

Do the  
Right Thing, for the  
Right Reason



REGIONAL HEALTH

*Corporate Responsibility*

353 Fairmont Boulevard  
Rapid City, SD 57701



# CODE OF CONDUCT

*Corporate Responsibility*



REGIONAL HEALTH

# STATEMENT OF INTEGRITY

Regional Health (RH) was established on a foundation of integrity and is committed to ethical and legal business practices. The Corporate Responsibility Program and the Code of Conduct supports our health care mission. As our



Native American friends would say “Mitakuye Oyasin” (we are all relatives).

We are called upon to perform our jobs and carry out many responsibilities. Leaders are to set the example by promoting the highest standards of ethics and compliance. Each Board member, doctor, employee, vendor, independent contractor and volunteer must be familiar with our Code

of Conduct and support the Corporate Responsibility Program. We must all demonstrate the highest degree of integrity in everything we do.

*Charles E. Hart MD, MS*

Charles E. Hart, M.D., M.S.  
President/CEO - Regional Health

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# A | QUALITY/HIGH STANDARDS OF PERFORMANCE

## Corporate Responsibility Program

The Corporate Responsibility Program provides a framework for providers, payers, subcontractors, independent contractors, vendors, consultants, students, volunteers and employees to understand and follow state and federal rules and regulations. Ongoing education, auditing, and monitoring projects are completed to ensure compliance with these laws and regulations. Open communication of possible compliance issues is an important part of a successful Corporate Responsibility Program. Employees who report a compliance issue in good faith will not be punished or retaliated against.

**Q** *When I complete my annual Compliance and Health Insurance Portability and Accountability Act (HIPAA) training, do I have to worry about compliance the rest of the year?*

**A** *YES. As a RH Employee, compliance is part of our daily responsibilities. All employees are empowered to make a difference by taking ownership and reporting questions when in doubt. Compliance effectiveness starts and depends on you.*

## Providers, Directors, Management

Physicians and Management serve as role models for day-to-day operations and are expected to be familiar with and carry out all provisions of the Code of Conduct. Such leaders should facilitate communication and respond appropriately to staff's questions/concerns about potential compliance issues.

## Environmental Health & Safety

RH is committed to providing a safe and healthy environment. Procedures for throwing away medical waste, environmentally sensitive and hazardous materials must be followed at each facility.

Using alcohol or illegal drugs is not allowed at any work-site. Employees may have access to prescription drugs, controlled substances and other medical supplies as part of their job; however, we have a legal and ethical responsibility to maintain control over these items by reporting any possible problems to your immediate supervisor, or calling the Communication Hot Line at 877-800-6907.

## Research

As an organization, we support clinical research in accordance with all federal regulations and with approval by the Institutional Review Board (IRB), a diverse committee assigned to review all research studies. Through research, advances in drug products, methods of treatment and medical devices, we have the potential to improve the lives of people in our community, state and nation. For more information go to the Internet website [www.rcrh.org/irb](http://www.rcrh.org/irb).

**Q** *Who are research investigators?*

**A** *The Department of Health and Human Services (DHHS) uses the term "investigator" to refer to an individual performing various tasks related to the conduct of human subjects research activities, such as obtaining informed consent from subjects, interacting with subjects, and communicating with the IRB. Office of Human Research Protection (OHRP) interprets an "investigator" to be any individual who is involved in conducting human subjects research studies.*

## ADDITIONAL QUESTIONS?

Email [corpresp@rcrh.org](mailto:corpresp@rcrh.org)





## B | INTEGRITY

### Access to Care

RH is committed to providing and supporting health care excellence in partnership with the communities we serve. Quality patient care and service is provided without regard to race, color, religion, natural origin, handicap or disability, financial status, age, sex or ability to pay. Any person who needs emergency treatment at a facility in our system will be treated in compliance with Emergency Medical Treatment and Labor Act (EMTALA) regardless of their ability to pay.

### Conflict of Interest

Our Board of Trustees, providers and employees must avoid all activities, associations or interests that may be a conflict of interest. Examples of conflict of interest include using your position to receive a benefit or to refer a service to a relative, receive a payment and gift or improper entertainment in exchange for a contract. Please contact the Legal Department or Corporate Responsibility Department with any questions.

**Q** *My brother works for a company that is currently proposing to provide services to RH. Is this a conflict of interest?"*

**A** *If your brother is seeking to provide services to RH, you should make your supervisor aware of the situation. All employees are expected to disclose any personal relationships, activities, or financial affairs that might appear to influence or actually influence any RH business decisions or recommendations. For more information, reference the RH Conflict of Interest Policy.*

### Ethical Standards

RH has ethical responsibilities to patients, providers, communities, and all others who seek assistance or do business within our health care system. Employees are expected to behave in a positive way that demonstrates our organization's values.

### False Claim

A False Claim is knowingly, or causing to be submitted, false information in order to receive payment. A claim can be a request for money, whether paper or electronic. Filing a false claim or causing one to be filed is strictly prohibited and can lead to severe fines/penalties.

**Q** *I am a laboratory technologist, can I cause a False Claim to be submitted?*

**A** *Yes, if you document that you provided a service that was not performed and the clinic or hospital bills Medicare or Medicaid for the service.*

### Gifts

Accepting a bribe, kickback, gratuity or other payment made to influence a business decision is prohibited. Employees may not receive or ask for anything above nominal value from a third party for these same reasons. Equally important, employees and agents may not offer anything of value to a government official or other third party in an effort to influence business or to gain special treatment as an individual or an organization. If you have questions, refer to our policy on gifts.

**Q** *A patient is appreciative of the care you have given and insists on giving you a small personal gift. It would be embarrassing for the patient if you decline the gift. What should you do?*

**A** *Small gifts, (i.e., flowers or a box of candy) may be accepted and shared with co-workers. All other gifts should be reported to and discussed with the Corporate Responsibility Department.*

### Harassment

RH is committed to a workplace that is open and respectful, free from harassment, intimidation, threats, and physical or verbal abuse. Harassment in any form is not tolerated. If you feel you or someone else in our organization is being harassed, please contact your supervisor, your facility Human Resource Department, or call the Communication Hot Line at 877-800-6907.

### Organizational Ethics

Questions on non-clinical business and organizational ethics issues may be referred to Rapid City Regional Hospital or Committees, Human Resources, Legal Department, and/or Corporate Responsibility Department. Employees may also call the Hot Line at 877-800-6907.

## Patient Rights

A patient's spiritual and cultural values will affect a patient's response to care and patients have a right to their privacy. We respect each patient's spiritual and cultural values and beliefs consistent with the law and with ethical behavior. We encourage patients to be involved with their care, and we remain committed to patients' rights. Patients shall be given high-quality care without regard to race, color, age, sex, religion, handicap or disability, financial status, age, sex, ability to pay or any other classification protected by law.

## Political Activity & Lobbying

RH employees may not make any direct or indirect political contributions or expenditures on behalf of our organization. While RH encourages political activity by employees in support of candidates or parties of their choice, employees should engage in the political process on personal time with personal resources.

**Q** *You have been asked to testify at a local hearing unrelated to your occupation and asked how you would like to be introduced by the court's clerk. You state your name, title and say that you are with RH. Is this a violation of the Code of Conduct?*

**A** *Yes, by using RH's name along with your title, it gives the impression that you are representing RH instead of your personal views as a concerned citizen and informed professional. If you are asked where you work, that is different. You should always respond with your place of employment if asked.*

## Professional Behavior

We strive to create and maintain an environment absent of disruptive behavior and promote mutual respect between all people, regardless of position, education level, and/or authority. We expect each provider, employee, volunteer, student and vendor to act with integrity and speak respectfully.

**Q** *What is an example of disruptive behavior?*

**A** *Verbal outbursts, physical threats, refusing to perform assigned tasks, refusal to return phone calls or pages, condescending language and refusal to answer questions are a few examples.*

## FISCAL RESPONSIBILITY/COST EFFECTIVENESS | C

### Accuracy of Records

All documents, financial reports or records, which include the patient's medical record, are to be completed in a clear manner. False or misleading wording in any record is not allowed. A signature that cannot be read must have a printed name above or below the signature.

### Billing, Charging & Coding for Services

All staff must be careful to properly charge, code and bill for services provided. Billing for services not documented or provided could be considered a "false claim" and could result in financial penalties. Employees should never charge, code or bill solely to be paid if the service was not provided or documented. An individual who has concerns or questions should notify their supervisor or the Corporate Responsibility Department.

## SKILLED, CARING PEOPLE | D

### Employee Relations & Equal Opportunity Employment

We are committed to equal opportunity for hiring, recruitment, retention, transfers, promotion, and education. Additionally, we expect employees to treat each other, patients, and customers with respect and cooperation. Employees should refrain from conduct that may be harmful to employees, patients, and/or customers.



**Communication Hot Line: 877-800-6907**

A Communication Hot Line has been established as part of the Corporate Responsibility Program. The Communication Line provides employees, patients, providers, volunteers and vendors a confidential and anonymous reporting system. Questions or concerns about a practice or incident that may violate policy, federal or state laws or regulations is encouraged. All individuals should feel free to report any concerns. Employees also have the right to call the Office of Inspector General (OIG) at 1-877-800-6907.

- ▶ **Q** *I am worried that my supervisor may be violating a law, but am not really sure. I am afraid of losing my job if I say anything. What should I do?*
- ▶ **A** *RH employees have a responsibility to report suspected problems. Report your concern to a member of management, the Corporate Responsibility Department or via the Compliance Hotline. Retaliation is prohibited and remaining anonymous is the caller's choice.*

**Marketing & Advertising**

Marketing and advertising activities may be utilized for the following purpose: to educate the public, to provide information to the community, to increase awareness of our services, and to recruit employees. Marketing material and media announcements are to be presented in a truthful, fully informative manner.



**Intellectual Property Rights**

Employees, and all of those doing business with RH, are responsible for properly marking products and corporate publications for marketing, sales, presentations, communications and all other purposes, to properly indicate intellectual property notices of RH.

Each employee is held responsible for the protection of RH confidential information and intellectual property. Responsibility for the protection of these assets against loss, theft and misuse falls upon each employee. Similarly, RH respects the intellectual property of others and abides by all copyright laws regarding books, trade journals, magazines, Internet content and other applicable resources.

- ▶ **Q** *A coworker who developed training materials for RH is marketing these materials on his own to other companies and intends to keep the proceeds for his own use. Is this acceptable conduct?*
- ▶ **A** *No, RH owns all proprietary information including "intellectual property" (computer programs, training materials, processes, marketing strategies) created by employees while on the job or while using RH resources. RH proprietary information may not be used for personal gain.*





## G | LIFELONG LEARNING

### Performance Evaluations

A discussion of compliance matters, following the Corporate Responsibility Program and Code of Conduct, should occur during annual performance evaluations and must be documented.

## H | PROFESSIONALISM

### Antitrust Laws

Antitrust Laws are created to promote free and open competition. Sharing price, cost, or profit information with our competitors or from one vendor to another is an example of a violation. Agreements to fix prices or boycott another competitor are illegal.

### Confidentiality

We all have access to paper and electronic information about our patients. We maintain a duty to protect patient health records and our organization's business records from theft, fraud, loss and inappropriate use and access information based on a need to know.

- Patient information and financial or business information is to be released only according to policy.
- We should refrain from talking about a patient or their condition in the elevator, hallway or in areas where visitors or other patients could overhear, or with another employee who does not have a "need to know."
- Employees should not seek paper, printed, or electronic access to any confidential information out of curiosity, for malicious purposes or for financial gain.
- Access to patient information, or employee information that is not appropriate, will result in disciplinary action.
- Please know that electronic access to confidential information is monitored.

### Doctors Self-Referral "STARK"

The self-referral, or "Stark" law, prohibits providers from making referrals for specific health services to any entity or business in which the provider or a family member has a financial relationship. The Stark Law has exceptions that may apply.

### Inquiries to Government Payers

Employees should notify the Corporate Responsibility (CR) Department before contacting government payers about issues that are different than routine claims or payments. Employees should also notify the CR Department if they receive an official notice from a government agency.

### Media Relations

All requests from reporters or the general public for information regarding RH activities and/or patients are to be referred to the Public Relations & Marketing Department. Employees should never release information without the permission of Public Relations & Marketing Department.

### Nonretaliation

We understand that employees may not report concerns if they feel they will be subject to retaliation, retribution or harassment for reporting the concern. Therefore, a non-retaliation/non-retribution policy was established to reassure employees who wish to report concerns through the Compliance Hot Line, directly through the chain of supervision, or the Corporate Responsibility Department.

### Referral for Business "Anti-kickback"

Anti-kickback regulations do not allow payments, gifts, or other compensation in exchange for the referral of business. Contact the Legal Department if you have questions.

- Q *Could forgiving a patient's copayment represent a potential kickback problem?*
- A *Yes. The Office of Inspector General (OIG) has stated that routing waivers or writing off copayments for federal program beneficiaries may violate the anti-kickback law. Providers should attempt to collect a copayment or deductible unless they have proof of the patient's inability to pay.*

## Vendor Relationships

We must manage our vendor relationships in fair and reasonable manner, consistent with all applicable laws, rules, regulations, and good business practices.

- Our selection of subcontractors, suppliers, and vendors will be made on the basis of objective criteria including quality, technical excellence, price, delivery, adherence to schedules, service, and maintenance of adequate sources of supply.
- Our purchasing decisions will be made on the vendor's ability to meet our needs, and not on personal relationships and friendships.
- We will employ the highest ethical standards in business practices in source selection, negotiation, determination of contract awards, and the administration of all purchasing activities.
- We will act in accordance with applicable laws relating to purchasing practices.

If you have any questions, please contact the Materials Management Department.

**Q** *When it comes to vendor relationships, what are the facilities' responsibilities?*

**A** *Selecting a vendor must be based on objective criteria that is consistent, fair and best for the facility.*



## MISSION, VISION & VALUES STATEMENT

### Our Mission

Our mission is to provide and support health care excellence in partnership with the community we serve

### Our Vision

Our vision is to be the premier regional health system providing health care excellence in the communities we serve

### Our Values

- A. Quality/High Standards of Performance
- B. Integrity
- C. Fiscal Responsibility/Cost Effectiveness
- D. Skilled, Caring People
- E. Community Partnerships
- F. Innovation
- G. Lifelong Learning
- H. Professionalism

## PURPOSE OF CODE OF CONDUCT

*RH upholds a tradition of ethical standards in both clinical and non-clinical aspects of the health care services its facilities provide. Our Code of Conduct, which has been adopted by the Board of Trustees and our organization, provides guidance to all patients, providers, payers, subcontractors, independent contractors, vendors, consultants and employees. For additional guidance, a comprehensive set of compliance policies and procedures is available on the Corporate Responsibility site of our Intranet or in a hard copy obtained from your supervisor.*

*As a condition of employment and in evaluating performance, every RH employee must understand and comply fully with the policies and approved procedures that support this Code of Conduct.*

*This code may not address every situation or concern you may face. If your supervisor is not able to resolve an issue or problem, or if you feel uncomfortable reporting an issue to the supervisor, you should contact the Corporate Compliance Officer. Issues may also be reported confidentially and anonymously to the compliance Hot Line: 877-800-6907.*

## WHY IS THIS IMPORTANT?

*By reviewing this Code of Conduct, participating in training courses, and reading the policies, employees and other service providers will be more prepared to recognize situations in which those issues arise.*

## CODE OF CONDUCT ACKNOWLEDGEMENT FORM

I acknowledge that:

- I have received the RH Code of Conduct and understand that it is my responsibility to read and comply with the legal and ethical practices contained in the Code of Conduct.
- I have the responsibility to report potential compliance issues to a supervisor, contact the Corporate Compliance Officer, or call the Compliance Reporting Line at 877-800-6907.
- I will uphold the values of the organization demonstrated by my behavior.

Printed Name \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_

Title or Position \_\_\_\_\_

Facility \_\_\_\_\_

Department \_\_\_\_\_