed by the Health Insurance Portability and Accountability Act (HIPAA).

This means you should not lie or mislead anyone doing business with or competing with BSMH. Always conduct yourself with honesty and integrity.
Speak Up!

You should speak up if you are aware of conduct or practices that you believe are contrary to BSMH’s Code or an associates CR obligations.

BSMH has resources available if you have questions or concerns about Code of Conduct matters. You can communicate your concerns in any of the following three ways:

• Speak to your direct supervisor or your supervisor’s manager.
• Speak to your market Corporate Responsibility Officer (CRO).
• Submit a question or report to the BSMH Ethics Help Line by submitting a report online at www.bsmhethicshelpline.org or by calling the toll-free 24/7 number at 888-302-9224.

There are “Three Ways to Communicate” CR matters: your supervisor, your market CRO or the Ethics Help Line.

When in doubt, ask questions! It helps all associates follow our Code. It helps all associates do the right thing.

If you have any HR-related questions or concerns, please reach out directly to HR Advice and Counsel at 1-877-692-7780, Option #2 or your designated HR Partner.

Report issues and events relating to clinical matters in SafeCARE.

“Catholic health care should be marked by a spirit of mutual respect.”
- The Ethical and Religious Directives for Catholic Health Care Services
No Tolerance for Retaliation

Retaliation is when an individual (or a group of individuals) tries to cause harm, create unnecessary barriers, intimidate or otherwise “get back” at someone for carrying out their responsibilities under the Code.

BSMH has a policy of no tolerance for any form of retaliation against someone who reports a concern in good faith.

No tolerance for retaliation applies to:

• Direct as well as indirect retaliation.
  – Retaliation is when a manager or associate acts against an associate, when that associate files a bona fide complaint under our policies or assists in a complaint investigation.

• Actions as well as threats of actions.

• Actions by supervisors as well as by co-workers.

It takes courage to speak up when something is not right. BSMH values and encourages honest discussion about concerns that are raised. Report any form of retaliation to your manager, CRO or to the Ethics Help Line. Retaliation could result in discipline and even dismissal.
Process for Decision Making with Integrity

If you are struggling with making a decision on a matter that relates to your responsibilities under the Code of Conduct, consider these steps to help you gather facts and reach a decision consistent with our Code:

1. Contact your mgr, CRO, HR or the Ethics Help Line.
2. Does it comply with the BSMH Code of Conduct?
   - Yes: Proceed with the decision.
   - No: Contact your mgr, CRO, HR or the Ethics Help Line.
   - I don’t know: Contact your mgr, CRO, HR or the Ethics Help Line.
3. Does it comply with the BSMH Policies?
   - Yes: Proceed with the decision.
   - No: Contact legal, your mgr, CRO, HR or the Ethics Help Line.
   - I don’t know: Contact your mgr, CRO, HR or the Ethics Help Line.
4. Is it legal?
   - Yes: Proceed with the decision.
   - No: Contact legal, your mgr, CRO, HR or the Ethics Help Line.
   - I don’t know: Contact your mgr, CRO, HR or the Ethics Help Line.
5. Could it harm patients or co-workers?
   - Yes: Proceed with the decision.
   - No: Contact legal, your mgr, CRO, HR or the Ethics Help Line.
   - I don’t know: Contact your mgr, CRO, HR or the Ethics Help Line.
6. Could it adversely affect BSMH?
   - Yes: Proceed with the decision.
   - No: Contact legal, your mgr, CRO, HR or the Ethics Help Line.
   - I don’t know: Contact your mgr, CRO, HR or the Ethics Help Line.
7. Would you feel ok reading about this in the newspaper?
   - Yes: Proceed with the decision.
   - No: Contact legal, your mgr, CRO, HR or the Ethics Help Line.
   - I don’t know: Contact your mgr, CRO, HR or the Ethics Help Line.
Cooperation with Government Investigations

Government Investigations are increasingly common across health care. We ask that every BSMH associate cooperate with government investigations consistent with your rights and responsibilities under the law. We want to make sure that the rights of our organization and our associates are protected.

Speak up! Tell your CRO, General Counsel or other leaders if you learn that the organization is being investigated. Remember that you have rights too!

Q&A

Q: A government investigator stopped by my house when I wasn’t there and left a note. She said she wanted to discuss our organization’s billing practices with me. What should I do?

A: It is the policy of BSMH to cooperate with government investigations. Ask for official identification before speaking with someone who identifies themselves as a government investigator.

You have the right to let them know that you will answer any questions at work, in the presence of your supervisor or an attorney representing BSMH. You also have the right to say that you are not going to speak with them.

Never lie or attempt to deceive a state or federal government official. Do not destroy any documents that may be relevant to the matter.

You should notify your supervisor as soon as possible, and you or your supervisor should notify your market CRO or the BSMH Legal Department.
Discipline

Any associate who violates the Code or related policies and procedures will be subject to disciplinary action. The specific discipline will be based on the facts and circumstances, including the nature, severity and frequency of the violation.

The disciplinary policy will be firmly and fairly enforced with respect to all associates.

Possible disciplinary actions include:
- Verbal warning
- Written warning
- Final Written Warning
- Suspension
- Termination of employment

“I am setting a plumb line in the midst of my people.”
- Amos 7:8
The Role of a Leader

Lead by Example

Leaders are held to high standards. If you are a supervisor, manager, director, senior leader, medical staff leader or board member, you have responsibilities in addition to those above:

• Set a good example! Communicate to your associates your expectations for the same.

• Confirm — and do not assume — that your team understands and follows the standards and expectations set forth in this Code. Be sure to hold them accountable!

• Give high priority to questions from your team relating to the Code. Act on their concerns in a timely manner.

• Actively support and promote BSMH’s policy on non-retaliation.

How Leaders Should Handle Concerns

If someone “speaks up” about a question or concern relating to the Code, the leader has a special responsibility to “listen up” and to “follow up.” If you need guidance on how best to respond, contact your market CRO. Handling these situations in an appropriate and timely manner is an important way to strengthen a sense of fairness and trust within the organization.

Leaders set the example for our values-driven culture and reinforce an open reporting environment. This allows BSMH to learn about potential issues so that we can proactively address them.
If you are a leader you should:

- **“Speak up”** if you have questions about how to handle a Code of Conduct matter, by contacting your market CRO.

- **“Listen up”** and thank your associate for raising a matter of concern and remember that speaking up often feels difficult and even risky. BSMH places a high value on speaking up.

- Take steps to protect the person’s confidentiality. Avoid discussing the conversation with others and only share on a need-to-know basis.

- Leaders are empowered to resolve performance issues themselves.

- **“Follow up”** in a respectful manner on the concern that has been raised. Take every concern seriously, even if you disagree.

- Circle back to the associate and, within the bounds of confidentiality, indicate that you have addressed the matter. Thank them again.
Our Commitment to our Patients

Quality Care
BSMH is committed to the dignity, health and well-being our patients.

This means that you should:
• Treat all patients, residents and clients with compassion, understanding and respect.
• Provide medically necessary and appropriate care.
• Make clinical decisions based on identified health care needs, regardless of payment source or how BSMH shares risk.
• Involve individuals in decisions about their care, as they are able.

BSMH is committed to the delivery of care that is safe, effective, patient-centered, timely, efficient and equitable.

Patient Rights
As a Catholic health care ministry, BSMH is committed to respecting the inherent dignity of every person.

We honor the right of every person to receive compassionate, safe and high-quality care.

This means that you should:
• Not make a distinction in the availability of services or the care you provide based on:
  – Age, gender, disability, race, color, religion, national origin, actual or perceived sexual orientation, marital status, veteran status or other protected class.
  – The source of payment or the patient’s ability to pay.
• Respect the rights of patients including, but not limited to, by doing the following:
  – Respond promptly and courteously to patient inquiries and requests.
  – Respect patient wishes through advance directives and care planning.
  – Follow the process for disclosing medical errors and adverse events.
  – Ensure that patient visitation policies are applied fairly. Do not restrict, limit or deny visitation based on classes that are protected by law.
  – Understand the needs of patients, residents and their family members.
  – Involve patients and their designees in decision making regarding their care and when discussing available options.

Q&A

Q: A patient told me that she does not want any more aggressive treatment, and just wants to be kept comfortable and allowed to die. I don’t want her to die. What should I do?

A: Listen carefully to what the patient is saying even if her wishes conflict with your own values. Assuming the patient has the capacity to make decisions, you should seek to honor the patient’s right to make decisions about her care. And you should also make the patient’s clinical team aware of her wishes, and work with the family on appropriate ways to meet those wishes, e.g., through palliative care. Request an ethics consultation if you have any questions.

Safeguarding Patient Information

BSMH is committed to protecting the confidentiality of the information patients share with us for the purpose of receiving care.

This means that you should protect what is known as Protected Health Information (PHI), which includes patients’ names, addresses, phone numbers, Social Security numbers, medical diagnoses, family illnesses and other personal information. BSMH associates who are patients in our facilities also should be accorded the highest level of confidentiality with respect to their medical records and the PHI contained in them.
The confidentiality of PHI is protected by federal and state laws. The Health Insurance Portability and Accountability Act (HIPAA), combined with state laws, prevents the release of any PHI except for treatment, payment and health care operations.

Subject to emergency exceptions, patient privacy should be protected and PHI should be released only to persons authorized by law or with the patient’s written authorization. For example, you should:

• Not permit or provide access to a patient record by individuals who are not directly involved as members of the patient’s care team.

• Not give or remove PHI in any format to anyone without proper written authorization.

• Not leave PHI, in any form (paper or electronic), unattended or easily accessible to individuals unauthorized to view the information.

• Not discuss patient cases in a public area where conversation may be overheard by others or in an electronic forum that is open to the public.

• Not access associates’ medical records when they are receiving medical care at our facilities, unless it is for treatment, payment or health care operations.

Associates who engage in unauthorized access or disclosure of PHI will be subject to disciplinary action up to and including termination of employment. Individuals may also be subject to civil or criminal penalties under HIPAA.

Q&A

Q: A friend of mine was recently admitted to the hospital. Can I log into our system and see how he is doing?

A: No. The only exception is when you are directly involved as a caregiver to your friend at the hospital and knowledge of your friend’s condition is essential for the performance of your job.

If you are unsure of the rules governing the release of patient data, ask your supervisor or speak to your market privacy officer and be sure you understand them before you release any information.
Many countries have rules about the collection and use of personal data. Some are stricter than others. In the European Union (EU) the General Data Protection Regulation (GDPR) provides regulations on data protection and privacy for all individuals within the EU. GDPR also addresses the export of data outside the EU. PHI may not be defined the same way in every county, so ask questions!

You must obey all applicable privacy laws, so handle personal data responsibly and for legitimate business purposes only. Speak up and immediately report suspected violations of the handling of personal data to a supervisor, CRO, Privacy Officer or General Counsel.

**Responsible Conduct of Research**

When conducting research, BSMH is committed to the highest ethical standards and to full compliance with federal and state laws and regulations.

This means that if you are involved in research you should:

- Protect the safety of your patients and respect their rights as required by law.
- When you ask patients to participate in research, you should advise them of all available treatment options and their respective risks and benefits.
- You should also advise them which interventions are research related versus guided by the standard of care.
- You should assure that patients provide their informed consent to participate.
- Finally, if they choose to participate in research you should advise them of their right to end participation at any time.

**Ethical and Religious Directives**

As a Catholic health care ministry, BSMH is committed to complying with the Ethical and Religious Directives for Catholic Health Care Services (ERDs). The ERDs provide guidance on all aspects of our ministry.

This means that you should:

- Provide patients, residents, family members, associates or providers with the option of requesting an ethics consultation if they have questions or concerns about the ERDs or other ethical matters.
- Reach out to your market mission leader if you have questions about how to initiate such a consultation.
To find out more about the ERDs, follow this link:
http://www.usccb.org

Emergency Treatment

BSMH is committed to complying with the Emergency Medical Treatment and Active Labor Act (EMTALA). Please review and follow BSMH's EMTALA Policy, which provides detailed guidance about what you need to do to meet EMTALA requirements. In summary, however, BSMH will do the following:

• Provide for any individual who “comes to a BSMH hospital’s emergency department,” regardless of the individual’s ability to pay, an emergency medical screening examination (more than triage);
• If the individual has an emergency medical condition, provide necessary stabilizing treatment within the hospital’s capability and capacity;
• Provide and/or accept EMTALA-appropriate transfers; and
• If you suspect BSMH may have received an improperly transferred individual, promptly consult with Corporate Responsibility, Legal and/or Leadership for guidance on EMTALA reporting obligations.

EMTALA: This law requires hospitals to stabilize patients clinically before asking any questions about their ability to pay, e.g., if they have insurance.
Credentialing

Consistent with our commitment to provide high-quality care, BSMH is committed to assuring that all of our health care providers are properly licensed and credentialed for the work they do.

If your job requires you to be engaged in the credentialing process, this means you should:

• Conduct credentialing reviews for associates whose work requires licenses, and for temporary and non-employed staff, such as voluntary physicians, visiting physicians, agency-employed nurses and our provider network.

• Complete these reviews prior to a provider actually beginning her or his work in a BSMH care setting.

• Recertify those credentials at regular intervals in accordance with regulatory or accreditation requirements.

• Assure or confirm that background/exclusion/preclusion checks are conducted on individuals who work in BSMH care settings, regardless of whether their position requires a license.
Our Commitment to our Associates

Non-Discrimination

BSMH is committed to providing a work environment where all are treated fairly and with respect. BSMH is an equal opportunity employer.

This means that you should:

• Not discriminate on the basis of race, color, creed, religion, gender, national origin, actual or perceived sexual orientation, veteran status, marital status, age, disability or any other class protected by law. This applies to recruiting, hiring, compensation, evaluations, promotions, transfers, discipline, reductions in force and terminations.
• Make reasonable accommodations for the known physical and mental limitations of qualified individuals with disabilities.

We celebrate cultural and other differences because they contribute to the strength of BSMH.

Harassment

BSMH is committed to providing a work environment that is free from harassment and disruptive behavior.

This means that you should:

• Not engage in or tolerate any form of verbal or physical harassment in the workplace, including degrading or bullying others, humiliating jokes, slurs, intimidation or other activities that create or could create a hostile work environment.
• Not engage in or tolerate unwelcome sexual advances or requests for sexual favors in conjunction with your employment.

If you observe or experience any form of harassment or violence, you should report it to your supervisor, HR Advice and Counsel at 1-877-692-7780, Option #2, a member of management, your market CRO or the Ethics Help Line.
Substance Abuse and Impairment in the Workplace

BSMH is committed to being a drug free workplace.

This means that you should:

• Perform your work responsibilities free from the influence of illegal drugs or alcohol.

• If you are a supervisor and you suspect, based on the evidence, that an associate is under the influence of illegal drugs or alcohol, follow the BSMH policy for appropriate drug or alcohol testing.

BSMH is committed to being a drug free workplace!

Personnel Records and Business Information

BSMH is committed to protecting information that is confidential and proprietary to our ministry.

This includes, but is not limited to, the following kinds of information:

• The personal information of our associates, including when they receive care in a BSMH care setting.

• The financial data, business development plans, analytics, marketing strategies, competitive positions and information about pending or contemplated strategic deals that are proprietary to BSMH.

• Payment or reimbursement information.

• Information relating to negotiations with associates, providers or organizations.

This means that you should:

• Keep all such proprietary information confidential.

• Not use such information for your own personal gain or the personal gain of others.

• Protect BSMH’s intellectual property such as patents, trademarks, copyrights and software.

• Not use the confidential business information of a competitor in violation of any agreements, e.g., non-compete, confidentiality, or employment agreements or contracts.

• Not use information for your job in BSMH that is obtained unlawfully.

• Keep computer access methods confidential, e.g., user IDs, passwords.
Leadership and Professionalism

BSMH is committed to assuring professional behavior in the workplace and in clinical settings. We believe that collegiality, collaboration and effective communication are essential for the provision of high-quality care, a culture of safety and continuous improvement in all aspects of BSMH operations.

Associates and providers, both employed and voluntary, should not engage in or tolerate the following behaviors in the workplace and care settings:

• The use of profanity
• Refusing to speak or respond to others
• Inappropriate physical contact
• Throwing objects
• Destruction or abuse of BSMH property
• Threats
• Verbal or physical abuse
• Insubordination
• Forgery or alteration of records
• Any other actions or statements that create, or could create, a hostile work environment

Breaches of the Code by any associate will be addressed in accordance with our policies.

This means that you should:

• Notify your supervisor, HR Advice and Counsel at 1-877-692-7780, Option #2, market CRO, or the relevant medical director or nurse executive if you observe violations of these standards.
• Address violations by associates through the procedures outlined in the BSMH associate conduct policies.
• Address violations by providers on the medical staff, physician trainees or medical students through the procedures outlined in the medical staff bylaws and relevant BSMH policies.
• Not engage in or tolerate retaliation when an associate or provider reports in good faith a concern about a potential violation.
Diversity and Inclusion

BSMH is committed to diversity and inclusion in the workplace. This means that you should:

• Respect diversity, which is the existence of the gifts, talents and attributes of people, processes, and functions, both the differences and the similarities.

• Promote inclusion, which means creating and fostering an environment in which all are included, respected and supported to advance and accelerate our Mission, Vision and Values.

“As the church’s ministry of health care, we commit to:
Promote and defend human dignity
Attend to the whole person
Care for poor and vulnerable persons
Promote the common good
Act on behalf of justice
Steward resources
Act in communion with the Church”

- A Shared Statement of Identity for the Catholic Health
Our Commitment to our Organization

Conflicts of Interest

BSMH is committed to assuring that the actual and potential conflicts of interest of board members, officers, associates and volunteers are disclosed, avoided and/or appropriately managed.

All of us have personal, financial and organizational interests. These private interests are not inappropriate in themselves, as long as you take steps to assure that they do not interfere, or appear to interfere, with your duty to advance the interests of BSMH.

This means you should:

• Not use your position, nor any confidential information you obtain through your position, for your own personal gain or another’s personal gain.

• Assure that any outside jobs or positions do not conflict with your work on behalf of BSMH.

• Disclose any potential conflicts of interest, following the procedures outlined in BSMH’s Conflict of Interest Policy.

• Recuse yourself from decisions where you have an interest that conflicts, or may appear to conflict, with the interests of BSMH.

• Remember that appearances matter!

Examples of potential conflicts of interest include:

• Acting as a director, partner, consultant or associate of a firm that provides services, supplies or equipment to BSMH, or is a competitor of BSMH.

• Having a material financial interest, (or a family member having such an interest), in a firm that is either a competitor of, or a vendor or potential vendor to, BSMH.

• Having your research funded by a company or evaluating a product owned, manufactured or distributed by a company in which you (or a family member) have a material ownership interest or from which you (or a family member) have received significant compensation.

Certain associates must file annual Conflict of Interest Disclosure Forms. You will be notified if you are required to do so.
Participation on Outside Boards

BSMH is committed to encouraging associates to contribute their time to their communities. Many of our associates serve on the boards of various charitable, civic or fraternal organizations.

When serving on such boards, you should:

• Speak to your supervisor and obtain any necessary approvals before serving on the board of directors of any organization that may have interests that conflict with BSMH or related organizations.

• Not discuss or vote on any matter that might affect the interests of BSMH or related organizations.

• Provide the appropriate reimbursement documentation according to BSMH policies, if BSMH is reimbursing you for board-related expenses, which is permissible.

When you speak as a board member, be sure you are not identified as speaking on behalf of BSMH, unless you are given permission to do so.

NOTE: BSMH generally prohibits associates from serving on Boards that offer compensation. Exceptions may be granted by the Chief Enterprise Risk Officer as approved by the BSMH Board of Directors.

Q&A

Q: I serve on the Board of Directors for an outside organization. BSMH is considering a business venture which could make it a competitor to this outside organization. What should I do?

A: You should report this information to your market CRO. Depending on the nature of the potential conflict, it may be sufficient to recuse yourself from discussions or decisions relating to the business opportunity and remain on the Board. If the conflict cannot be managed through recusal, it may be necessary for you to resign from the Board. BSMH requires you to first and foremost advance the interests of BSMH and related organizations.
**Outside Interests**

BSMH is committed to assuring that outside interests do not conflict with your duty to advance the interests of BSMH. An outside interest can mean ownership, financial interest, employment, consulting or a management position with an organization with which BSMH or a related organization has or could have business dealings.

**Associates of BSMH should not perform job duties for a competitor or supplier without prior approval from their supervisor or another higher-level manager.**

This means that you should:

- Ensure that your outside interests should not compete, directly or indirectly, with BSMH. You should not provide goods or services that BSMH or related organizations offer to those we serve.
- Obtain approval from your supervisor or a higher-level manager if you wish to work with an outside entity that does business with BSMH.
- If such an arrangement is approved, you should not grant permission for the outside entity to use your BSMH position or title to suggest a business relationship with BSMH.

**Intellectual Property**

BSMH is committed to following all applicable intellectual property laws.

This means that you should:

- Respect the intellectual property and copyright laws regarding books, trade journals and other applicable resources that you use for your job.
- Assure that the software you use to conduct BSMH business is properly licensed and used in accordance with that license.
Stewardship of BSMH Resources

BSMH is committed to good stewardship of its resources. This means you should:

• Be responsible in your use of BSMH’s assets, including time, material, supplies, equipment and information.

• Use all BSMH communications primarily for ministry purposes in accordance with BSMH policies. This includes, but not limited to, telephones, computers, electronic mail, intranet, Internet access and voice mail, all of which are the property of BSMH.

• Remember that you do not have a right to privacy with respect to anything you create, store, send or receive on BSMH computer and telephonic systems. NOTE: BSMH reserves the right to monitor and/or access all communications usage and content.

You do not have a right to privacy with respect to anything you create, store, send or receive on a BSMH computer.

Financial Reporting and Internal Controls

BSMH is committed to assuring a comprehensive and accurate representation of the information in documents with financial, legal and regulatory implications that BSMH prepares. This includes, but is not limited to:

• Cost reports
• Accounting records
• Clinical data and outcomes
• Management discussion and analysis to bondholders
• Expense accounts
• Time sheets

This means that if you provide, analyze or prepare such information you should do so honestly. You should also comply with all required internal controls.
Travel and Business Expenses

BSMH is committed to reimbursing associates for appropriate travel and business-related expenses. This means that if travel and other expenses are required for your job, you should:

• Fully understand BSMH travel and expense policies.
• Submit requests for reimbursement in accordance with the Travel and Business policy.

Screening of Excluded Individuals and Entities

BSMH is committed to screening associates in compliance with state, federal and related requirements.

BSMH will not knowingly employ, appoint, elect, contract or bill for any individual or entity that has been listed as debarred, excluded or is otherwise ineligible for participation in federal or state health care programs.

This means that BSMH routinely searches the lists of excluded, sanctioned and ineligible persons that are maintained by the:

• U.S. Department of Health and Human Services;
• U.S. Department of the Treasury;
• Office of Inspector General;
• General Services Administration;
• Office of Foreign Assets Control; and
• Various other Federal and/or State Department of Health exclusion lists

This also means that you should report to your market CRO if you become excluded, debarred or ineligible to participate in federal or state health care programs, or have been convicted of a criminal offense related to the provision of health care items or services.
Q&A

Q: One of our employed physicians is listed on the “list of excluded individuals” maintained by the Department of Health and Human Services Office of Inspector General (OIG), apparently because of not paying back student loans. This seems like a minor issue to me. Do I have to report this?

A: Yes, you should report this to the CRO. By federal law, BSMH may not do business with any provider who is on the OIG’s exclusion list, no matter how good their clinical skills, and no matter what the reason is for being excluded.

Responsible Use of Social Media

BSMH is committed to the responsible use of social media.

This means you should:

- Not post any form of protected health information, associate personal information or confidential ministry information on Facebook, Twitter or any other social media site. BSMH Marketing determines when, where and how the BSMH name and brand may be used on social media.
Our Commitment to our Business Partners

Guidelines for Giving and Receiving Gifts

BSMH is committed to conducting business fairly based on advancing the interests of BSMH, not personal interests, and in compliance with all federal and state regulations.

In general:

• Avoid giving and receiving gifts in an effort to influence suppliers, vendors, patients, contractors, government officials or BSMH associates. This includes cash, cash equivalents (e.g., gift cards, checks, grants, scholarships), meals, lodging, transportation, tickets to sporting or other paid events, discounts on goods or services, loans, works of art, recreational equipment, prizes and sponsorships.

• Avoid accepting gifts, frequent or extravagant meals and other items of value by current and potential vendors.

• Not ask any person or organization for money, rewards, gifts or other items of value for BSMH unless your job requires you to do so as a member of the BSMH Foundation staff.

NOTE: You may accept edible or perishable items (e.g., fruit, candies, flowers, etc.) that are given to an entire department or shift. The gifts must be infrequent, reasonable and not in exchange for favors or other gifts. Use common sense and good judgement in this area. See the BSMH Vendor Gift Policy for further details.

Research suggests that certain business practices of pharmaceutical, medical device and similar companies (e.g., gifts and meals, whether extravagant or regularly occurring) can and does influence provider decisions and the educational and training experience of students and trainees.
Honoraria or Other Payments

BSMH is committed to encouraging associates to teach and speak at educational functions that advance the interests of BSMH and not personal interests.

An honorarium is a payment for providing services that are outside of your normal employment duties, such as speeches or educational presentations.

This means that you should not accept honoraria, payment, other than reimbursement for expenses, for services that you perform during work hours. See the Conflict of Interest Policy for more details.

Q&A

Q: Vendors frequently visit our department and bring in new products for us to sample. They always want to provide lunch. Is it appropriate for us to accept free lunches?

A: In general, an occasional lunch provided by a vendor is permissible when connected with a legitimate business purpose, such as education or demonstrating a new product. Please keep these things in mind:

- There should be limits on how frequently lunch is provided (e.g., not more than three times per year)
- Business topics must be discussed during the lunch
- The lunch should be reasonable

Q: I submitted a presentation proposal for an upcoming conference relating to my work at BSMH. It was accepted and there is a $500 honorarium for all speakers. Can I give my presentation at the meeting and accept the honorarium?

A: You can attend the meeting and give your presentation. However, since the honorarium is over $100 you cannot accept it unless you use personal time off for the presentation. Another option is to accept the full $500 honorarium, and donate it to the BSMH Foundation, recognizing that you may still be required to pay taxes. Before accepting, you should discuss this with your supervisor and document the actions you will take.
Our Commitment to Government Regulators

Not-For-Profit Tax-Exempt Status

BSMH is a not-for-profit, tax-exempt entity which is organized and operated for religious and charitable purposes. BSMH is committed to maintaining its charitable status and being good stewards of the resources we’ve been given. BSMH resources are used in a manner that improves the health and well-being of our communities rather than the private or personal interests of any individual or entity.

Political Activity

As stewards of our resources, BSMH is committed to advancing its religious and charitable purposes. Certain types of activities, such as political activity, are not considered to be part of our tax exempt purpose and can threaten our charitable status.

What is political activity? It’s support or opposition of a particular candidate or political party. This means that as an organization, we have some restrictions on what we can and cannot do.

Below are a few examples of things we may and may NOT do:

• **We may** conduct a limited amount of lobbying and advocacy. This type of activity should only be organized/conducted through the Advocacy and Governmental Relations department.

• **We may NOT** use BSMH revenues directly or indirectly for political activities or in support of political campaigns.

• **We may NOT** seek or approve reimbursement for personal expenses related to any political activities including money spent in support of any political candidate or political action committee (PAC).

• **We may NOT** solicit political contributions from your colleagues at BSMH.

*Individuals* may participate in political activity as long as that participation is strictly unrelated to BSMH and performed during personal time.

Note: BSMH does not take positions on political elections or campaigns.
Fair Competition and Antitrust

BSMH is committed to complying with state and federal antitrust laws. The general purpose of these laws is to support competition and commerce among organizations. This means you should:

• Not enter into agreements on behalf of BSMH to fix prices or reduce competition.
• Not share information with competitors or potential competitors relating to current or future fees, bids or negotiations, compensation or benefits, cost or financial projections, marketing or strategic plans, markets and market share plans, and plans to discontinue services or offer new services.

You should not provide information about BSMH’s business to a competitor. You should also not engage in unfair practices that might restrict competition.

Relationships with Physicians and Other Providers

BSMH is committed to complying with all federal and state laws governing its relationships with providers, such as the Anti-Kickback and Stark laws.

The Anti-Kickback statute prohibits giving items of value in order to reward or induce providers for referring patients for items or services paid for by federal and state health care programs e.g., Medicare and Medicaid. The Stark law prohibits providers from referring a patient to a care setting in which the provider (or the provider’s immediate family member) has an ownership or investment interest.

This means that you should:

• Understand and comply with what is required by federal and state laws, rules and regulations if your job requires you to be involved in entertainment or gift-giving with physicians.
• Ensure that contracts with providers outline the following:
  - The specific services they are being paid to provide
  - Time commitments
  - Compensation rate at fair market value
  - Methods for documenting compliance with the contract
• Not adjust contractual rates with providers in consideration of the volume or value of their referrals.
• Not make referrals for service to a BSMH-affiliated organization where the provider (or immediate family member) has a financial relationship with the BSMH affiliated organization, unless the applicable exceptions and/or safe harbors are met.

• Not submit a bill or claim for payment by federal and state health care programs where the provider making the referral (or immediate family member) has a financial relationship with the BSMH-affiliated organization, unless the applicable exceptions or safe harbors in the law are met.

Record Retention and Destruction

BSMH is committed to retaining information that may be necessary for continuity of care, billing, and for compliance with regulatory, tax, and financial reporting requirements. BSMH is also committed to destroying such records when they are no longer needed.

This means that you should:

• Enter information into a medical record, business record, or regulatory or financial report in a truthful, complete, legible and timely manner.

• Retain and destroy records (paper or electronic) as required by law and BSMH policy. If you aren’t sure how long to retain or destroy certain records, talk to your supervisor.

Never destroy records that you believe may be requested or that have been requested by a regulator or investigator.
If anyone tells you to destroy records related to an investigation, contact your CRO or Legal before you do anything.
Q&A

Q: A large physician practice leases space in a nearby medical office building owned by the hospital. The practice requests a more favorable lease arrangement considering the large number of patients it refers to the hospital. Can we grant their request?

A: No. Federal laws strictly prohibit offering or accepting anything of value in exchange for the referral of Medicare or Medicaid patients. Many states have similar laws that apply to commercial payers. The hospital may not provide goods or services to others at less than fair market value, unless specifically allowed by federal or state law. If you have any questions you should discuss this with the Legal Department or your market Corporate Responsibility Officer.

Response to Government Inquiries

BSMH is committed to complying with government inquires, as required by law. This means that you should:

• Refer government requests for documents or a subpoena to the Legal Department, which coordinates BSMH’s response and ensures that it is appropriate and complete.

• Not destroy, alter or change BSMH records requested by or related to a government investigation.

• Preserve all related records and cooperate with the Legal Department when BSMH receives notice of a government investigation or lawsuit, a request for documents or a subpoena.

BSMH cooperates fully with government inquiries and investigations.
Fraud, Abuse and False Claims

BSMH is committed to complying with all federal and state laws pertaining to fraud, waste and abuse, and false claims.

This means that you should:

• Not submit a claim for reimbursement to Medicare, Medicaid or other state or federal health care program where the provider making the referral, or their immediate family member has a financial relationship with a BSMH-affiliated organization. The only potential exception would be where the Legal Department has determined that all applicable exceptions and/or safe harbors have been satisfied.

• Bill only for those goods or services that are provided and are medically necessary.

• Ensure that:
  – Documentation in the medical record is complete
  – Services, treatments and charges based on the medical record are properly coded
  – Bills that are prepared accurately reflect this coding

• Promptly address questions about invoices or charges from patients, members or third-party payers, provided you are authorized to do so. If you are not so authorized, refer the matter to someone who is.

• BSMH will comply with all state and federal health care program requirements relating to overpayments. Follow BSMH policies and procedures for refunding overpayments, provided you are authorized to do so. If you are not so authorized, refer the matter to someone who is.

• Do not engage in, support or otherwise enable the submission of a claim for payment to the government that is false.

The False Claims Act imposes very significant legal and financial penalties on individuals or organizations that knowingly file a claim for payment to the government that is false. “Knowing” can include deliberate disregard or reckless ignorance of the facts relating to the false claim.
Examples of actions that could trigger the False Claims Act include, but are not limited to, the following:

- Billing federal and state health care programs for services that were not rendered.
- Billing for services that were not ordered by a provider, or were not medically necessary.
- Billing for services that were provided at sub-standard quality, e.g., so called “useless services”.
- Not refunding identified overpayments from state or federal health care programs within the applicable timeframes.
- Not conducting ongoing monitoring and auditing that would identify and prevent errors in documentation, coding and billing.
- Not educating associates and providers about their responsibility to report such concerns.
- Not investigating and correcting concerns that have been reported.
- Retaliating against associates or providers who report their concerns about fraud, waste and abuse, or false claims, or tolerating those who retaliate.

If you identify errors that you believe may cause bills to be incorrect, you should report them right away.

Cost Reports

BSMH is committed to submitting complete and accurate reports pertaining to the costs of our operation, for purposes of reimbursement under federal and state health care programs.

These laws, regulations and guidelines define what costs are allowable and outline procedures to claim reimbursement for the cost of services provided to program beneficiaries. This means that if your job requires you to prepare reports, or provide supporting documentation to those who prepare reports, you should do so in a truthful, complete, legible and timely manner.

You should comply with all applicable legal, regulatory and program requirements in the preparation of cost reports.
Accreditations and Surveys

BSMH is committed to reporting our clinical and operational procedures and outcomes in an appropriate manner as required by accreditation agencies and others who conduct surveys.

This means that if your job requires you to provide reports, or documentation to support these reports, you should:

• Do so in a truthful, complete, open and direct manner.
• Not take actions that would mislead the accrediting organization or its survey teams, either directly or indirectly.

Environmental Compliance and Safety

BSMH is committed to the care of the environment and the safety of our associates.

This means that you should:

• Comply with environmental laws in all aspects of our health care operations.
• Follow BSMH procedures for the handling, storing, labeling, using, transporting and disposing of solid and liquid waste that is hazardous or infectious including, but not limited to, the use of personal protective equipment (PPE).
• File all required environment reports in a truthful, complete, legible and timely manner.
• Cooperate fully with governmental authorities in the event of an environmental incident.

Foreign and Domestic Financial Crimes

BSMH is incorporated in the United States, and also has activities in other countries. Thus, BSMH is committed to complying with all laws governing foreign and domestic financial crimes including, but not limited to, the Foreign Corrupt Practices Act (FCPA) and other laws and regulations pertaining to the issuance of public debt and related financial activities. These laws and regulations prohibit the bribery of officials, whether foreign or domestic, political corruption, conflicts of interest, money laundering, terrorist financing and other financial crimes.

This means that if your job requires you to make decisions, develop or submit reports, or otherwise be involved in any activities that could implicate these laws and regulations, you must complete the required BSMH training on these topics.
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