

Acknowledgement of Bon Secours Health System Code of Conduct

I have received the Bon Secours Health System Code of Conduct. I understand my obligation to carry out my responsibilities to Bon Secours in accordance with the Bon Secours Values and Code of Conduct.

Signature

Name (print)

Date



BON SECOURS HEALTH SYSTEM

CODE OF CONDUCT

A Foundation for Right Relationships

VALUES LINE 1-888-880-1286

www.BonSecoursValuesLine.com

Toll-Free, Confidential, Anonymous, Available 24 Hours

RESPECT JUSTICE INTEGRITY STEWARDSHIP
INNOVATION COMPASSION QUALITY GROWTH

CODE OF CONDUCT

A Foundation for Right Relationships



RESPECT

JUSTICE

INTEGRITY

STEWARDSHIP

INNOVATION

COMPASSION

QUALITY

GROWTH



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for right
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MESSAGE FROM THE CHAIR AND CEO

The mission of Bon Secours Health System (“Bon Secours”) is to bring compassion to health care and to be good help to those in need, especially those who are poor and dying.

Guided by our values, each Bon Secours employee carries forward this mission every day. Our mission has not changed in the nearly two centuries since the first Sisters of Bon Secours brought compassionate care to those in need on the streets of Paris.

While our mission has not changed, the world in which we carry out that mission has changed a great deal. Health care in the 21st century is a complex enterprise, governed by legal and regulatory standards, policies and various other requirements.

The Code of Conduct is an important expression of our commitment to respond to these many complex requirements, always remaining true to our enduring values.

In today’s complex environment, each standard in the Code seeks to support right relationships with our many stakeholders and partners, as we pursue our mission. We believe the Code will assist you in carrying out your important responsibilities and in advancing our mission.

This Code of Conduct truly is ***A Foundation for Right Relationships***. It is a foundation for:

- Relationships with ***those we serve***, such as patients, residents, family members and communities;
- Relationships with ***one another***, our co-workers throughout the ministry of Bon Secours;
- Relationships with ***those with whom we partner***, such as co-owners, physicians, other health care providers and vendors;
- Relationships with ***those who oversee our industry***, such as commercial insurers and governmental agencies who pay for the care we provide; and
- Relationships with ***external entities*** that influence the way we operate, such as industry and financial analysts, competitors and the media.

The Code of Conduct helps each of us to live out our values every day, in every area of health system operations. And while the Code may not offer easy answers about every ethical, regulatory or legal issue that you may encounter, it serves as an excellent guide for day-to-day action.

In the event that you encounter any situation that may not be consistent with the Code of Conduct, including medical errors and adverse events, it is your duty and responsibility to speak up. And we want to hear from you; under the Code, each of us is accountable not only for our actions, but also for any failure to act.

This Code is a resource for you, and serves as a key element of our Corporate Responsibility program. It is a reflection of who we are and helps us to be faithful to our mission and values.

The ministry of Bon Secours comes to life because of you, our dedicated co-workers. Thank you for all you do, both to bring good help and to be good help.



Rich Statuto

Richard J. Statuto,
President/Chief Executive Officer,
Bon Secours Health System, Inc.



Sr Pat Eck

Sister Patricia A. Eck,
Chair, Board of Directors,
Bon Secours Health System, Inc.

YOUR RESPONSIBILITIES

Each Bon Secours employee and all of our partners and collaborators have an important role to play in advancing the healing ministry, and in supporting this Code of Conduct. Honoring the inherent dignity of each person, Bon Secours is mindful of its obligations to treat each person with respect and compassion, to seek justice and to demonstrate integrity in all its activities.

Building on the dignity of each person and our organizational commitments, the Code outlines some specific responsibilities.

Employees, Volunteers and Medical Staff

The Code of Conduct applies to all employees, volunteers, medical staff members, officers and directors of Bon Secours. Bon Secours also expects independent contractors (such as vendors), in their relationship with Bon Secours, to abide by the Code. Each has the following responsibilities:

- Understand and adhere to the Code of Conduct, paying special attention to those areas that apply to your daily work. Claims of ignorance or good intentions will not be accepted as excuses for not following the Code.
- Seek guidance and ask questions when you are uncertain about something. See **Appendix 3: Resources to Help You** (pp. 44 - 45) for assistance.
- Speak up and report to someone in authority in the organization when you are aware of specific behavior or organizational practices that may be inconsistent with the Code, including medical errors and adverse events. See **Appendix 4: How the Corporate Responsibility Reporting Process Works** (p.46).
- Fully cooperate with all internal investigations that may be coordinated by Corporate Responsibility, Internal Audit, the Legal Department and others. Respect the confidentiality of these investigations.

Leaders and Board Members

Leaders and Board Members in Bon Secours are held to a high standard of responsibility. If you are a supervisor, manager, program director, senior executive, medical staff leader or board member, you have responsibilities in addition to those mentioned above:

- Set a personal example of high ethical standards in the performance of your duties. Communicate to others your expectations for the same high standards.

- Ensure that those whom you lead understand and apply the guidance set forth in the Code of Conduct. Hold them accountable when they do not.
- Listen to the questions asked by those whom you lead. Act on their concerns in a timely and appropriate manner.
- Support and promote Bon Secours' policy of non-retaliation.

Non-retaliation Policy

Bon Secours has a policy of "zero tolerance" for any form of retaliation against those who report Code of Conduct concerns in good faith. Bon Secours values and encourages honest discussion about these concerns. "Zero tolerance" for retaliation applies to:

- **Direct** as well as **indirect** retaliation
- Retaliatory **actions** as well as **threats** of actions
- Retaliation from **supervisors** as well as from **co-workers**

Retaliation

is when an individual, or a group of individuals, tries to cause harm or 'get back' at someone, for something that was said or done.

"The Code is a resource for you, and serves as a key element of our Corporate Responsibility program. It is a reflection of who we are, and helps us to be faithful to our mission and values."

CORPORATE RESPONSIBILITY AND COMPANY DISCIPLINE

Rooted in our Mission and Values (see **Appendix 1: Mission, Values and Operating Principles of Bon Secours**, p. 39), the Code of Conduct is an important expression of our commitment to create and support right relationships and establish a culture of integrity. Bon Secours believes that in following this Code and in living our values, we will advance the mission of Bon Secours, be an organization of integrity, give quality health care, and be chosen by patients and employees because of all these things. This high calling places a great responsibility on all of us.

Bon Secours expects all employees, volunteers, members of the medical staff, officers and directors to use common sense and good judgment in assuring personal behavior and organizational practices that are consistent with this Code of Conduct. For members of the medical staff, violations are dealt with through the medical staff by-laws. For all others, violations are dealt with through Bon Secours policies and procedures.

The following are examples of Corporate Responsibility related conduct that will result in disciplinary action:

- Employees who **authorize or participate in a violation** of law, regulation, policy, ethical standard or this Code of Conduct.
- Employees who withhold information or **fail to report such violations**.
- Supervisors or managers who provide **inadequate supervision**, or display lack of diligence in assuring conformance to law, regulation, policy, ethical standard or the Code of Conduct.
- Employees who **retaliate, attempt to retaliate or threaten to retaliate** against individuals who report suspected violations in good faith.
- Employees who make **deliberately false or frivolous reports of violations** of the Code of Conduct.
- Employees who **discriminate** against or **harass** others.

Although compliance with law, regulation, policy, ethics and the Bon Secours Code of Conduct is a condition of employment at Bon Secours, this Code is not an employment contract, nor does it create any contractual rights.

Health care is governed by many complex requirements. While this Code does not offer easy answers about every issue that you may encounter, it serves as an excellent guide for your day-to-day actions. We believe the Code can assist you in carrying out your responsibilities, and in advancing our mission to be “good help” to those in need.

“Bon Secours believes that in following this Code and in living our values, we will advance the mission of Bon Secours... This high calling places a great responsibility on all of us.”

CODE OF CONDUCT STANDARDS

1. PROVIDING HOLISTIC CARE

Patient Rights

- Honor the inherent dignity of each person.
- Honor the right of each person to receive holistic, compassionate, quality care.
- Respond promptly and courteously to patient inquiries and requests.
- Respect advance directives.
- Disclose medical errors and adverse events according to the appropriate process.

Medical Ethics

- Provide care that is consistent with the Ethical and Religious Directives for Catholic Health Care Services and the Catholic theological tradition.
- Provide access to a medical ethics committee for assisting with ethical concerns that may arise regarding medical care.
- Engage patients/residents, family members and clinicians in ethical dialogue that leads to optimal clinical quality.

The Ethical and Religious Directives for Catholic Health Care Services,

also called the ERDs, provide official church guidance and teaching on issues that are central to Bon Secours as a Catholic health care ministry.

quality

Patient Education

- Understand the needs of patients, residents and their family members.
- Discuss available options openly and actively and fully involve patients, or their designees, in all decisions regarding their care.

Emergency Treatment (EMTALA)

- Provide care to all patients who arrive at your facility in an emergency, as defined by law, regardless of their ability to pay or source of payment.

EMTALA

is the Emergency Medical Treatment and Active Labor Act, which requires hospitals to stabilize patients clinically before asking any questions about their ability to pay e.g. if they have insurance.

“Bon Secours expects all employees, volunteers, members of the medical staff, officers and directors to use common sense and good judgement in assuring personal behavior and organizational practices that are consistent with the Code.”

QUESTIONS & ANSWERS

Q: One of my patients has a history of heart problems. When he was in the hospital, I forgot to order a medication that is essential for his medical condition. The patient later had a cardiac arrest that may have been preventable. What should I do?

A: You should consult with the Risk Manager to determine the appropriate process for disclosing this error to the patient.

Q: I see that a patient is not being treated with respect by a co-worker. What should I do?

A: First, ensure that the patient is not at risk of harm. Next, make your supervisor aware of the situation. If your supervisor does not follow up, contact a higher level manager, or use one of the **Resources to Help You** listed on pages 44 - 45. Remember that role-modeling respectful behavior every day is something that you, and every employee, can and should do.

Q: After completing his shift, a nurse realizes he forgot to record a medication given to a patient. When he returns to work a few days later, he records in the chart the medication and the date given. Is this acceptable?

A: No. The nurse should have recorded his error as soon as he discovered it. The entry in the chart should indicate that the medication was given on the proper date/time, but documented on a later date.

Q: A patient has 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 decision-making capacity, you should 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. If you have any questions, consult with your organization's ethics committee.

Q: A discharge planner encourages a patient to use a Bon Secours home health agency, without making the patient aware of other qualified providers. Is this appropriate?

A: No. Federal law requires that patients needing additional home care services must be informed of all qualified home health agencies in the local market that have requested participation. Patients are free to choose the agency they prefer. The discharge planner must not make any statement that could be interpreted as recommending one agency or another.

Q: I am a nurse and one of the patients on my floor asked me to include his same-sex, life partner in his discharge planning meeting. This meeting is typically attended by family members. How should I respond?

A: Since the patient has asked for his partner to be recognized as a member of his family, the patient's partner must be invited to participate in the discharge planning meeting that typically includes the patient's family members. Bon Secours patients and residents have a fundamental right to compassionate care. This includes respecting the dignity, diversity and specific wishes of our patients, and meeting the care needs of all.

“This Code of Conduct is an important expression of our commitment to create and support right relationships and establish a culture of integrity.”

2. CULTIVATING JUSTICE IN THE WORKPLACE

Non-Discrimination

- Honor the inherent dignity of each person.
- Treat co-workers and others in the workplace with respect, courtesy and consideration.
- Do not discriminate in any employment action against anyone based on race, religion, color, gender, age, marital status, national origin, sexual orientation, veteran status, disability or any other characteristic protected by law.

Harassment

- Do not encourage or tolerate any form of workplace harassment, including degrading or humiliating jokes, slurs, intimidation or other harassing conduct that might create a hostile work environment.
- Do not tolerate sexual harassment, such as unwelcome sexual advances, requests for sexual favors, or verbal or physical conduct that creates a hostile work environment.

Drug-free Workplace

- Perform your duties and responsibilities free from the influence of drugs or alcohol: exceptions are prescribed drugs and over-the-counter medications when used as directed, and provided they do not compromise your ability to perform your job duties.

Credentials and Qualifications

- Maintain appropriate licenses and credentials, and perform only those professional duties within your authority.
- Do not employ or do business with individuals or organizations that are excluded from federal health care programs.

respect

QUESTIONS & ANSWERS

Q: A patient in our unit has expressed a racial preference concerning his care providers. How should I respond?

A: It is inappropriate to grant a patient's request for a provider solely on the basis of their preference for a particular race. You should not accommodate patient requests that would cause the organization to be discriminatory on the basis of race or ethnicity or other differences. You should also explain that the values of Bon Secours do not permit this, and that all caregivers are qualified to provide excellent care.

Q: An employee in my department is viewing inappropriate websites on a Bon Secours computer. What should I do?

A: You should notify your supervisor, including information about how you became aware of this. If you remain concerned, contact a higher level manager or use one of the **Resources to Help You** on pp. 44 - 45.

Q: I overheard a co-worker making jokes about certain nationalities, but nobody seemed to mind. Is this acceptable?

A: It is not acceptable to make fun at the expense of others, based on national, racial, religious, gender, sexual orientation, disability, or other differences, because it is offensive. Even if it is not intended, this kind of joking can contribute to an environment of intolerance. Humor is an important element of life, both inside and outside the workplace. However, if you are not sure if a joke or comment is appropriate, refrain from making it. If you think the jokes could have been offensive to any employees or visitors, immediately report it to your supervisor or the Human Resources department.

Q: A co-worker brought her same-sex partner to a work party. Another co-worker was angered by this, and said that this co-worker had "no place in an organization like ours." I don't agree. What should I do?

A: You should promote inclusiveness and a welcoming environment. If you think the comment was overheard by an employee or visitor, immediately report it to your supervisor or Human Resources department. Explain to the co-worker who made the comment that Bon Secours values diversity, and does not discriminate on the basis of sexual orientation.

Q: Can I date someone I work with, as long as it is consensual?

A: It depends on whether the person reports to you (or vice versa), either directly or indirectly. It is unacceptable to have a romantic relationship with a subordinate with whom you have a direct or indirect reporting relationship, even if it is consensual. It is acceptable to date another Bon Secours employee, provided there is no direct or indirect reporting relationship. However, even in that case, expressions of romantic affection in the workplace are not appropriate, as they can disrupt productivity.

Q: A male employee frequently initiates hugging and touching with the female co-workers in his department, who don't seem to mind. The touching that is exchanged makes me uncomfortable. What should I do?

A: Make your supervisor aware of the situation. You should also feel free to share your feeling of discomfort with the employee who initiates the hugging and touching, as he may not be aware that this behavior makes you and perhaps others uncomfortable. If you remain concerned, contact a higher level manager, or use one of the **Resources to Help You** listed on pp. 44 - 45. The situation would be no different if a female initiated the touching with males, or if both parties were of the same gender.

Q: I return to work from one of my breaks, and notice that one of my co-workers looks like she is under the influence of alcohol or drugs. How should I respond?

A: If you work in a clinical area, first make sure that no patients are at risk of harm. Carefully observe the actions and behaviors of your co-worker so you can accurately describe the situation. Then notify your supervisor or higher level manager and describe the specific actions and behaviors that cause you concern. While it could be that the individual is suffering from an illness rather than the influence of alcohol or drugs, a supervisor or higher level manager should be notified to evaluate the situation.

Q: I don't get along with one of my co-workers. We share certain responsibilities, but I feel like I do most of the work while he just passes the time. What should I do?

A: Whenever you have a conflict with a co-worker, the best course of action is to discuss it with the person privately. Explain what you have observed, and how it affects the work of your unit. If you don't see a change in behavior, notify your supervisor. In any case you should make your supervisor aware if you think the behavior may violate the Code of Conduct.

- 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 minor to me, especially since this physician has great clinical skills and a wonderful bedside manner. Do I have to report this?
- A:** Yes, you should report this immediately to the Corporate Responsibility Officer. By federal law, Bon Secours may not do business with any providers who are on the *OIG’s* exclusionary list, no matter how good their clinical skills, and no matter what the reason is for being excluded.

“In the event that you encounter any situation that may not be consistent with the Code, including medical errors and adverse events, it is your duty and responsibility to speak up. And we want to hear from you.”

3. MAINTAINING CONFIDENTIALITY

Patient Information

- Do not review or use a patient's personal health information unless necessary as part of your job.
- Do not release personal health information, or remove it from the facility, without appropriate authorization.
- Do not leave personal health information, hard copy or electronic, unattended or available to others.
- Do not discuss patient information in public areas e.g., cafeterias, elevators or restrooms.
- Give personal health information and quality monitoring data only to those who are authorized to receive it and need to know it.

Confidential Business Information

- Protect confidential business information e.g., Bon Secours' competitive position or business strategies, payment and reimbursement information, and information relating to negotiations with employees or organizations.
- Respect intellectual property such as patents, trademarks, copyrights and software.
- Do not use the confidential business information of a competitor in violation of any agreement e.g., non-compete, confidentiality, or prior employment agreement or contract.
- Do not use any information that is obtained unlawfully for any business activity conducted by or on behalf of Bon Secours.
- Keep computer access methods (e.g., passwords, URLs, tokens etc.) confidential.

Employee Information and Personnel Actions

- Protect confidential employee information e.g., social security numbers, salary, benefits and personnel actions.

Peer Review Information

- Protect the confidentiality of peer review information.

QUESTIONS & ANSWERS

Q: A co-worker provided the personal health information of a patient to the patient's sibling. Even though they are members of the same family, the sibling was not authorized to receive the information. Should I inform the patient that there has been a breach of confidentiality?

A: This release of information is not appropriate. The matter should be referred to your local Privacy Officer or Corporate Responsibility Officer (CRO) for appropriate follow up.

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

A: Not unless you are directly involved at the hospital as a caregiver to your friend and knowledge of his condition is essential for the performance of your job. All such information must remain confidential, consistent with Bon Secours policies.

Q: Every month or so I get together socially with former colleagues from a competing health system to catch up on each other's lives. Is there any problem with this?

A: There is no problem, as long as you keep the conversation away from topics that could be either confidential to Bon Secours, or in violation of confidentiality agreements with your competitors e.g., business strategies, payment information or negotiations of any kind.

compassion

- Q:** I used to work for a competing health system where I had access to confidential business information relating to certain contracts. Can I share this information with my Bon Secours colleagues to help them negotiate a better deal?
- A:** No. Do not share confidential information learned through another job. Bon Secours may not use this information in our business dealings. In addition, in the event you leave Bon Secours, it would be inappropriate for you to share with a future employer any confidential information obtained as a result of your employment with us.
-
- Q:** From time to time I find confidential information in the copy machine e.g., salary information, detailed business strategies, personnel actions, information relating to vendor negotiations. What should I do?
- A:** Avoid reading the documents. Take the documents you find to your supervisor, who will determine the best way to handle the situation. It may be necessary to re-educate all employees or to follow up with specific individuals.

“While the Code may not offer easy answers about every ethical, regulatory or legal issue that you may encounter, it serves as an excellent guide for day to day action.”

4. OBSERVING ETHICAL BUSINESS PRACTICES

Medical Records Coding and Billing of Third Parties

- Ensure that medical records meet requirements of medical staff by-laws, accreditation standards, and relevant laws and regulations.
- Ensure that bills submitted to Medicare, Medicaid and other government and commercial payers are accurate and appropriate.
- Do not overcode, undercode, un-bundle, double-bill, or otherwise bill inappropriately.

Honest Communication

- Encourage open and honest communication about business and financial reporting practices within Bon Secours.
- Communicate honestly and cooperate fully with Bon Secours Corporate Responsibility Officers (CROs), attorneys and internal auditors, and with government representatives.
- Do not give false or misleading information to anyone doing business with Bon Secours, or competing with Bon Secours.

Proprietary Information

- Do not use any list (e.g. customer, patient, vendor, price etc.), contract, publication, document, computer system, information or other product in an unlawful or unauthorized manner.

Proprietary information

is any information that is owned exclusively by Bon Secours.

growth

QUESTIONS & ANSWERS

Q: While preparing a bill for submission to Medicare, I discovered there were some inappropriate charges. Our department is under a lot of pressure to meet daily volume targets. Is it OK for me to submit the bill anyway and see if Medicare denies the claim?

A: If you are certain the charges are inappropriate, the claims should not be submitted, regardless of the daily volume targets of your department. It is inappropriate to submit bills to Medicare, or any other payer, which do not meet the payer's requirements. If in good faith you suspect that the billing may be inappropriate, you should notify your supervisor of your concerns. Likewise, if you notice that an actual error is occurring regularly, you should promptly discuss it with your supervisor so that appropriate actions can be taken to prevent the errors from occurring in the future. If you remain concerned, contact a higher level manager or use the **Resources to Help You** on pp. 44 - 45.

Q: As a result of routine monitoring, I noticed that a physician was billing for 5 or 6 times as many procedures as any other physician in the clinic. When I looked more closely at the numbers, I don't see how it could have been humanly possible to do that many procedures. What should I do?

A: You should notify your supervisor. In a situation like this, Internal Audit would normally be brought in to verify the results of your own monitoring and suggest appropriate action as necessary.

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 Bon Secours to cooperate and respond appropriately to any lawful government investigation. It is appropriate for you to ask the investigator for official identification e.g., a badge and/or picture ID. You have the right not to answer questions. You also may choose to inform the investigator that you only wish to respond to questions at work, in the presence of your supervisor or an attorney representing Bon Secours. 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 immediately notify your supervisor. You or your supervisor should immediately notify your local Corporate Responsibility Officer or the Bon Secours Legal Department.

- Q:** A friend gave me a document describing in detail the marketing strategy of our main competitor. On the outside, it was stamped “confidential and proprietary” in bold print. I didn’t ask for the document, but now that I have it, what should I do?
- A:** You should neither study nor make copies of the document. Regardless of who gave the document to you – a friend, a co-worker, a vendor or anyone else – you should contact your supervisor, Corporate Responsibility Officer or someone from the Bon Secours Legal Department, which will provide additional guidance.

“Each of us has a responsibility to understand and adhere to the Code, paying special attention to those areas that apply to our daily work.”

5. FOLLOWING LEGAL REQUIREMENTS

General Requirements

- Understand and follow the laws, regulations and Bon Secours policies that relate to your job duties.
- Do not ask or knowingly permit a Bon Secours employee to violate any law, regulation or Bon Secours policy.

Relationships with Medical Staff and Other Providers

- Do not offer, give, solicit or accept money, gifts or other things of value in order to reward or induce referrals. Any entertainment or gift-giving that involves physicians or others who are in a position to refer patients to Bon Secours should be undertaken in accordance with all federal laws, rules and regulations.
- 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 and the methods for documenting compliance with the contract.
- Do not adjust contractual rates with providers in consideration of the volume or value of their referrals.
- Providers should not make referrals for services to a Bon Secours affiliated organization where the physician or his/her immediate family member (as defined by the Internal Revenue Service) has a financial relationship with the Bon Secours affiliated organization, unless the Bon Secours Legal Department (or Counsel approved by the Bon Secours Legal Department) has determined that all applicable exceptions and/or safe harbors have been satisfied. Do not submit a bill or claim for reimbursement to Medicare, Medicaid or other federal program where the provider making the referral, or his/her immediate family member, has a financial relationship with the Bon Secours affiliated organization unless all applicable exceptions and/or safe harbors in the law are met.

justice

Political Activity and Lobbying

- Do not contribute Bon Secours money, property or the services of any Bon Secours director or employee to any political candidate, party organization or committee.
- You may contribute to political organizations or campaigns with your own funds, but not as a Bon Secours representative.
- Bon Secours may comment on legislation or regulations under consideration and may also take public positions on issues that relate to our operations or mission.
- Do not attempt to influence the decision-making process of government bodies or officials by improperly offering any benefit.
- Report any request or demands by any government representative for improper benefit.

Environment and Safety

- Dispose all waste according to applicable laws and regulations, and work cooperatively with appropriate authorities to fix any environmental contamination for which Bon Secours may be responsible.
- Understand and follow the health, infection control and safety laws and regulations that apply to your work.

Fair Competition and Anti-trust

- Do not make agreements with competitors that raise, depress, fix, peg or stabilize prices; do not rig bids; and do not collude with competitors.
- Do not make agreements with competitors to deal or not to deal with specific patients, providers or payers; do not engage in exclusive dealing or price discrimination agreements.

Anti-trust laws

encourage healthy competition among companies.

- Do not engage in unfair trade practices, including bribery, misappropriation of trade secrets, deception, intimidation or other unfair practices.
- Do not make agreements with competitors on wages or benefits to be paid to their respective employees.
- Do not make agreements with competitors to divide or allocate the market along geographic or product or service lines.

Tax

- In furtherance of our charitable purposes, ensure that Bon Secours resources are used for community benefit rather than the private interests of any individual.
- Do not pay more than fair market value (FMV) for purchased services. Do not charge less than FMV for services sold (except in the case of free or discounted health services provided under the Bon Secours Patient Financial Assistance Policy). Make sure to document fair market appraisals.
- Report payments and revenue to appropriate taxing authorities honestly and file all tax and information returns according to applicable laws.

“In today’s complex environment, each standard in the Code seeks to support right relationships with our many stakeholders and partners, as we pursue our mission.”

QUESTIONS & ANSWERS

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 in light of 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 local Corporate Responsibility Officer.

Q: A physician is a director of one of the hospital's departments. The written agreement requires the physician to provide monthly in-service training for the department's staff. I know this training has not been conducted for six months, and when I inquired about it, I was told that the physician took care of all his in-service training responsibilities in the first couple of months of the year. Is this appropriate?

A: No. If the written agreement requires monthly training, this must be performed and documented accordingly. Paying a physician for services that are no longer being provided could violate federal and possibly state laws. If the hospital's training needs have changed, there is a process for amending the contract. The Bon Secours Legal Department can assist with this.

Q: I am planning to run for the School Board. Several co-workers – including a senior leader in my organization – have agreed to assist in my campaign. Is this appropriate?

A: It would be appropriate for your co-workers to support your campaign as long as they do not work on your campaign during work time, or use Bon Secours property or assets (e.g., photocopying campaign materials, making campaign related phone calls from work, or using Bon Secours space for one of your political events) unless all other candidates receive a similar offer with approval of senior management. Using Bon Secours property or assets for political activities could violate federal or state laws relating to BSHSI's tax-exempt status.

- Q:** The hospital's environmental services manager lives near a facility that is authorized to accept medical waste. When there is a small load, rather than using the hospital's licensed medical waste hauler to pick up the waste, the manager transports the material in her own car to the facility on her way home from work. Is this appropriate?
- A:** Not unless this practice is specifically permitted by your hospital's policy. The disposal of medical waste is governed by strict federal, state and sometimes local laws. These regulations can vary widely depending on your location. If you have any questions, consult with your local Safety Officer or Risk Manager.
-
- Q:** I received a phone call from my executive counterpart at a neighboring hospital. Both hospitals are located in an extremely competitive market, and he said the competition was going to put both of us out of business if we didn't start working together. He is offering not to market his hospital's services in certain zip codes, if I am willing not to market in other zip codes. Is this discussion appropriate?
- A:** No. There are strict laws that regulate competition, such as anti-trust laws. Even having a discussion about dividing the market along geographic lines could violate these laws. However, if the hospitals wish to explore a joint venture to provide services beneficial to the community, that would be a different matter. Any joint venture discussion should only be initiated with the involvement of the Bon Secours Legal Department.

“Bon Secours has a policy of ‘zero tolerance’ for any form of retaliation against those who report Code of Conduct concerns in good faith. Bon Secours values and encourages honest discussion about these concerns.”

6. PRACTICING GOOD STEWARDSHIP

General Requirements

- Conserve natural and other resources when managing and operating our businesses.

Financial Reporting and Internal Controls

- Report our financial results and condition accurately.
- Ensure that all financial reports, cost reports, accounting records, expense accounts, time sheets and other financial documents fully and accurately represent the facts.
- Store records safely and securely for the period of time required by law and policy.
- Maintain and comply with required internal controls.

Travel and Entertainment

- Ensure that travel and entertainment expenses are consistent with your job responsibilities and the needs and resources of Bon Secours. You should not have a financial loss or gain as a result of appropriate business travel or entertainment.

Personal Use of Bon Secours Assets

- When using Bon Secours assets and handling company business, ensure that you are doing so for the good of Bon Secours, not for your own, or another's personal gain.
- Do not use or take Bon Secours equipment, supplies, materials or services without proper authorization.
- Obtain your supervisor's approval before participating in any non-Bon Secours activity on company time, or before using Bon Secours equipment, supplies, materials or services to perform any activity unrelated to your Bon Secours work.

stewardship

QUESTIONS & ANSWERS

Q: A recent report submitted by Internal Audit requires establishing a series of new internal controls. I think most of the requirements are unnecessary and unrealistic. My employees agree and told me I should only implement the ones that make sense. Is this appropriate?

A: Ignoring Internal Audit recommendations is unacceptable. In most cases, Internal Audit reports include a section where responsible managers can formally respond to the Internal Audit Department's recommendations. If for some reason this step was omitted, or if something in your work process has changed to materially impact the recommendations, you should re-engage with the Internal Auditor and share your concerns.

Q: I am an Executive Assistant and certain entertainment expenses submitted by my boss do not specify who was in attendance or what the purpose was. My boss is extremely busy and I don't like to bother him with questions that make it look like I don't trust him. What should I do?

A: First, make sure you clearly understand the kind of specific documentation required by the Accounts Payable Department under Bon Secours policy. Then explain to your boss that you are not permitted to submit claims for reimbursement unless all required documentation is provided. If this approach is not successful, contact a higher level manager or use the **Resources to Help You** on pp. 44 - 45.

“We believe the Code can assist you in carrying out your responsibilities, and in advancing our mission to be ‘good help’ to those in need.”

7. MAINTAINING APPROPRIATE BUSINESS RELATIONSHIPS

Guidelines for Giving and Accepting Gifts

- Do not offer, accept, or solicit gifts or other incentives that improperly influence, or give the appearance of improperly influencing, business decisions. Remember that Bon Secours strives to preserve and protect its reputation, and to avoid even the appearance of improper activity.
- Do not accept cash or cash equivalents (e.g., gift certificates) from anyone doing business, or seeking to do business, with Bon Secours.
- You may accept non-cash gifts of nominal value (e.g., pens, mugs, key chains, note pads etc.) not to exceed \$100 in any one year, from a vendor doing business, or seeking to do business, with Bon Secours.
- Perishable or consumable gifts (e.g., flowers, fruit, candies etc.) given to a department or shift are not subject to any specific dollar limitation, as long as they are reasonable and not given in order to encourage patient referrals or improperly influence business decisions. Frequent perishable or consumable gifts (more than three times per year) from any single individual or vendor are not permissible.
- To the extent possible, gifts that are accepted should be shared with co-workers.
- You should use common sense and good judgment in giving, accepting or refusing gifts, and consider all facts and circumstances. For example, there may be circumstances when accepting a gift that technically meets the dollar limitation specified above could still detract from Bon Secours' reputation.
- If you are uncertain whether a gift can be given or accepted, discuss it with your supervisor or the Corporate Responsibility Officer.

Gifts from Patients

- Do not offer, accept, or solicit gifts, money, favors or tips from patients, residents or their family members. However, perishable or consumable gifts given by a patient or patient's family member to a department or shift may be accepted.
- If patients, residents, family members or other individuals wish to present a gift of money, refer them to the local Bon Secours Foundation Director.

Honoraria or Payments for Educational Activities

- Do not accept honoraria or payments for educational activities in excess of \$100, unless you use personal time off to participate. Obtain your supervisor's approval before being reimbursed for expenses associated with participation. Even if below the \$100 limit, receiving honoraria should be infrequent (not more than three times per year).

Honoraria

are payments to professional persons for services that go beyond their normal job duties e.g., delivering speeches or educational sessions.

Relationships with Vendors

- Seek the best value for Bon Secours when placing contracts. In some cases, it may be appropriate to obtain multiple bids.
- Bon Secours Foundation Directors may request contributions from vendors and suppliers in support of Bon Secours' charitable activities, consistent with all regulatory requirements. However, do not make these requests in exchange for Bon Secours business, and make it clear that such gifts will not influence current or future business decisions.
- You may accept invitations that are extended to develop business relationships that involve meals, refreshments or modest entertainment at a vendor's expense. In general, these events should be infrequent (not more than three times per year), connected to a legitimate business purpose (discussing business topics), and not of extravagant value (not to exceed \$100 per event). In addition, the host must be present and these events must not include long distance travel or overnight lodging. These events must not be offered to improperly influence current or future business decisions.
- With your supervisor's approval, you may attend local or out-of-town vendor sponsored workshops, seminars or conferences that have an educational purpose.

innovation

QUESTIONS & ANSWERS

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 these free lunches?

A: In general, an occasional lunch provided by a vendor is appropriate when connected with a legitimate business purpose, such as education or demonstrating a new product. There are a few other things to keep 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 not be extravagant

Q: I am a nurse. Upon being discharged, a patient offered me a \$25 gift certificate as an expression of appreciation for the care that I provided. May I keep it?

A: No. You may not accept cash or cash equivalents from anyone in relation to your work at Bon Secours. You may refer them to a Bon Secours Foundation.

Q: For an upcoming trade association meeting I submitted a presentation proposal relating to my work at Bon Secours that was accepted. I just learned that I will also receive a \$500 honorarium. 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 may not accept it unless you use personal time off for that portion of the meeting when your presentation occurs. Alternatively, you can accept the full \$500 honorarium, and donate it to your local Bon Secours Foundation or an IRS recognized charitable organization. In either case, you should discuss it with your supervisor beforehand, and document your actions accordingly.

Q: Is it OK for me to accept payment of my expenses to speak at an out-of-town vendor's conference or an association meeting?

A: In general, it is not appropriate for a vendor to pay your expenses to speak at a conference, because the vendor may be using the speaking invitation to obtain favorable treatment or to create the impression that Bon Secours endorses their product or service. There are some exceptions, and you should discuss them with your supervisor or appropriate senior leader. There are several things approving officials should consider in evaluating whether this is an appropriate exception:

- Is the true focus of the meeting education or marketing of the vendor's products e.g., are the presenters educators or sales people?
- Is the purpose of the speaking engagement to promote the vendor's business, or Bon Secours?

On the other hand, you can be reimbursed for expenses from associations and professional groups. With your supervisor's approval, we encourage you to participate as speakers at educational programs related to your work at Bon Secours. Speakers should refrain from discussing confidential Bon Secours matters during their presentations.

Q: A vendor sent a basket of fruit to our department for the holidays. Do we need to send it back?

A: You do not have to send the basket back to the vendor. Perishable or consumable gifts to an entire department may be accepted.

Q: I am the point of contact for a particular vendor. Our facility is conducting a capital campaign, and the vendor asked me what amount they should contribute because they didn't want to lose the Bon Secours contract. What should I say?

A: You should refer the vendor to your local Foundation Director and the Foundation will explore all appropriate options. You should also state that whether (or how much) the vendor contributes to the capital campaign will not influence current or future decisions about vendors.

8. AVOIDING CONFLICTS OF INTEREST

Duty of Loyalty

- You are expected to be loyal to Bon Secours. Avoid situations or circumstances that could place you in conflict with the interests of Bon Secours. This includes activities, business relationships, or financial investments that could improperly influence – or appear to influence – your judgment or the performance of your duties on behalf of Bon Secours. Your loyalty to Bon Secours must override any prior and current relationships to customers, competitors or suppliers.
- Remember that it is also a conflict of interest if an immediate family member is involved in activities, business relationships, or financial investments that conflict with the interests of Bon Secours.

A potential **conflict of interest**

exists anytime an objective observer might question whether your own personal, financial or private interests could compromise your primary duty of loyalty to Bon Secours.

Disclosure, Approval and Recusal

- Follow Bon Secours policy requiring disclosure of any actual or potential conflicts of interest, as applicable to your position.
- Discuss and obtain advance approval of your supervisor or higher level manager for any situation that could present an actual or potential conflict of interest. Even the appearance of a conflict can be a problem.
- Recuse yourself from discussions or decisions where you have a personal interest that conflicts, or appears to conflict, with the interest of Bon Secours.

Recusal

means removing yourself from a high level discussion or decision because others may perceive that it may be difficult for you to be completely objective.

- Do not share or use information about Bon Secours for your own personal gain, or for the personal gain of immediate family members.

Outside Interests and Activities

- Do not perform work outside of your job duties for any competitor, supplier or potential supplier of Bon Secours without prior approval from your supervisor or higher level manager.

Participation on Outside Boards

- You may serve on the boards of directors for civic or charitable organizations. However, you must notify your supervisor or higher level manager before agreeing to serve on any board whose interests may conflict with Bon Secours. Any compensation paid to you for board services provided during normal work time other than reimbursement for board-related participation is normally paid directly to Bon Secours, unless you take personal time off to perform the service. Other arrangements may be made if this is not permitted by the outside board.

“The Code is an important expression of our commitment to respond to complex requirements, always remaining true to our enduring values.”

QUESTIONS & ANSWERS

Q: My sister-in-law works for one of our competitors. Do I need to let Bon Secours know about this?

A: Yes. The conflict of interest policy in Bon Secours requires that you disclose if any immediate family member is involved in activities that could conflict with the interests of Bon Secours. For purposes of the conflict of interest policy Bon Secours understands “immediate family” as your spouse/partner, parents, children, spouses/partners of children, brothers and sisters, or spouses/partners of brothers and sisters.

Q: I have my own cosmetics business on the side. Can I use Bon Secours e-mail to advertise these products to my co-workers?

A: No. Consistent with our policies on solicitation in the workplace, e-mail may not be used to solicit other employees for any purpose, including commercial, personal, charitable and other non-business purposes. You are free to engage in an outside business (as long as it does not compete with Bon Secours) on your own time and away from Bon Secours work areas. Of course, you cannot use the Bon Secours name, or our facilities and resources, to sell your products.

Q: My husband has his own lawn mowing and snow removal business. He may be able to provide these services to my organization at a higher quality and a lower cost than the current provider of these services. Can I recommend him to the manager of plant services?

A: Generally speaking, Bon Secours tries to avoid purchasing goods and services from our employees or their immediate family. However in some local markets, there may be a limited number of providers for certain goods and services. You should stay out of this purchasing decision process, and the manager should make an independent judgment about who can bring the best value to Bon Secours. If your husband’s business is actively considered for this work, or is selected by the manager of plant services to provide this work, both you and your husband must disclose your relationship.

- Q:** I am the administrative director of the ER. Our hospital has requested bids from two physician groups to provide emergency room services. I'm aware that a physician in one of the groups is married to the sister of our hospital EVP and I've heard that this group will probably get the contract. I'm concerned that the relationship between our EVP and the physician may be influencing the decision. What should I do?
- A:** Any transaction or arrangement where special treatment is perceived or may be an issue should be documented and approved at the appropriate level before the transaction or arrangement is finalized. The bidding process must be fair to all bidders, and must seek the best value for Bon Secours and our patients. You should raise your concern with your supervisor. If you continue to have concerns, contact a higher level manager, or use one of the **Resources to Help You** listed on pages 44 - 45.
-

- Q:** I serve on the Board of Directors for a Bon Secours entity, and for another outside organization. I just became aware that Bon Secours is considering a new business development opportunity which, if successfully launched, could compete with this outside organization. What should I do?
- A:** You should disclose this information in a manner consistent with the Bon Secours conflict of interest policy. Depending on the nature of the potential conflict, it may be sufficient to recuse yourself, in other words to voluntarily remove yourself from any discussions or decisions relating to the new Bon Secours business strategy and remain on both Boards. If the conflict cannot be managed appropriately through recusal, it may be necessary for you to resign from one of the Boards. The conflict of interest policy provides a procedure for determining which approach is appropriate in this case. Bon Secours requires you to have uncompromised loyalty to the interests of Bon Secours.

“The Code of Conduct helps each of us to live out our values every day in every area of health system operations.”

APPENDIX 1: MISSION, VALUES AND OPERATING PRINCIPLES OF BON SECOURS

Mission

The mission of Bon Secours Health System is to bring compassion to health care and to be good help to those in need, especially those who are poor and dying.

As a system of caregivers, we commit ourselves to help bring people and communities to health and wholeness as part of the healing ministry of Jesus Christ and the Catholic Church.

Values

• Respect

Respect is our commitment to treat all people well. It is based on our belief that each person has equal dignity because each individual "is made in the image and likeness of God." We promote self-respect and mutual respect and trust among all the members of the Bon Secours team.

• Justice

Justice is the value that supports and protects the rights of all people. It characterizes what we desire in our relationship with those we serve and with our co-workers. It promotes the right to have needs met and in a manner consistent with human dignity; and it supports and protects the right of the individual to participate in decision-making regarding his or her care.

• Integrity

Integrity implies a highly-developed sense of ethical behavior, consistent with that expected of an individual or organization with great moral character. Integrity is having our actions in harmony with our thoughts, feelings and values. This integration of behavior with thoughts, feelings and values applies to each of us as individuals as well as collectively as an organization.

• Stewardship

Stewardship is the responsible use of all our resources to support, promote, expand and preserve our mission and ministry. It is the use of good business principles. It is the balanced and right relationship of quality and value with cost and financial return.

• Innovation

Innovation is the process of creating or managing new ideas, methods and technologies to vitalize existing services and to develop new ones. Innovation is stimulated by a strong awareness of the needs of those we serve and thrives in an organization that promotes new approaches to health care delivery. The innovative organization commits resources necessary for research and development and for change, while recognizing that not all new efforts will succeed.

- **Compassion**

Compassion means experiencing empathy with another's life situation. Compassion is being with another as well as doing for them. This "being with" is done in such a way that the person experiences acceptance, concern, hopefulness, and sensitivity.

- **Quality**

Quality is the excellence we strive to reach in the delivery of our health services. We will design or modify the ways we do our work seeking to constantly improve what we do so that the right things are done the right way.

- **Growth**

Growth is developing and improving our services and promoting self-renewal and progressive development programs for those with whom we work in our organization and our community. It implies expansion, embracing change and seeking new opportunities as an organizational way of life.

Operating Principles

- **Religious Motivation**

We are and will continue to be an organization that is guided by a desire to express God's love and care for those who are sick, poor or dying through our service. Religious motivation is at the core of our existence, and we operate in accordance with the directives and policies of the Catholic health care ministry.

- **Collaboration**

We develop beneficial relationships with providers, suppliers, payers and others, with a preference for those potential partners whose mission and values are most consistent with our own. We work with these partners in a manner that enables each of us to achieve common goals that respond to community needs.

- **Responsible Stewardship**

We support, promote and expand our mission through the responsible stewardship of our human, material and financial resources. We strive toward simplicity of management structures and allocate our limited resources to address the long-range priorities and needs of the System as a whole.

- **Develop and Empower**

We are committed to a learning culture where people can achieve the goals of the organization and their own personal development. We create an environment whereby individuals are motivated to reach their potential, empowered to respond to service needs and recognized for their achievements.

- **Superior Understanding of Those We Serve**

The needs and expectations of those we serve are the foundation for service delivery and development. We continuously strive to understand our internal and external publics.

- **Long-range Focus**

We make decisions with a focus on the long term. We look to the future with a constancy of purpose while recognizing that the successful achievement of goals is an incremental process.

- **Continuous Improvement**

We achieve quality through the continuous effort to improve our systems and processes for service delivery. We recognize that service excellence must be based on the continuous improvement of today's performance.

- **Servant Leader**

We practice a leadership style that is one of service, built on trust and the spirit and values of Bon Secours. We encourage leadership development and promote a shared leadership style of working.

- **Commitment to Unmet Needs**

We affirm the right of all people to quality health care and work toward a just and equitable public policy. We work closely with the communities we serve to address unmet health care needs and expectations.

*“The mission of
Bon Secours
Health System
is to bring
compassion to
health care and
to be good help to
those in need,
especially those
who are poor
and dying.”*

APPENDIX 2: ETHICAL DECISION-MAKING PROCESS

The Ethical Decision-Making Process is a guide for reflecting on our values and for applying them to important organizational or departmental decisions. Generally this process will be employed for very important matters, like setting new strategic direction, creating or discontinuing service lines, adopting new policies, or entering into a joint venture partnership.

System and Local System Mission Leaders are ready to serve as a resource to you and your departments in explaining and facilitating this process.

This approach to decision-making is grounded in both accepted standards for ethical decision-making and a discernment model rooted in organizational values and religious motivation.

Objective

To make decisions on the basis of the stated organizational mission, values and commitments in order to:

- Advance organizational mission and values
- Encourage frank and prayerful dialogue among decision-makers
- Provide values-based rationale for decisions

Process

Step 1: Agree on the Question or Issue

- Agree to succinct statement of the issue

Step 2: Identify Stakeholders

- Identify those who will be affected by the decision
- Agree to acknowledge their interests in decision making

Step 3: Identify Facts

- Agree to key facts about the issue

Step 4: Identify Values, Principles and Concerns

- Review list of Bon Secours **Values** (see pp. 39 for detailed definitions of our **Values**)
- Identify key values and other principles that apply
- Identify relevant laws, policies or Code of Conduct requirements that apply
- Agree to take into account all applicable values, principles, laws, policies and Code of Conduct requirements

Step 5: Consider Alternatives

- State what other organizations would do if faced with this issue
- State what other organizations should do if faced with this issue
- State what I would do if I were the sole decision-maker
- Identify alternatives that have already been tried
- Identify if other options have not yet been considered

Step 6: Pause for Prayerful Reflection

- Pause to reflect in silence
- Prayerfully ask for the gift of guidance
- Prayerfully consider your own approach to this issue

Step 7: Discuss, Decide & Explain

- Listen respectfully to each person
- State your own approach
- Come to consensus
- Explain specifically how the decision is based on values and stakeholder impact

Pause

- Ask if the decision has been grounded in prayer and reflection
- Ask if there is peace with the decision

Step 8: Follow Up & Review

- Plan to follow up and review decision
- Review implementation
- Ask if the implementation was successful and why
- Ask if the decision was the right decision and why
- Ask what has been learned

Procedures

- Participants in the process will be identified in advance
- Participants will be clearly identified as either decision-makers or advisors
- It is preferable that the group be comprised of decision-makers who have full authority to make the decision
- Each participant will be provided with a summary of the issue and of the ethical decision-making process in advance of the meeting
- The facilitated meeting will provide adequate time for each step in the process and for input from each member of the decision-making or advisory team
- Principles of consensus will generally be applied

APPENDIX 3: RESOURCES TO HELP YOU

Bon Secours Code of Conduct

- Describes the Bon Secours mission, vision, values and operating principles, as well as the Ethical Decision-Making Process
- Provides general guidance on Corporate Responsibility (CR) issues

Bon Secours Policies and Procedures

- Provides guidance on specific policies, procedures and expectations, as well as department-specific or technical issues

Your Local System Corporate Responsibility Officer (CRO)

- Provides local system level guidance on Code of Conduct topics and the Corporate Responsibility Reporting Process
- Administers the conflict of interest disclosure process
- Handles all questions and concerns confidentially

Bon Secours System CRO

- Provides BSHSI system level guidance on Code of Conduct topics and the Corporate Responsibility Reporting Process
- Handles Corporate Responsibility questions and concerns involving senior and executive leaders across Bon Secours

- Oversees the Bon Secours conflict of interest disclosure process
- Handles all questions and concerns confidentially

Values Line (888-880-1286) or www.BonSecoursValuesLine.com

- Provides a way to seek guidance or to report potential violations of the Code of Conduct, including medical errors or adverse events
- Respects the caller's request to remain anonymous
- Issues are handled confidentially

Responsible Executives

- Provide subject matter expertise in specific areas of risk

Mission Department and Local Ethics Committees

- Provides guidance on Mission and Values, Ethical Decision-Making Models, Ethical and Religious Directives for Catholic Health Care Services, pastoral care, advance directives, end of life issues, patient rights
- Provides consultation and advice on specific ethics cases

Human Resources

- Provides guidance on workplace issues
- Provides guidance on the employee discipline process

Legal Department

- Provides guidance on legal issues
- May be involved in CR investigations

Internal Audit

- Conducts Annual Audit on areas of Corporate Responsibility risk
- Conducts audits on request
- May be involved in CR investigations

Risk Manager

- Provides guidance on patient care or workplace safety issues
- Provides guidance about disclosing medical errors or adverse events.

Privacy and Security Officers

- Provide guidance on protecting patient health information or confidential business information

Medical Staff Office

- Provides guidance for members of the Medical Staff
- Interprets medical staff by-laws

Local System Corporate Responsibility Council

- Advises and supports the Local System Corporate Responsibility Officer

Local System Audit and Compliance Committee

- Provides Board level oversight to assure that the Corporate Responsibility program is effective in the Local System

Bon Secours Audit and Compliance Committee

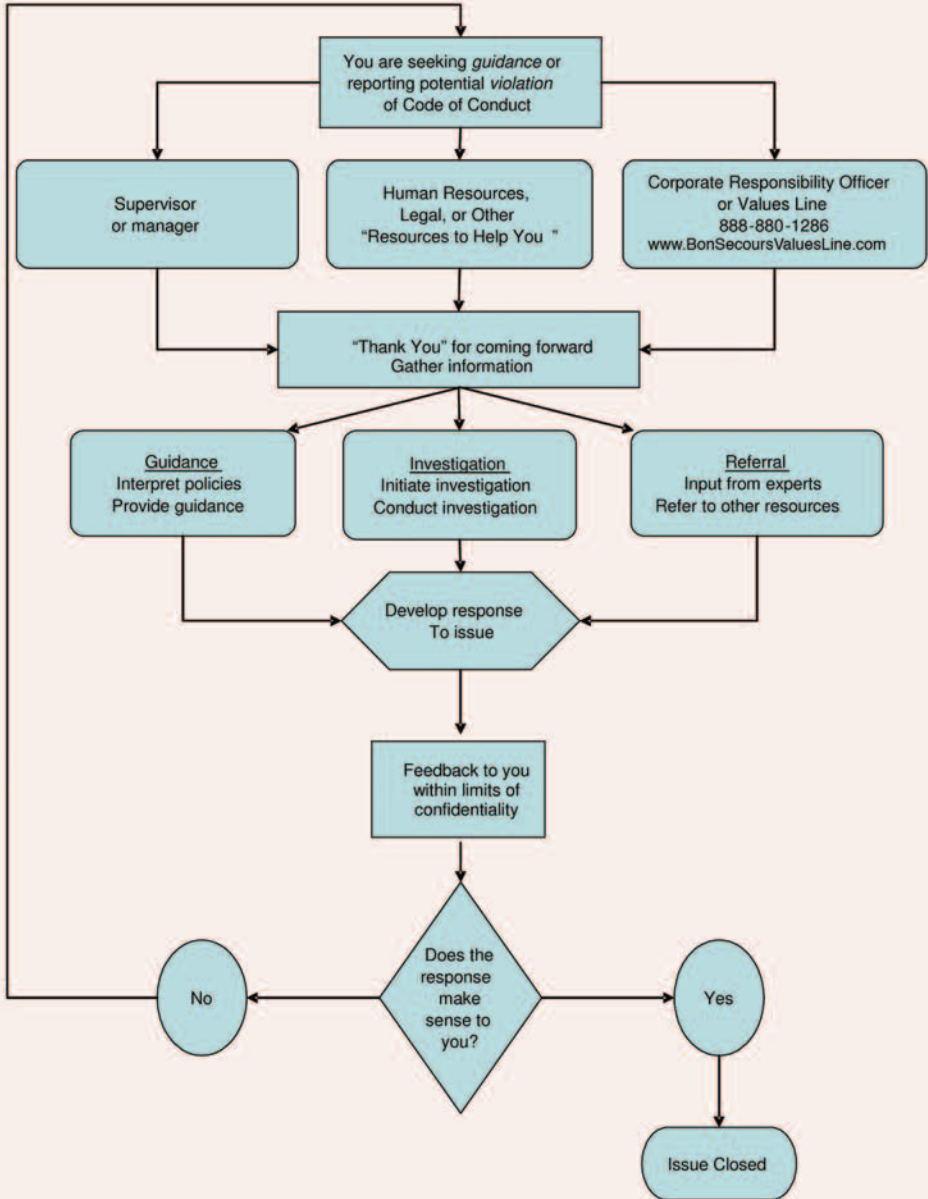
- Provides Board level oversight to assure that the Corporate Responsibility program is effective across all of Bon Secours

To assist you

in locating any of the resources above, contact the switchboard operator, human resources, a nurse administrator, a manager, or the Values Line.

APPENDIX 4: HOW THE CORPORATE RESPONSIBILITY REPORTING PROCESS WORKS

This flow chart illustrates how the process is designed to work when you seek guidance or report a potential violation of the Code of Conduct.



APPENDIX 5: CIVIL FALSE CLAIMS ACT

The Civil False Claims Act (FCA) is a federal law that covers fraud involving any government funded program, including the Medicare and Medicaid programs. The FCA establishes liability for any person who **knowingly** presents or causes to be presented a false or fraudulent claim to the U.S. government for payment. The term “knowingly” is not limited to situations where there is actual knowledge of the falsity of a claim; the term also includes the submission of a claim in deliberate ignorance or in reckless disregard of the truth or falsity of the claim information.

A false claim is something that is untrue.

Types of false claims can include:

- Billing twice for the same service
- Billing a higher level of service when a lower level of service was provided
- Unbundling of charges where bundling of such charges is required
- Billing for equipment or supplies that were never provided

Violations of the FCA come with civil penalties between \$5,500 and \$11,000. Fines may also include damages up to three times the amount of the original penalty and the violator can be excluded from participating in the Medicare and Medicaid programs. Violations may also be prosecuted under separate criminal false claims provisions.

Bon Secours has policies and procedures to prevent the filing of false claims. If you know of or suspect that false claims are being filed, you must report this to your supervisor or another member of management, or your Local System Corporate Responsibility Officer or the Bon Secours System Corporate Responsibility Officer. If you prefer to remain anonymous, you can use the Values Line and report your concerns. All employees are required to attend mandatory corporate responsibility training upon hire and annually thereafter. Employees are provided with more detailed information about Bon Secours’ Corporate Responsibility Program and reporting requirements during this training. You may also ask your supervisor or another member of management or the Corporate Responsibility Officer if you have any questions about the Corporate Responsibility Program.

The FCA also has what is known as “whistleblower protections.” Individuals with specific knowledge of false claims submissions have the right to file a civil action and will be protected against retaliation under the FCA for doing so. **Under the Bon Secours Corporate Responsibility Program, all employees, contractors and agents are required to report suspected or known violations to a member of management, the Corporate Responsibility Officer, or the Values Line.**

Your State may also have laws which impose penalties for false claims. Please ask your Local System Corporate Responsibility Officer if you would like to know what your State says about false claims.

*“The ministry
of Bon Secours
comes to life
because of you,
our dedicated
co-workers.”*

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