



# CODE OF CONDUCT





**Dear Kaweah Delta Team Member:**

We are proud to introduce our revised Code of Conduct for Kaweah Delta Health Care District (Kaweah Delta). Our Code of Conduct reflects Kaweah Delta's commitment to providing high quality services to patients, and our commitment to ethical and legal business practices. These goals are vital to the ongoing success of Kaweah Delta. This information booklet is a very real expression of our commitment to **integrity, accountability, and excellence** - three of Kaweah Delta's fundamental values. It has been designed to show each of us how our core values and standards go hand in hand.

Every person at Kaweah Delta plays a role, directly or indirectly, in the patient experience and our reputation is based on how we conduct ourselves on a daily basis. Our reputation brings hope to patients who trust us to deliver high quality care and attracts people with the highest integrity to seek employment or an affiliation with us.

The information in our Code of Conduct will assist you in understanding the variety of legal, professional and ethical standards that regulate our work. Please make it a priority to become familiar with it. Much of what you see in the Code of Conduct will not be new to you, but it will provide an accessible source of information when you have a question about a particular situation.

There may be times when you face a situation that is not specifically covered by the Code of Conduct. The complex challenges we face in the health care arena are not always easily categorized, and you may find that you need assistance in addressing a specific issue related to compliance. We encourage you to discuss the situation and initially seek guidance from your supervisor. If you are ever uncomfortable discussing the situation with your supervisor and/or would rather speak to Compliance and Privacy Officer directly, you may do so by contacting the Compliance and Privacy Officer at 1-559- 624-2154. If you prefer to report an issue or concern anonymously, you may call our Confidential Reporting Line at 1-800-998-8050. We will work diligently to ensure that questions and issues brought to our attention are addressed and resolved.

A commitment to ethical and legal business practices in caring for our patients and in our business dealings is crucial. Compliance means doing the right thing. I thank you for your personal commitment to compliance, this Code of Conduct and the part you play in making Kaweah Delta a organization that we can all be proud of.

**Sincerely,**

A handwritten signature in black ink that reads "Lindsay K. Mann". The signature is written in a cursive, flowing style.

**Lindsay K. Mann**  
Chief Executive Officer

## Table of Contents

<b>Purpose of the Code of Conduct</b> .....	1
<b>The District</b> .....	1
<b>Mission, Values and Vision</b> .....	1
<b>Kaweah Delta Compliance Program</b> .....	2
Program Structure and Standards .....	2
Training and Education .....	2
Resources for Reporting a Concern.....	2
Personal Obligation to Report .....	3
Internal Investigations .....	3
Corrective Action .....	3
Discipline .....	3
Measuring Program Effectiveness .....	3
Leadership Responsibilities .....	3
Our Fundamental Commitment .....	4
<b>Our Commitment to our Patients</b> .....	4
Patient Care and Rights .....	4
Interpretive Services .....	5
Patient Information .....	5
Abuse and/or Neglect Reporting .....	6
<b>Legal and Regulatory Compliance</b> .....	6
Witnessing Legal Documents .....	6
Coding and Billing for Services .....	6
Cost Reports .....	7
Financial Reporting and Records .....	7
Emergency Treatment- EMTALA .....	7
Response to Government Inquiries .....	8
<b>Accreditation and Federal/State Agencies</b> .....	8
<b>Risk Management</b> .....	8

<b>Internal Audit .....</b>	<b>8</b>
<b>Performance Improvement and Patient Safety .....</b>	<b>9</b>
<b>Business Records and Information Systems.....</b>	<b>9</b>
Accuracy, Retention, and Disposal of Documents and Records .....	9
Electronic Media .....	9
Information Security and Confidentiality of Information.....	9
<b>Workplace Conduct and Employment Practices.....</b>	<b>10</b>
Diversity and Equal Employment Opportunity .....	10
Conflicts of Interest .....	10
Interactions with Physicians .....	11
Relationships with Subcontractors and Suppliers .....	11
Research, Investigations and Clinical Trials .....	11
Sanctioned/Excluded Individuals and Entities .....	11
Identification Badge Policy .....	12
Kaweah Delta Property and Assets .....	12
Controlled Substances .....	12
Harassment and Workplace Violence .....	12
Health and Safety .....	12
Behaviors That Undermine a Culture of Safety .....	13
License and Certification Renewals .....	13
Substance Abuse and Mental Acuity .....	13
<b>Marketing, Advertising and Fundraising Practices .....</b>	<b>14</b>
Marketing and Advertising .....	14
Antitrust- Compete Fairly .....	14
Kaweah Delta Foundation .....	14
Government Relations and Political Activities .....	14
Solicitation, Fundraising and Distribution of Material .....	15
Acknowledgement Process .....	15

## Purpose of the Code of Conduct

Our Code of Conduct provides guidance to all Kaweah Delta Health Care District (Kaweah Delta) employees and our care partners. The Code assists us in carrying out our daily activities and working within appropriate ethical and legal standards. These obligations apply to our relationships with patients, affiliated physicians, third-party payers, subcontractors, independent contractors, vendors, volunteers, consultants and one another.

The Code is a critical component of our overall Compliance Program. We have developed the Code to ensure we all understand our ethical obligations and standards, and comply with all applicable laws and regulations.

The Code is intended to be comprehensive and easily understood. However, in many cases, the subject matter discussed may have complexities that require additional guidance and direction. To provide additional guidance, we have developed comprehensive policies and procedures which may be accessed on Kaweah Delta's Intranet. Those policies expand upon many of the principles communicated in this Code of Conduct. The standards set forth in the Code are mandatory and must be followed.

## The District

Kaweah Delta Health Care District is a community venture, operating under the authority granted through the California Health and Safety Code as a health care district. The purpose of the District is to provide quality health care within defined areas of expertise. It is the intent of District that no person shall be denied emergency admission or emergency treatment based on ability to pay. It is further the intent of the District that no person shall be denied admission or treatment based upon race, color, national origin, ethnic, economic, religious or age status or on the basis of sexual preference. The medical welfare of the community and its particular health needs will be fulfilled to the capacity of the District's financial limitations.

Kaweah Delta Health Care District operates under the authority of California Code for a health care district.

As such, Kaweah Delta Health Care District is publicly owned and operates as a non-profit entity.

## Mission, Values and Vision

### **Kaweah Delta Mission**

*To provide high quality, customer oriented and financially strong health care services to meet the needs of those we serve.*

### **Kaweah Delta Values**

*Vision - we plan for and act to produce an ever-improving future.*

*Integrity - we are completely honest, candid, and transparent in our dealings.*

*Caring - our patients, their families, and the community must be at the center of all we do.*

*Accountability - we are completely responsible to our patients, the community, and our colleagues for producing the best results possible.*

*Respect - we collaborate effectively with others and are socially and interpersonally skilled.*

*Excellence - we accept nothing less than our very best effort and through continual learning we are committed to achieve superior performance.*

### **Kaweah Delta Vision**

Delivering Excellence. Together, Kaweah Delta and the Medical Staff will be recognized for consistently delivering a broad range of exceptional health care services, superior clinical quality and exemplary customer service.



## **Kaweah Delta Compliance Program**

### ***Program Structure and Standards***

The Compliance Program is intended to demonstrate in the clearest possible terms the absolute commitment of the organization to the highest standards of ethics and compliance. The elements of the program include setting standards (the Code and Policies and Procedures), communicating the standards, providing a mechanism for reporting potential exceptions, monitoring and auditing, and maintaining an organizational structure that supports the continued growth of the program. Each of these elements is detailed below.

These elements are supported at all levels of the organization. Providing direction, guidance and oversight are the Compliance Committee of the Board of Directors and the Executive Team consisting of senior management.

The Compliance and Privacy Officer is responsible for the day-to-day direction and implementation of the Compliance Program. This includes developing resources (including policies and procedures, training programs, and communication tools) and providing support to others.

The Compliance Team plays a key role in ensuring the successful implementation of our Compliance Program. They are responsible for distributing standards, ensuring training is conducted, conducting monitoring and responding to audits, investigating and resolving Confidential Reporting Line issues and otherwise administering the Compliance Program.

Another important resource to address issues related to this Code of Conduct is the Human Resources Department. Human Resources staff is highly knowledgeable about many of the compliance risk areas described in this Code of Conduct, particularly those that pertain to employment and the workplace. The Human Resources staff is responsible for ensuring compliance with various employment laws. If a concern relates to specific details of an individual's work situation, rather than larger issues of organizational ethics and compliance, the Human Resources Department is the most appropriate area to contact. In that we promote the concept of management autonomy, every effort should be made to resolve workplace conduct and employment practice issues through

the individual's supervisor. However, the Human Resources Department is also available to provide support to employees and management.

### ***Training and Education***

Training and education has been developed to ensure that employees throughout the organization are aware of the standards that apply to them. Code of Conduct training is conducted at the time an individual joins the organization and communicated regularly to all employees. Compliance training in areas of specific compliance risk (e.g., billing, coding, cost reports) is required of certain individuals. Kaweah Delta policies outline the training requirements.

Many resources regarding our program are available to all Kaweah Delta employees on our Intranet and to the general public on the Internet.

### ***Resources for Reporting a Concern***

To obtain guidance on an ethical or compliance issue or to report a concern, individuals may choose from several options. We encourage the resolution of issues, including human resources-related issues (e.g., payroll, fair treatment and disciplinary issues). It is an expected good practice, when one is comfortable with it and thinks it appropriate under the circumstances, to raise concerns first with one's supervisor. If it is uncomfortable or inappropriate, the individual may discuss the situation with the Compliance and Privacy Officer or the Human Resources Department. Individuals are always free to contact the Confidential Reporting Line at 800-998-8050. If the issue is employee relations in nature, employees should contact the Human Resources Department for assistance and further guidance.

Kaweah Delta makes every effort to maintain, within the limits of the law, the confidentiality of the identity of any individual who reports concerns or possible misconduct. There is no retribution or discipline for anyone who reports a concern in good faith.

Any employee who deliberately makes a false accusation with the purpose of harming or retaliating against another employee is subject to discipline.

**To report a concern to ask questions contact:**

**Kaweah Delta Compliance and Privacy Officer  
(559) 624-2154**

Kaweah Delta Compliance Advocate  
Kaweah Delta Legal Counsel  
(559) 738-8100 or 280-3075

Confidential Reporting Line  
1 (800) 998-8050

***Kaweah Delta has a legal and ethical obligation to act in compliance with applicable laws and to ensure that its resources are used in a manner that furthers the public good.....***

### ***Personal Obligation to Report***

We are committed to ethical and legal conduct that is compliant with all relevant laws and regulations and to correct any wrongdoing whenever it may occur in the organization. Each employee has an individual responsibility for reporting any activity by any employee, physician, subcontractor, or vendor that appears to violate applicable laws, rules, regulations, accreditation standards, medical practice standards, Federal healthcare Conditions of Participation or this Code. If a matter poses serious compliance risk to the organization or that involves a serious issue of medical necessity, clinical outcomes or patient safety is reported, and if the reporting individual doubts that the issue has been given sufficient or appropriate attention, the individual should report the matter to higher levels of management, the Director of Risk Management, the Compliance and Privacy Officer or the Confidential Reporting Line until satisfied that the full importance of the matter has been recognized.

### ***Internal Investigations***

We are committed to investigating all reported concerns promptly and confidentially to the extent possible. The Compliance and Privacy

Officer coordinates findings from investigations and immediately recommends corrective action or changes that need to be made. We expect all employees to cooperate with investigation efforts.

### ***Corrective Action***

Where an internal investigation substantiates a reported violation, it is the policy

of the organization to initiate corrective action, including, as appropriate, making prompt restitution of any overpayment amounts, notifying the appropriate governmental agency, instituting disciplinary action as necessary and implementing systemic changes to prevent a similar violation from recurring in the future.

### ***Discipline***

All violators of the Code will be subject to disciplinary action. The precise discipline utilized and frequency of the violation may result in any or all of the following disciplinary actions:

- Written Warning
- Written Reprimand
- Suspension
- Termination and/or
- Restitution

### ***Measuring Program Effectiveness***

We are committed to assessing the effectiveness of our Compliance Program through various efforts. Much of this effort is provided by the Internal Audit Department, which routinely conducts internal audits of issues that have regulatory or compliance implications. Responsible Executives and management routinely undertake monitoring efforts in support of policies and compliance in general. Departments conduct self-monitoring, and the Compliance Department conducts reviews designed to assess facility implementation of the Code, policies and procedures, Confidential Reporting Line and related investigations, and monitoring efforts.

Most of these methods of assessment result in reports of findings by the reviewers and corrective action plans by the departments that are reviewed. Through these reviews, we are continuously assessing the effectiveness of the Program and finding ways to improve it.

### **Leadership Responsibilities**

While all Kaweah Delta employees are obligated to follow our Code, we expect our leaders to set the example, to be in every respect a model for others. We expect everyone at Kaweah Delta with supervisory responsibilities to be kind, sensitive, honest, thoughtful and respectful. We expect all leaders to create an

environment where each team member feels free to raise concerns and propose new ideas.

We also expect that leadership will provide their team members with sufficient information to comply with laws, regulations, policies and procedures, as well as the resources to address and resolve ethical dilemmas. They must help to create and maintain a culture that promotes the highest standards of ethics and compliance. This culture must encourage everyone in the organization to share concerns when they arise. We must never sacrifice ethical and compliant behavior in the pursuit of business objectives.

Kaweah Delta Leaders at all levels should use all available education and guidance to most effectively incorporate ethics and compliance into all aspects of Kaweah Delta.

### **Our Fundamental Commitment**

We are committed to providing *Personal, Professional, Compassionate Experiences, Every Person Every Time* and specifically:

**To our patients:** We are committed to providing high quality care that is sensitive, compassionate, promptly delivered, and cost effective.

**To our employees:** We are committed to a working environment which treats all employees with fairness, dignity and respect, and affords them an opportunity to grow and develop professionally, and to work in a team environment in which all ideas are considered.

**To our affiliated physicians:** We are committed to providing a work environment which has excellent facilities, equipment and outstanding professional support.

**To our third-party payers:** We are committed to dealing with our third-party payers in a manner that demonstrates our commitment to contractual obligations and reflects our shared concern for quality healthcare and bringing efficiency and cost effectiveness to healthcare. We encourage our payers to adopt their own set of ethical practices to recognize their obligations to patients and the need for fairness and responsiveness.

**To our regulators:** We are committed to maintaining an environment of compliance with rules, regulations, policies and sound business

practices. We accept the responsibility to self-govern and monitor adherence to the requirements of the law and to our Code of Conduct.

**To our joint venture partners:** We are committed to fully performing our responsibilities to manage our jointly owned facilities in a manner that reflects the mission and values of each of our organizations.

**To the communities we serve:** We are committed to understanding the needs of the communities we serve and to providing high quality, cost-effective healthcare. We realize that we have a responsibility to those in need. We proudly support charitable contributions and community events in an effort to promote goodwill, health and other good causes.

**To our suppliers:** We are committed to fair competition among prospective suppliers and the sense of responsibility required of a good customer. We encourage our suppliers to adopt their own set of ethical principles.

**To our volunteers:** We are committed to ensuring that our volunteers feel a sense of meaning from their work and receive recognition for their volunteer efforts. Volunteers assisting our patients and their families are an integral part of the fabric of healthcare. Our volunteers are an important part of the Kaweah Delta team.

**To our Foundation donors:** We are committed to ensuring that donations made to Kaweah Delta are managed respectfully and responsibly to serve the needs of Kaweah Delta and the patients and communities we serve.

### **Our Commitment to our Patients**

#### ***Patient Care and Rights***

In the availability of services; the admission, transfer or discharge of patients; or in the care we provide, we make no inappropriate distinctions based on age, gender, disability, race, color, religion, sexual orientation, gender identity or national origin.

Upon admission, we provide each patient with a written statement of patient rights and a notice of privacy practices. These statements include the rights of the patient to make decisions regarding medical care and regarding his or her

health information maintained by Kaweah Delta. Such statements conform to all applicable state and federal laws, including but not limited to the Health Insurance Portability and Accountability Act of 1996 (hereinafter referred to as HIPAA).

We seek to involve patients in all aspects of their care, including giving consent for treatment and making healthcare decisions, which may include managing pain effectively, foregoing or withdrawing treatments, and, as appropriate, end of life care. In the promotion and protection of patients' rights, each patient and his or her representatives are afforded appropriate confidentiality, privacy, security and protective services, opportunity for resolution of complaints, and pastoral or spiritual care.

Patients are treated in a manner that preserves their dignity, autonomy, self-esteem, civil rights, and involvement in their own care. Kaweah Delta facilities maintain processes to support patient rights in a collaborative manner which involves Kaweah Delta leaders and others. These processes are based on policies and procedures, which address both patient care and organizational ethics. These processes include informing each patient or, when appropriate, the patient's representative of the patient's rights in advance of furnishing or discontinuing care. Patients and, when appropriate, their families or caregivers are informed about the outcomes of care, including unanticipated outcomes. Additionally, patients are involved as clinically appropriate in resolving dilemmas about care decisions.

***Kaweah Delta has a comprehensive program to promote the quality of patient care and measure its effectiveness. The commitment to quality care and patient safety is everyone's responsibility.***

Kaweah Delta maintains processes for prompt resolution of patient grievances which include informing patients of the grievance process which includes notification of the resolution. Patients and/or their families have a right to file a complaint or grievance regarding their care and may do so by contacting Kaweah Delta's Risk Management Department, the Joint

Commission or California Department of Public Health.

Kaweah Delta maintains an ongoing, proactive patient safety effort for the identification of risk to patient safety and the prevention, reporting and reduction of healthcare errors.

Kaweah Delta has established patient safety and quality of care policies. It is the responsibility of each staff member to follow our standards and policies. It is important to report non-compliance, safety or quality concerns to management so the issues can be addressed. Kaweah Delta is committed to investigate and respond to all reported concerns. An employee may also report safety or quality of care concerns to the Joint Commission (TJC) by accessing their website at [www.jointcommission.org](http://www.jointcommission.org). Additionally TJC can be contacted by email at [complaint@jcaho.org](mailto:complaint@jcaho.org) or by fax at (630) 792-5636. Kaweah Delta will take no disciplinary action against any employee because they report a safety or quality of care concern.

#### ***Interpretive Services***

Fluency in English is required for all employees having patient contact. To facilitate communication with non-English speaking or hearing impaired individuals, Kaweah Delta has alternatives in place including a 24-hour Language Line of more than 100 languages. Employees may access the line directly. A procedure is in place explaining how to use the Language Line. Employees may also contact management or the Interpreter Services department for assistance.

Interpreting services are available for both foreign and sign languages. Contact the nursing staffing office for details or to obtain an interpreter. Kaweah Delta employees who are able to communicate in a second language are encouraged to contact the Interpreter Services Department for information on the voluntary interpreter program.

#### ***Patient Information***

We collect information about the patient's medical condition, history, medication, and family illnesses. We realize the sensitive nature of this information and are committed to maintaining its confidentiality.

Kaweah Delta employees must never access, use or disclose confidential information in a manner that violates the privacy rights of our

patients. In accordance with our appropriate access and privacy policies and procedures, which are consistent with state and federal privacy requirements, no Kaweah Delta employee, affiliated physician or other healthcare partner has a right to any patient information other than what is necessary to perform his or her job duties.

Subject only to emergency exceptions, patients can expect their privacy will be protected. Patient-specific information will be released only to persons authorized by the patient to receive the information or those authorized by law to receive the information.

### ***Abuse and/or Neglect Reporting***

Kaweah Delta is committed to promoting a health care environment free from threats, harassment, abuse (verbal, physical, mental, or sexual), neglect, corporal punishment, involuntary seclusion and misappropriation of property.

Following State and Federal laws and Kaweah Delta policy, all employees are mandated reporters of suspected child or elder/dependent adult abuse and domestic violence injuries. Patient and Family Services staff is available to help assess patients and make appropriate telephone and written reports.

### **Legal and Regulatory Compliance**

Kaweah Delta provides a variety of healthcare services in the local area. These services are provided pursuant to appropriate federal, state, local laws and regulations and the Conditions of Participation for Federal healthcare programs.

We have developed policies and procedures to address many legal and regulatory requirements. However, it is impractical to develop policies and procedures that encompass the full body of applicable law and regulation. Obviously, those laws and regulations not covered in organization policies and procedures must be followed. There are sources of expertise within the organization concerning these matters and these resources should be utilized for advice concerning human resources, legal, regulatory, and the Conditions of Participation requirements.

### ***Witnessing Legal Documents***

Employees must not act as a witness to a last will and testament, a promissory note, or other legal document not prepared by Kaweah

Delta, for a patient, a patient's family member, or another staff member.

### ***Coding and Billing for Services***

We have implemented policies, procedures and systems to facilitate accurate billing to government payers, commercial insurance payers and patients. These policies, procedures, and systems conform to pertinent federal and state laws and regulations. Kaweah Delta prohibits its employees and agents from knowingly presenting or causing to be presented claims for payment or approval which are false or otherwise fraudulent.

In support of accurate billing, medical records must provide reliable documentation of the services rendered. It is important that all individuals who contribute to medical records provide complete and accurate information and do not destroy any information considered part of the official medical record.

Accurate and timely documentation also depends on the diligence and attention of physicians who treat patients in our facilities. We expect those physicians to provide us with complete and accurate documentation in a timely manner.

Any subcontractors engaged to perform billing, coding services or collection services are expected to have the necessary skills, systems and appropriate quality control procedures to ensure all billings are accurate and complete. Kaweah Delta requires the business associate to have their own ethics and compliance programs and a code of conduct or to adopt Kaweah Delta's code as their own.

Both the Federal and California State False Claims Acts cover fraud involving any state or federally funded contract or program, including the Medicare and Medicaid (Medi-Cal) programs. Both acts establish liability for any person who knowingly presents or causes to be presented a false or fraudulent claim to the State or Federal government for payment. To encourage individuals to come forward and report misconduct involving false claims, both the federal False Claims Act and the California False Claims Act include "qui tam" or whistleblower provisions. The "qui tam" or whistleblower provision allows a person who is the "original source" of knowledge of a past or present fraud to file a *qui tam* action. The party bringing the action is known as the "relator." "Original source" is defined as direct and

independent knowledge of the information on which the allegations are based and has voluntarily provided the information to the Government before filing a lawsuit on behalf of the U.S. Government or State of California.

In addition to a possible financial award, the False Claims Act entitles whistleblowers to additional relief, including employment reinstatement, back pay, and any other compensation arising from retaliatory conduct against a whistleblower for filing an action under the False Claims Act or committing other lawful acts, such as investigating a false claim or providing testimony for, or assistance in, a False Claims Act action.

For coding questions, you can contact Health Information Management Services at 559-624-2218. For billing questions, contact Patient Accounting Services at 559-624-4200. To report any suspected billing or coding misconduct, contact the Compliance and Privacy Officer at 559-624-2154 or the Confidential Reporting Line at 1-800-998-8050.

***We take great care to assure that all billings to the government, third party payers and patients are accurate and conform to all applicable federal and state laws and regulations***

### **Cost Reports**

We are required by federal and state laws and regulations to submit certain reports of our operating costs and statistics. We comply with federal and state laws, regulations, and guidelines relating to all cost reports. These laws, regulations, and guidelines define what costs are allowed and outline the appropriate methodologies to claim reimbursement for the cost of services provided to program beneficiaries.

Kaweah Delta policies address cost report compliance and articulate our commitment to ensuring accurate development and submission. Finance Department personnel are educated regarding federal and state laws, regulations and guidelines, and corporate policies; maintain a standardized work paper package to provide consistency in the preparation, organization, presentation, and review of cost reports; apply a

uniform cost report review process; identify and exclude non-allowable costs; adhere to documentation standards; and use transmittal letters to report protested items and report other appropriate disclosures. All issues related to the preparation, submission and settlement of cost reports must be performed by or coordinated with our Finance Department.

### **Financial Reporting and Records**

We have established and maintain a high standard of complete accuracy in documenting, maintaining, and reporting financial information. This information serves as a basis for managing our business and is important in meeting our obligations to patients, employees, suppliers, and others. The financial records are also necessary for compliance with tax and financial reporting requirements.

All financial information must reflect actual transactions and conform to generally-accepted accounting principles. All funds or assets must be properly recorded in the books and records of the organization. Kaweah Delta maintains a system of internal controls to provide reasonable assurances that all transactions are executed in accordance with management's authorization and are recorded in a proper manner so as to maintain accountability of the organization's assets.

We diligently seek to comply with all applicable auditing, accounting and financial disclosure laws. Finance management receives training and guidance regarding auditing, accounting and financial disclosures relevant to their job responsibilities. They are also provided the opportunity to discuss issues of concern with the Board of Directors' Audit Committee. Anyone having concerns regarding accounting or auditing matters should report such matters to the Director of Internal Audit, the Compliance and Privacy Officer or the Confidential Reporting Line.

### **Emergency Treatment-EMTALA**

We follow the Emergency Medical Treatment and Active Labor Act ("EMTALA") and Kaweah Delta policy in providing an emergency medical screening examination and necessary stabilization to all patients, regardless of ability to pay. Provided we have the capacity and capability, anyone who presents in the Emergency Room with an emergency medical condition or

who is in labor is treated. In an emergency situation or if the patient is in labor, we will not delay the medical screening and necessary stabilizing treatment in order to seek financial and demographic information. We do not admit, discharge, or transfer patients with emergency medical conditions simply based on their ability or inability to pay or any other discriminatory factor.

Patients with emergency medical conditions are only transferred to another facility at the patient's request or if the patient's medical needs cannot be met at Kaweah Delta Medical Center (e.g., we do not have the capacity or capability) once the patient has been stabilized, appropriate care is knowingly available at another facility and the receiving hospital has accepted the transfer. Patients are only transferred in strict compliance with state and federal EMTALA regulatory and statutory requirements.

#### ***Response to Government Inquiries***

Various agencies may contact individuals associated with Kaweah Delta to initiate a compliance-related inquiry. We will comply with lawful and reasonable requests or demands and we will provide truthful responses to government inquiries. At the same time, it is imperative that we protect the rights of Kaweah Delta and its employees. Both Kaweah Delta and its employees have the right to be represented by legal counsel during any compliance-related governmental inquiry. Kaweah Delta employees have the right to have an attorney present during questioning by outside government agencies, whether that questioning occurs at work or away from work. Any individual who receives an inquiry, visit, subpoena or other legal document from a government agency, at work or at home regarding Kaweah Delta business shall immediately notify his or her supervisor, the Compliance and Privacy Officer or the Director of Risk Management.

Your supervisor, Director of Risk Management and/or the Compliance and Privacy Officer will assist in verifying the credentials of the investigator and determining the legitimacy of the inquiry, and will follow proper procedures for cooperating with the request.

In some cases government investigators, or persons presenting themselves as such, may contact employees outside of the workplace, during non-work hours, or at the employee's home. Do not feel pressured to talk with the

person under such circumstances without first contacting the Compliance and Privacy Officer, the Director of Risk Management or the Compliance Advocate.

#### **Accreditation and Federal/State Agencies**

In preparation for, during and after surveys, Kaweah Delta employees respond to all consultants and representatives of accrediting bodies in a direct, open and honest manner. No action should ever be taken when interacting with representatives of accrediting bodies that would mislead any member of a survey team.

#### **Risk Management**

The Risk Management Department oversees the risk prevention and claims process. Each employee is considered an important component of Kaweah Delta's risk prevention program. Every employee plays a key role in risk prevention by functioning within the scope of their job description and following Kaweah Delta's policies, procedures and guidelines. Staff must alert their supervisors to unsafe situations. If something does not feel right or you suspect an undesired patient outcome, notify your immediate supervisor and complete an occurrence report. Any employee who has a concern about the safety or quality of care provided in Kaweah Delta may report their concerns to Risk Management, Compliance or the Confidential Reporting Line.

#### **Internal Audit**

The Internal Audit Department serves as an independent and objective auditing and consulting service for Kaweah Delta, reporting to the Board of Directors and the Chief Operating Officer. The Internal Audit Department seeks to gain an in-depth understanding of the business culture, systems, and processes in place at the organization and to provide assurance to the Board and Management that internal controls are in place, that they adequately mitigate risks and that they help Kaweah Delta meet its organizational goals and objectives. While the Department assesses the internal controls throughout the organization, each Kaweah Delta employee is a part of and is responsible for maintaining a proper control structure. This

involves performing their roles as outlined in their job description, following all laws and regulations and adhering to District policies. Any employee that has a concern related to internal controls at Kaweah Delta, adherence to Kaweah Delta policies and procedures, or adherence to laws and regulations should notify their supervisor immediately. Concerns may also be reported to Internal Audit, Compliance, Risk Management or the Confidential Reporting Line

### **Performance Improvement and Patient Safety**

Kaweah Delta works to continuously improve its clinical and organizational functions. Each performance improvement activity is carried out in various formal and informal settings. Continuous performance improvement is achieved through the effective implementation and coordination of three distinct but overlapping processes:

- The systematic measurement and evaluation of outcomes, processes and services, especially as they relate to Kaweah Delta's strategic plan defined annually
- The analysis of these observations and measures
- The design and implementation of performance improvement projects when desired or necessary.

***All individuals must maintain integrity in business conduct and avoid any activities that could reflect adversely on Kaweah Delta's reputation.***

### **Business Records and Information Systems**

#### ***Accuracy, Retention, and Disposal of Documents and Records***

Each Kaweah Delta employee is responsible for the integrity and accuracy of our organization's documents and records, not only to comply with regulatory and legal requirements but also to ensure records are available to support our business practices and actions. No one may alter or falsify information on any record or document. Records must never be destroyed in an effort to deny governmental authorities that which may be relevant to a government investigation.

Medical and business documents and records are retained in accordance with the law and our record retention policy. It is important to retain and destroy records only according to our policy. Kaweah Delta employees must not tamper with records.

#### ***Electronic Media***

All communications systems, including but not limited to electronic mail, Intranet, Internet access, telephones, and voice mail, are the property of Kaweah Delta and are to be used primarily for business purposes in accordance with electronic communications policies and standards.

Users of computer and telephonic systems should presume no expectation of privacy in anything they create, store, send, or receive on the computer and telephonic systems. Kaweah Delta reserves the right to monitor and/or access electronic media usage and content consistent with policies and procedures.

Employees may not use internal communication channels or access the Internet at work to post, store, transmit, download, or distribute any threatening materials; knowingly, recklessly, or maliciously false materials; obscene materials; or anything constituting or encouraging a criminal offense, giving rise to civil liability, or otherwise violating any laws.

#### ***Information Security and Confidentiality of Information***

Confidential information about our organization's strategies and operations is a valuable asset. Although Kaweah Delta employees may use confidential information to perform their jobs, it must not be shared with others unless the individual(s) and/or entities have a legitimate need to know the information in order to perform their specific job duties or carry out a contractual business relationship. In addition, these individuals and/or entities must have agreed to maintain the confidentiality of the information.

We exercise due care and diligence in maintaining the confidentiality, availability and integrity of information. Because so much of our clinical and business information is generated and contained within our computer systems, it is essential that each Kaweah Delta employee protect our computer systems and the information contained in them by not sharing passwords and by

reviewing and adhering to our information security policies and guidance.

It is Kaweah Delta's policy to observe copyrights, trademarks, and/or licenses and safeguard the intellectual property of Kaweah Delta and those with whom we do business.

***Because much of our clinical and business information is increasingly generated and maintained within our computer systems, all users must exercise diligence to protect our computer systems and the information stored therein.....***

### **Workplace Conduct and Employment Practices**

#### ***Diversity and Equal Employment Opportunity***

It is the responsibility of Kaweah Delta to create and maintain an equal opportunity work environment in which employees are treated with respect, diversity is valued, and opportunities are provided for development. Harassment or abuse is prohibited in the workplace.

Kaweah Delta also prohibits discrimination in any work-related decision on the basis of race, creed, sexual orientation, gender identity, age, disability status, national origin, or any other illegal basis. We make reasonable accommodations to the known physical and mental limitations of otherwise qualified individuals with disabilities.

We comply with all laws, regulations, and policies related to non-discrimination in all of our personnel actions. Such actions include hiring, staff reductions, transfers, terminations, evaluations, recruiting, compensation, corrective action, discipline, and promotions.

If a Kaweah Delta employee perceives that inequitable or unfair conduct is occurring in the workplace, the employee should contact the Human Resources Department. If the employee feels the matter was not resolved to his/her satisfaction, the employee may contact the Compliance and Privacy Officer or the Compliance Advocate or call the Confidential Reporting Line.

#### ***Conflicts of Interest***

A conflict of interest may occur if a Kaweah Delta employee's outside activities, personal financial interests, or other personal interests influence or appear to influence his or her ability to make objective decisions in the course of the employee's job responsibilities. A conflict of interest may also exist if the demands of any outside activities hinder or distract an employee from the performance of his or her job or cause the individual to use Kaweah Delta resources for other than Kaweah Delta purposes. A good rule of thumb is that a conflict of interest may exist any time an objective observer of your actions might wonder if your actions are motivated solely by your personal financial activities or interests.

Kaweah Delta employees are obligated to ensure they remain free of conflicts of interest in the performance of their responsibilities. If employees have any question about whether an outside activity or personal interest might constitute a conflict of interest, they must obtain the approval of their supervisor before pursuing the activity, obtaining or retaining the interest.

Kaweah Delta employees are prohibited from soliciting or receiving gifts, loans, entertainment or any other consideration of value from any individual or organization that does business or may wish to do business with Kaweah Delta. If an employee receives any gift or favor, it must be returned, and the employee's supervisor must be notified. A Kaweah Delta employee must not accept a personal gift of any consideration of value or any cash payment from a patient. In accordance with Kaweah Delta policy, patients wishing to express appreciation to employees may do so in the form of flowers or candy addressed to and for the enjoyment of the entire department or by donating to the Foundation Guardian Angel recognition program in the employee's honor.

***Even the appearance of a conflict may be as serious and potentially damaging as an actual conflict. For that reason, employees should avoid even the appearance of a conflict of interest.***

### ***Interactions with Physicians***

Federal and state laws and regulations govern the relationship between hospitals and physicians who may refer patients to the facilities. The applicable federal laws include the Anti-Kickback Law and the Stark Law. It is important that those employees who interact with physicians, particularly regarding making payments to physicians for services rendered, leasing space, recruiting physicians to the community, and arranging for physicians to serve in leadership positions in facilities, are aware of the requirements of the laws, regulations, and policies that address relationships between facilities and physicians.

If relationships with physicians are properly structured, but not diligently administered, failure to administer the arrangements as agreed may result in violations of the law. Any business arrangement with a physician must be structured to ensure compliance with legal requirements, our policies and procedures and with any operational guidance that has been issued.

Keeping in mind that it is essential to be familiar with the laws, regulations, and policies, there are two overarching principles that govern our interactions with physicians:

- *We do not pay for referrals.* We accept patient referrals and admissions based solely on the patient's medical needs and our ability to render the needed services. We do not pay or offer to pay anyone - employees, physicians, or other persons or entities - for referral of patients.
- *We do not accept payments for referrals we make.* No Kaweah Delta employee or any other person acting on behalf of the organization is permitted to solicit or receive anything of value, directly or indirectly, in exchange for the referral of patients. Similarly, when making patient referrals to another healthcare provider, we do not take into account the volume or value of referrals that the provider has made (or may make) to us.

### ***Relationships with Subcontractors and Suppliers***

We must manage our subcontractor and supplier relationships in a fair and reasonable manner, free from conflicts of interest and consistent with all applicable laws and good

business practices. We promote competitive purchasing to the maximum extent practicable. Our selection of subcontractors, suppliers, and vendors will be made on the basis of objective criteria including quality, technical excellence, price, and delivery, adherence to schedules, service, and maintenance of adequate sources of supplies. Our purchasing decisions will be made on the supplier's ability to meet our needs, and not on personal relationships and friendships. We employ the highest ethical standards in business practices in source selection, negotiation, determination of contract awards, and the administration of all purchasing activities.

### ***Research, Investigations and Clinical Trials***

We follow high ethical standards and comply with federal and state laws and regulations in any research, investigations and clinical trials conducted by our physicians and staff. All patients asked to participate in a clinical investigation or research project are given a full explanation of alternative services. They are also fully informed of potential discomfort and are given full disclosure of the risks, expected benefits and alternatives. Patient informed consent to participate is documented and retained according to policy. Formal approval for any research, investigation and/or clinical trial must be obtained by the Kaweah Delta Research Council (HSPC).

### ***Sanctioned/Excluded Individuals and Entities***

We do not contract with, employ, or bill for services rendered by an individual or entity that is excluded or ineligible to participate in Federal healthcare programs; suspended or debarred from Federal government contracts; or has been convicted of a criminal offense related to the provision of healthcare items or services and has not been reinstated in a Federal healthcare program after a period of exclusion, suspension, debarment, or ineligibility, provided that we are aware of such criminal offense. Pursuant to Kaweah Delta's policy, we routinely search the Department of Health and Human Services' Office of Inspector General and General Services Administration's lists of such excluded and ineligible persons. Kaweah Delta's policy addresses the procedures for timely and thorough review of such lists and appropriate enforcement actions.

Employees, vendors, and privileged practitioners at Kaweah Delta facilities are required to report to us if they become excluded, debarred or ineligible to participate in Federal healthcare programs; or have been convicted of a criminal offense related to the provision of healthcare items or services.

#### ***Identification Badge Policy***

All Kaweah Delta employees, contracted non-employees, physicians, care providers, vendors and volunteers are required to wear an identification badge at all times while performing their work on Kaweah Delta premises. Additionally, all employees should wear a badge attachment, which contains important safety information. Badges must be worn above waist level. If an employee damages or loses their badge, a replacement must be purchased through the Human Resources Department.

#### ***Kaweah Delta Property and Assets***

Kaweah Delta property is made available to Kaweah Delta employees only for authorized business purposes and shall not be used for personal reasons. This applies to physical assets such as office equipment, computers, software, medical supplies, as well as other types of property such as company records, patient information and customer lists. Kaweah Delta property must not be removed from the premises unless it is necessary to do so to perform your job. If property is removed from the premises, you must maintain them in your possession at all times and return the property as soon as it is no longer needed.

All Kaweah Delta employees are expected to maintain and properly care for Kaweah Delta property. We all have an obligation to treat Kaweah Delta property and equipment with care and respect. This includes reporting any damage or malfunction of Kaweah Delta property to appropriate personnel. If you are aware of anyone intentionally or negligently damaging Kaweah Delta property or equipment, report your observations to your supervisor or other manager who will investigate the matter and take appropriate action.

Client lists are a valuable asset and should never be disclosed to anyone outside Kaweah Delta without specific management approval. Ask

your supervisor about any request you receive for such a client listing.

#### ***Controlled Substances***

Some of our employees routinely have access to prescription drugs, controlled substances, and other medical supplies. Many of these substances are governed and monitored by specific regulatory organizations and must be administered by physician order only. Prescription and controlled medications and supplies must be handled properly and only by authorized individuals. If you become aware of inadequate security of drugs or controlled substances or the diversion of drugs from the organization, the incident must be reported immediately.

#### ***Harassment and Workplace Violence***

Each Kaweah Delta employee has the right to work in an environment free of harassment, abusive, threatening, intimidating and disruptive behavior. We do not tolerate harassment by anyone based on the diverse characteristics or cultural backgrounds of those who work with us. Degrading or humiliating jokes, slurs, intimidation, or other harassing conduct is not acceptable in our workplace.

Sexual harassment is prohibited. This prohibition includes unwelcome sexual advances or requests for sexual favors in conjunction with employment decisions. Moreover, verbal or physical conduct of a sexual nature that interferes with an individual's work performance or creates an intimidating, hostile, or offensive work environment will not be tolerated at Kaweah Delta.

Harassment also includes incidents of workplace violence. Workplace violence includes robbery and other commercial crimes, stalking, violence directed at the employer, terrorism, and hate crimes committed by current or former employees. Employees who observe or experience any form of harassment or violence should report the incident to their supervisor, the Human Resources Department, a member of management, the Compliance and Privacy Officer or the Confidential Reporting Line.

#### ***Health and Safety***

Kaweah Delta shall comply with all applicable workplace health, safety, and environmental laws and regulations. Kaweah Delta employees handle hazardous chemicals,

infectious agents, medical waste, and low-level radioactive material at various locations. All employees are expected to handle materials according to established control, storage and disposal procedures. If you do not know the correct procedure for handling or disposing of any material, promptly ask your supervisor or another Kaweah Delta resource such as the Safety Officer or Director of Risk Management for assistance.

Most chemicals used in our facilities are not classified as hazardous waste. Information regarding the hazards, proper handling, and disposal of chemicals is contained within the Material Safety Data Sheets (MSDS) supplied to us by the manufacturer. The MSDS can be found on Kaweah Delta's Intranet and in a binder available to departments where hazardous materials are used. If you are not sure, ask your supervisor or the Safety Officer before disposing of any chemical waste. Kaweah Delta safety plans and manuals provide additional guidance.

Kaweah Delta contracts with licensed disposal companies to remove and treat bio-hazardous waste to render it non-infectious. Bio-hazardous waste is placed in designated containers, either all red in color or having a fluorescent orange and black biohazard symbol.

***It is important that we all comply with all applicable workplace health, safety, and environmental laws and regulations and that we know where to find available guidance.***

#### ***Behaviors that undermine a culture of safety***

Intimidating and disruptive behaviors can foster medical errors, contribute to poor patient satisfaction, contribute to adverse outcomes, increase the cost of care, and cause qualified clinicians, administrators, and managers to seek new positions in more professional environments. Safety and quality of patient care is dependent on teamwork, communication, and a collaborative work environment. To assure quality and to promote a culture of safety, we endeavor to address behaviors that threaten the performance of the health care team.

Intimidating and disruptive behaviors include overt actions such as verbal outbursts, and physical threats, as well as passive activities such as refusing to perform assigned tasks or quietly

exhibiting uncooperative attitudes during routine activities. Such behaviors include reluctance or refusal to answer questions, return phone calls or pages; condescending language or voice intonation; and impatience with questions. Overt and passive behaviors undermine team effectiveness and can compromise the safety of patients. All intimidating and disruptive behaviors are unprofessional and should not be tolerated.

#### ***License and Certification Renewals***

Employees, individuals retained as independent contractors, and privileged practitioners in positions which require professional licenses, certifications, or other credentials are responsible for maintaining the current status of their credentials and shall comply at all times with federal and state requirements applicable to their respective disciplines. To assure compliance, Kaweah Delta may require evidence of the individual having a current license or credential status.

Kaweah Delta does not allow any employee, independent contractor or privileged practitioner to work in a position that requires a license or certification without valid, current licenses or credentials.

#### ***Substance Abuse and Mental Acuity***

To protect the interests of our employees and patients, we are committed to an alcohol and drug-free work environment. All employees must report for work free of the influence of alcohol and illegal drugs. Reporting to work under the influence of any illegal drug or alcohol; having an illegal drug in an employee's system; or using, possessing, or selling illegal drugs while on Kaweah Delta work time or property may result in immediate termination. We may use drug testing as a means of enforcing this policy.

It is also recognized that individuals may be taking prescription or over-the-counter drugs, which could impair judgment or other skills required in job performance. Employees with questions about the effect of such medication on their performance or who observe an individual who appears to be impaired in the performance of his or her job must immediately follow the reporting chain of command.

## **Marketing, Advertising and Fundraising Practices**

### ***Marketing and Advertising***

Kaweah Delta will advertise to inform the community of the availability and value of our services, to provide educational information about personal health, and to inform the public of Kaweah Delta's views on public policy issues related to health care.

Kaweah Delta is perceived as a reliable, authoritative source of information about medical care within the health care system. We shall remain mindful of the trust the public places in us to provide accurate, balanced information.

Advertising will be honest and accurate and, when presenting views on issues, clearly distinguish opinion from factual data.

Advertising shall not disparage or demean competitors, customers, or patients.

### ***Antitrust - Compete Fairly***

Antitrust laws are designed to create a level playing field in the marketplace and to promote fair competition. These laws could be violated by discussing Kaweah Delta business with a competitor, such as how our prices are set, disclosing the terms of supplier relationships, allocating markets among competitors, or agreeing with a competitor to refuse to deal with a supplier. Our competitors are other health systems and facilities in markets where we operate.

At trade association meetings, employees must be alert to potential situations where it may not be appropriate to participate in discussions regarding prohibited subjects with competitors. Prohibited subjects include any aspect of pricing, our services in the market, key costs such as labor costs, and marketing plans. If a competitor raised a prohibited subject, employees must end the conversation immediately.

In general, employees should avoid discussing sensitive topics with competitors or suppliers. Employees also must not provide any information in response to an oral or written inquiry concerning an antitrust matter without first consulting their manager, responsible Executive Team member or the Compliance and Privacy Officer.

### ***Kaweah Delta Foundation***

Kaweah Delta Foundation is one of our oldest and strongest traditions. The members of the Foundation board of directors are volunteers from the community including Kaweah Delta employees and doctors who believe in advancing local health care by being donors, fundraisers, and ambassadors for Kaweah Delta. Since being established in 1980, the Foundation has raised monies to build new facilities, purchase medical technology, and advance patient care. The Foundation conducts fundraising activities throughout the year; it receives gifts from individuals, businesses, Kaweah Delta employees and other foundations in the form of cash, securities and bequests.

### ***Government Relations and Political Activities***

Kaweah Delta complies with all federal, state, and local laws governing participation in government relations and political activities. Additionally, Kaweah Delta funds or resources may not be contributed directly to individual political campaigns, political parties, or other organizations which intend to use the funds primarily for political objectives. Organization resources include financial and non-financial donations such as using work time and telephones to solicit for a political cause or candidate or the loaning of Kaweah Delta property for use in the political campaign. Kaweah Delta engages in public policy debate only in a limited number of instances where it has special expertise that can inform the public about the public policy formulation process. When the organization is directly impacted by public policy decisions, it may provide relevant, factual information about the impact of such decisions on the private sector. In articulating positions, the organization only takes positions that it believes can be shown to be in the larger public interest. The organization encourages trade associations with which it is associated to do the same.

It is important to separate personal and corporate political activities in order to comply with the appropriate rules and regulations relating to lobbying or attempting to influence government officials.

No use of Kaweah Delta resources, including e-mail, is appropriate for personally engaging in political activity. An employee may, of course, participate in the political process on his or her own time and at his or her own expense. While doing so, it is important that Kaweah Delta employees not give the impression they are speaking on behalf of or representing Kaweah Delta in these activities. Employees cannot seek to be reimbursed by Kaweah Delta for any personal contributions for such purposes.

At times, Kaweah Delta may ask employees to make personal contact with government officials or to write letters to present its position on specific issues. In addition, some members of Kaweah Delta's Management Team may be required to interface on a regular basis with government officials.

#### ***Solicitation, Fundraising and Distribution of Material***

In order to avoid disruption of healthcare operations or disturbance of patients, and to maintain appropriate order and discipline, solicitation and distribution of literature on

Kaweah Delta premises and among Kaweah Delta staff and patients is prohibited.

Kaweah Delta supports community organizations who engage in health-related charitable and fundraising activities/events that are consistent with or advance Kaweah Delta's mission. Furthermore, Kaweah Delta will consider support of those health-related charitable activities/events that are held in the local communities. Formal approval is required by Kaweah Delta policy for these types of charitable and fundraising activities.

#### ***Acknowledgment Process***

Kaweah Delta requires all employees to attest in acknowledgment confirming they have received the Code, understand it represents mandatory policies of Kaweah Delta and agree to abide by it. New employees are required to sign in acknowledgment as a condition of employment.

Adherence to and support of Kaweah Delta's Code of Conduct and participation in related activities training is considered in decisions regarding hiring and promotion.