

Code of Conduct



Mon Health Compliance Hotline: 844-536-3273

Mon Health Medical Center

(Including: The Suites at Heritage Point, The Village at Heritage Point, Mon Health Equipment and Supplies, Mon Health Medical Center Foundation)

MHMC Compliance Officer (304) 598-1571

MHMC Human Resources (304) 598-1485

MHMC Risk Management (304) 598-1388

MHMC Security Officer (304) 285-2194

Mon Health Preston Memorial Hospital

(Including: Preston Memorial Hospital Foundation)

PMH Compliance Officer (304) 329-7555

PMH Human Resources (304) 329-4705

PMH Privacy Officer (304) 329-2827

PMH Risk Management (304) 329-4711

PMH Security Officer (304) 329-4714

Mon Health Stonewall Jackson Memorial Hospital

(Including: Stonewall Home Oxygen Therapy)

SJMH Compliance/ Risk/ Privacy Officer (304) 269-8501

SJMH Human Resources (304) 269-8060

SJMH Safety Officer (304) 269-8131

Mon Health

Corporate Compliance Officer (304) 598-1571

Internal Auditor (304) 285-2687

Legal Services (304) 598-1404

Mon Health Code of Conduct

The Monongalia Health System, Inc. (“Mon Health”) is comprised of three (3) hospitals, Monongalia County General Hospital Company d/b/a Mon Health Medical Center, Preston Memorial Hospital Corporation d/b/a Mon Health Preston Memorial Hospital and Stonewall Jackson Memorial Hospital Company d/b/a Mon Health Stonewall Jackson Memorial Hospital, along with related affiliated entities Mon Elder Services, Inc. d/b/a Mon Health The Suites at Heritage Point and Mon Health the Village at Heritage Point, Mon Health Care, Inc. d/b/a Mon Health Equipment and Supplies, Monongalia Emergency Medical Services, Inc. d/b/a Mon Health Emergency Medical Services, Preston Memorial Hospital Foundation, Inc., Stonewall Home Oxygen Therapy, Inc., and The Foundation of Monongalia General Hospital, Inc.

INTRODUCTION

Mon Health has a proud history and enjoys an excellent reputation for commitment to providing quality care to our patients, customers, visitors and residents.

As reflected in our I CARE values, integrity is the foundation on which our principles are built. These principles include being honest and ethical in all of our business practices and obeying the letter and spirit of the laws that apply to our organization. At the end of the day, we are proud of what we do.

This Code of Conduct describes our business ethics, policies, and procedures, and provides guidance to help ensure that employees’ duties and responsibilities are performed with absolute integrity and in an ethical and legal manner. Read the Code of Conduct carefully. Be sure that you understand it and the consequences of failure to comply with it.

If you have any questions regarding this Code of Conduct, or find yourself facing a questionable situation, you should immediately consult your manager, any member of leadership, or the Mon Health Corporate Compliance Office, or the Corporate Compliance Office at your facility. Your employment requires that you report any concerns immediately. Be assured there will be no retribution for asking questions or raising concerns about this Code of Conduct or any suspected instance of inappropriate conduct.

MISSION, VISION, and VALUES

The Mon Health Code of Conduct is guided by Mon Health’s Mission, Vision, and Values.

MISSION

To enhance the health of the communities we serve, one person at a time.

VISION

Our exceptional team will provide an extraordinary patient experience, compassionate care and clinical excellence.

VALUES

- Integrity
- Commitment
- Accountability
- Respect
- Excellence

COVERED PERSONS

Members of the Monongalia Health System, Inc. Board, and affiliate boards, officers, directors, employees, physicians, volunteers, and agents (including contractors and other third parties engaged to bill or submit reimbursement claims or furnish, market or document items and services reimbursable by federal healthcare programs), are covered by this Code of Conduct and are collectively referred throughout as “Covered Persons.”

PLEASE NOTE: While the terms “Mon Health” and “Covered Persons” are used throughout this document, nothing in this document should be construed to create an employer-employee relationship between you and the Monongalia Health System, Inc., or otherwise alter or expand your current employment relationship with a Mon Health affiliate, subsidiary, partnership, or division, even when this document uses the term “Mon Health employees.”

PURPOSE

All Covered Persons are obligated to comply with the laws and regulations that govern the healthcare industry, as well as each facility’s policies and procedures. This Code of Conduct provides guidance in carrying out daily activities within the appropriate ethical values and legal standards of conduct. It governs relationships with patients, customers, visitors, residents, physicians, third party payors, subcontractors, independent contractors, vendors, consultants, government agencies, and one another. The Code of Conduct conveys our high ethical values and standards of conduct and is intended to ensure that we each meet our obligation of compliance with the laws and regulations which govern the healthcare industry and our own policies and procedures.

Mon Health is a dynamic organization and the environment in which it operates is one of increasing complexity. It is necessary for you to make many decisions every day and making the right ones is not always easy. The Code of Conduct sets forth the basic expectations for personal and professional behavior which all Covered Persons must follow.

SPECIAL RESPONSIBILITIES OF LEADERSHIP

All Covered Persons are obligated to follow the Mon Health Code of Conduct, and we emphasize that our leaders are to set the example and be a model for appropriate conduct. Leaders must also ensure that those on their teams have sufficient information to comply with the relevant laws, regulations, and policies, as well as the resources to resolve ethical dilemmas. They must help create a culture within each Mon Health facility that promotes the highest standards of ethics and compliance.

INTEGRITY IN BUSINESS PRACTICES

1. Patient, Customer, Visitor, and Resident Care

Mon Health is committed to providing high-quality healthcare, products, and services to all patients, customers, visitors and residents in an ethical, professional, and cost-effective manner. Patients, customers, visitors, residents, or their representatives, are treated with respect and dignity. Information is provided regarding rights and responsibilities, and those rights are protected throughout care and treatment.

- *All rights are upheld to make decisions regarding medical care in accordance with applicable state and federal laws. Patients are involved in all aspects of their care and informed consent for treatment is obtained.*
- *Patients, customers, visitors, residents, or their representatives, are provided a clear explanation of their care, including diagnosis, treatment plan, their right to refuse or accept care, care decision dilemmas, estimate of treatment costs, and an explanation of the risks and benefits associated with available treatment options.*
- *Patients, customers, residents and their representatives will be accorded appropriate confidentiality, privacy, security and protective services, opportunity for resolution of complaints and opportunity for pastoral counseling.*
- *Each person is treated in a manner that preserves his or her dignity, autonomy, self-esteem, civil rights, and involvement in his or her own care.*
- *All Covered Persons receive education about patient, customer, and resident rights.*

2. Admissions, Treatments & Referrals

Mon Health treats people - not insurance policies. The decision to admit or discharge any person is not made on the basis of insurance coverage or ability to pay. Each person presenting to an Emergency Department is entitled to a Medical Screening Examination by a Medical Professional prior to any determination of insurance coverage or ability to pay. Mon Health will adhere to all aspects of the Emergency Medical Treatment and Active Labor Act (EMTALA) as amended.

Each patient, resident, and customer is treated as an individual. Medical professionals develop treatment plans to meet the specific clinical needs of every patient utilizing a multidisciplinary approach. Treatment is provided in the least restrictive environment, which is appropriate to the individual's needs.

Mon Health does not make payments or provide incentives to anyone for providing referrals.

3. Confidentiality

Covered Persons possess sensitive, privileged information about patients, residents, and customers. Mon Health is committed to maintaining confidentiality in strict accordance with the Health Information Portability and Accountability Act (HIPAA) as amended, as well as the Health Information Technology for Economic and Clinical Health Act (HITECH) as amended.

Personally identifying information is not released or discussed with others unless it is necessary to serve the patient, the customer or the resident; the information is in the patient's best interest or required by law; or the patient, customer, or resident has consented to such disclosure.

Discussing a specific medical condition or providing any information about patients, residents, or customers to anyone other than Mon Health personnel who need the information, and other authorized persons for treatment, payment, or operations, will have serious consequences up to and including termination of employment. Covered Persons should not discuss patients, customers, or residents outside the facility, with their families, or outside of designated care areas.

The above-stated laws are designed to punish and deter computer crime and to increase the security of all Electronic Medical Records. In compliance with the laws, Mon Health prohibits unauthorized access to its computer system, either directly or by network, or telephone. Destruction or corruption of electronically stored or processed data is prohibited. Persons who violate these rules will be prosecuted to the full extent of the law.

In addition to keeping patient, customer, and resident information confidential, Mon Health requires Covered Persons providers, contractors, students, and volunteers to hold the intellectual property, trade secrets, and confidential information in the highest confidence. This information must be supplied ONLY to those who have a need to know and a legal right to possess the information.

Confidentiality Q&A

May I provide statistical or financial information over the phone in response to a survey request? No release of individually identifying information is involved.

Requests for such information should be accepted only when made in writing. Review all such requests with the Mon Health Corporate Compliance Office or Corporate Compliance Office at your facility if there is any possibility that the information being requested is not normally available to the public.

I have learned about a new clinical service soon to be offered by a Mon Health facility, although it has not been publicly announced. Can I recommend this service to family and friends?

No. The announcement of a new service is carefully timed based upon legal and public information considerations. Unofficial announcements are not permitted and may create misleading impressions because the service may change before it is made public or may not be offered at all.

Can I take work home that contains personally identifying information regarding a patient, customer, or resident?

Our confidentiality policy prohibits this if the information can be used to identify a patient, customer, or resident in any way. If you are unsure whether a file or document contains such information, contact the Compliance Officer at your facility.

Last week I had dinner with a friend who is a salesman for medical equipment. He asked me how much our department is paying for our equipment, made by a competitor. Can I discuss this with him?

No. This could give your friend and “insider advantage” when competing with others in the purchasing process.

4. Misuse of Proprietary Information

No Covered Persons shall misuse confidential or proprietary information belonging to another person or entity or utilize any publication, document, computer program, information, or product in violation of a third party’s interest in such product.

Misuse of Proprietary Information Q&A

I have received a journal article which has valuable information which should be seen by all the members of my department. Can I copy the article and distribute it?

Most publications do not permit this sort of distribution. You should contact the publisher before doing so and be aware that permission may not be granted. You can, however, circulate the original copy of the publication as needed.

We have a software program for tabulating data in use on two of our departmental computers. Our monthly reports would be completed much earlier if we installed the program on everyone's computer. Is this permitted?

In most cases, it is not, although your department may have licensing which permits additional installations of software. The information technology department should be consulted.

5. *Employment Practices & Workplace Conduct*

Mon Health values its employees. Employees provide us with a wide compliment of talents, which greatly contribute to our success. We strive to create and maintain an environment in which all employees are treated with respect, dignity, and fairness, in which diversity is valued and opportunities are provided for professional advancement.

Mon Health is committed to providing an equal opportunity work environment. We will comply with all laws, regulations, and policies, including those related to non-discrimination in all of our personnel actions, and we expect our Covered Persons to do the same. Such actions include hiring, staff reductions, transfers, terminations, evaluations, recruiting, compensation, corrective action, discipline, and promotions. Discrimination of any type, by any one, will not be tolerated.

6. *Harassment*

All employees have the right to work in an environment free of harassment. Mon Health does not tolerate harassment by anyone. Degrading or humiliating jokes, slurs, intimidation or other harassing conduct is not acceptable in our workplace.

Any form of sexual harassment is strictly 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 is not tolerated.

Employees who observe or experience any form of harassment or violence should report the incident to their supervisor, the Human Resources Department at your facility, any member of leadership, the Corporate Compliance Officer at your facility, or the Mon Health Corporate Compliance Officer.

As part of our commitment to a safe workplace for our employees, we prohibit Covered Persons from possessing firearms, other weapons, explosive devices or other dangerous materials within any Mon Health facility.

7. Substance Abuse

To protect the health of our Covered Persons, patients, customers, visitors, students, and residents, we are committed to an alcohol and drug free work environment. Mon Health has a “zero tolerance” policy when it comes to maintaining a workplace free from alcohol and other drugs of abuse and their effects. The use of alcohol or the use, possession, or sale of controlled substances is prohibited on all Mon Health properties. The use of alcohol or controlled substances is prohibited off premises during working hours, including meal and break time and during non-working time under circumstances that can be reasonably viewed as undermining public confidence and/or damaging the reputation of Mon Health. Therefore, Covered Persons must perform duties and responsibilities unimpaired by the presence or influence of controlled substances or alcohol.

Mon Health complies with all regulations governing the management and distribution of controlled substances. Specifically, no Covered Persons or affiliated with Mon Health will illegally distribute any controlled substances including prescription drugs.

8. Honest Communications

No false or misleading statements shall be made to any patient, customer, visitor, resident, person, or entity doing business with our facilities about the products, policies, or service of Mon Health, its patients, customers, residents, or its competitors.

Honest Communications Q&A

Are government auditors and investigators considered to be “doing business with the System?”

Yes. They are acting on behalf of our patients, customers, and/or residents and are entitled to the same expectation of honest communication.

Am I required to answer every question asked by an investigator, attorney, or other third party?

No. If approached by an investigator, attorney, or other third party, contact Mon Health Legal Services immediately to seek guidance on how best to respond.

9. Accounting, Billing & Coding

Patient financial records shall be prepared accurately, reliably, honestly, and in accordance with established finance and accounting procedures. Covered Persons must not enter false or misleading information into financial records.

Federal and state laws and regulations govern third-party billing for the insured patients, customers, residents, and other individuals in our care. Mon Health does not condone and will not tolerate submission of false, fraudulent, inaccurate, incomplete, or fictitious claims for payment or reimbursement.

If a billing or coding error is detected, Covered Persons must immediately notify their supervisor.

For coding questions, contact the Coding Department at your facility. For billing questions, contact a member of Financial Services, the Corporate Compliance Officer at your facility, or the Mon Health Corporate Compliance Officer.

10. Improper Influence

Gifts or entertainment may not be solicited by Covered Persons. Mon Health may not give or receive business obtained through the improper use of business courtesies, gifts, or relationships. It is against the law, and policy, to give or receive any “remuneration” either in return for or to induce: (a) a referral; or (b) the purchase, lease, or order of any good, facility, service, or item. Remuneration is defined as anything of economic value, including kickback, bribe or rebate, in cash, or in-kind. The opportunity to earn money may also be considered remuneration.

Mon Health selects its suppliers on such factors as price, quality, performance, and suitability of products or services, quantity, delivery, service, and reputation. Benefit should not be accepted or solicited from an existing or potential supplier that might compromise, or appear to compromise, an objective assessment of the supplier’s products or services.

Covered Persons should refrain from requiring a supplier to give up trade with our competitors or requiring a supplier to purchase Mon Health products or services in order to obtain or retain a supply agreement. Covered Persons must also respect and protect any confidential information shared by a supplier.

Covered Persons may not solicit or use their position with the Mon Health to secure a special discount or other favorable treatment for themselves or others not extended by the supplier to all Covered Persons.

Improper Influence Q&A

A vendor wishes to provide lunch to members of our department. Is this permitted?

If the vendor is present and is providing education for the department, providing lunch would be acceptable. Vendor provided meals should never be asked for by any individual or department.

We would like to conduct a recognition activity. One of our vendors has asked if they can provide refreshments. Is this appropriate?

Small in-kind contributions of this type are permitted. However, you should not solicit cash contributions.

11. Competition & Antitrust

Covered Persons are prohibited from soliciting, accepting, or offering anything of value in exchange for referrals. Covered Persons are prohibited from making a referral to any entity in which they or their immediate family members have a financial relationship.

In addition, Covered Persons must comply with applicable laws that regulate competition, including antitrust. Under no circumstances may competitively sensitive information be exchanged with competitors, vendors, or other business associates.

No Covered Persons may cooperate with competitors to fix prices or services or discuss with them the possibility of doing so.

Competition & Antitrust Q&A

I received a phone call from an employee of another hospital in town. That employee wants to discuss our pricing structure for the procedure performed in my department. Can I discuss what we charge for our procedures with the caller?

No. It could appear that you are in collusion with a competitor to fix prices.

12. Conflict of Interest

All employees, providers, members of leadership, and board members must disclose any actual or potential conflicts of interest. A conflict of interest is defined as a conflict between private interests (such as family, friendship, or business interests) and one's official responsibility to Mon Health.

A conflict of interest may occur if outside activities, personal financial interests, or other personal interests influence or appear to influence an individual's ability to make objective decisions while performing his/her job responsibilities. A conflict of interest may also exist if the demands of any outside activities hinder or distract an individual from the performance of his/her job. Covered Persons should exercise the best care, skill, and judgment for the benefit of the organization and not use their position to profit personally or assist others in profiting at the expense of the organization. Actions or relationships that have the potential to create a conflict of interest must be disclosed to an immediate supervisor.

Conflict of Interest Q&A

I am a nurse with Mon Health. I also work part time for a staffing agency which occasionally sends me to cover shifts at a competing hospital. Is this a conflict of interest?

If you are not involved in leadership activities at other facilities, this is not a conflict of interest. However, you should consult Human Resources and your department to see if there are specific policies on outside employment which apply to you.

I am participating in the selection of several outside consultants to aid in the design of a new system. It is permissible for me to contract with my uncle, who is a computer consultant?

No. You cannot supervise a relative and you should not be involved, even indirectly, with the selection. This does not mean that your relative could not be hired as the consultant; however, you must disclose your relationship and you probably will be required to remove yourself from the selection process.

13. Fraud and Abuse

No fraudulent or misleading claim will knowingly be submitted to any patient, customer, resident, or payor (whether private or governmental). No payment or other benefit will be offered, accepted, or provided in return for the referral of patients, customers, or residents.

Examples of fraud and abuse include backdating or altering entries in the medical record, coding of diagnosis or procedures which are not supported by documentation, submitting claims which are known denials, and billing for services not performed.

If fraud or abuse is suspected, the Mon Health Corporate Compliance Office or the Corporate Compliance Office at your facility should be contacted as soon as possible. For those who wish to remain anonymous, the compliance hotline is available.

Fraud and Abuse Q&A

What are some types of fraud and abuse?

Examples include backdating or altering entries in the medical record, coding of diagnosis or procedures which are not supported by documentation, submitting claims which you know will be denied, and billing for services not performed.

If I know about or suspect fraud and abuse is occurring and I fail to report it, can I be held accountable?

Yes, there are both disciplinary actions and possible criminal penalties.

How do I report fraud and abuse?

If you suspect fraud or abuse, contact the Mon Health Corporate Compliance Office or the Corporate Compliance Office at your facility as soon as possible. If you wish to remain anonymous, you may do so when you report the incident.

I work in the OR. I am concerned that patients are being charged differently for the same procedure.

This may be against the law and may also be a violation of contracts with insurance payers. If the different charges appear to be simple errors in the charging system, you can contact the finance department to have a correction made. However, if the differing charges appear to be done deliberately or are widespread, it is a potential fraud situation and you should contact the Mon Health Corporate Compliance Office or Corporate Compliance Office at your facility immediately.

14. Environmental Compliance

Mon Health complies with all applicable environmental laws and regulations and operates with the necessary permits, approvals, and controls. Proper procedures are engaged with respect to handling and disposal of hazardous and bio-hazardous waste, including medical waste. Covered Persons should immediately alert their supervisors, the Mon Health Corporate Compliance Office or Corporate Compliance Office at your facility, about any situation they become aware of regarding the discharge of a hazardous substance, improper disposal of medical waste, or other situation they might be aware of which may be damaging to the environment.

15. Safeguarding of Mon Health Assets

All policies related to purchasing, storage, and use of supplies and equipment, and payroll must be followed. Supplies and equipment may not be used for personal activities.

You are “present” or “actually here” for payroll purposes only when you personally clock in (if your role requires you to) and begin your work duties. If another employee records time for you, it is considered time card fraud.

Safeguarding of Mon Health Assets Q&A

My coworker punches in for me when I can't find a parking space, that's o.k. isn't it? I mean, I'm actually here.

You are “present” or “actually here” for payroll purposes only when you personally clock in (if your role requires you to) and begin your work duties. Having another employee record your time for you is considered time card fraud.

Can I use my computer at work to manage a small business I have on the side?

No. Equipment should not be used to conduct business unrelated to your responsibilities to Mon Health.

I have access to a company vehicle our department uses for travel to other physician offices. Can I borrow the car to run an errand at lunch time?

No. Assets including vehicles should not be used to conduct your personal business.

Can I have my laundry done at the hotel where I am staying on business and get reimbursement on my travel report?

No. You must comply with all policies relating to travel and entertainment expense.

16. Political Activity

Work time, funds, or resources shall not be used on behalf of, or opposed to, any political candidate or ballot issue. Lobbying activity that is formally authorized by the Chief Executive Officer or his or her designee is permitted. Political campaigning or soliciting of funds is prohibited on all Mon Health properties.

Political Activity Q&A

Can I wear a political button or display a political sign at my workstation?

No.

If I have placed political signs or bumper stickers on my car, may I use the parking lot?

Yes, but you may not distribute such material to others while on work time or premises.

My neighbor is running for state senator. Can I schedule a conference room for an informational meeting? He is strongly in favor of legislation which would benefit Mon Health.

No matter how “good” a candidate may be for the Mon Health, we cannot use our resources on the candidate’s behalf. In addition, political activity by any individual facility or Mon Health can only be approved by the CEO or designee, not by any other employee.

GETTING HELP

All Covered Persons are responsible to act in an ethical and legal manner. In certain instances, situations or issues may arise that are not outlined in the Code of Conduct. In instances when additional guidance or direction on any compliance related issue is needed, you should seek the advice of a supervisor, contact the Mon Health Corporate Compliance Officer or the Corporate Compliance Officer at your facility, or the Human Resources Department at your facility.

Because the subjects of ethical behavior and compliance with laws and regulations are important, a Compliance Hotline is available to any Covered Persons or affiliated partner who has a question or concern about any compliance or ethical question. The Compliance Hotline is also available to Covered Persons who observe violations of the Code of Conduct described in this policy or other violations of laws and regulations. Covered Persons can raise concerns without any fear of retaliation. We only ask that you tell the truth as you understand it.

The Compliance Hotline is not intended to replace the current procedures and processes in place for communicating information and resolving operational conflicts or problems. The number is posted throughout each facility and is available 24 hours per day, 365 days per year.

Covered Persons may ask questions or report suspected unethical or illegal acts anonymously if you so desire. Each report will be investigated.

PROCEDURE

Mon Health's reputation for honesty and integrity is one of our most valuable possessions. Every Covered Persons assumes a responsibility to act in such a way as to preserve that reputation. The misdeeds of a single individual can undo years of dedicated service by thousands of others.

This Code of Conduct sets forth the general principles which should govern the behavior of all Covered Persons. The specific policies, procedures, and regulations which apply to this Code of Conduct in actual practice may from time to time change and should be consulted when evaluating an existing or proposed activity. Policies and sanctions may differ depending upon the legal relationship of an individual to each individual entity.

In situations not specifically addressed in the Code of Conduct, you should refer to your facility policies for additional guidance. If you have questions regarding this Code of Conduct, you should immediately consult a manager, supervisor, any other members of leadership, the Corporate Compliance Officer at your facility, or the Mon Health Corporate Compliance Officer.

Violations of the Code of Conduct will be addressed at all levels with equality, fairness, and without prejudice. In the event of a violation, Covered Persons shall be subject to corrective action (including the possibility of termination) in accordance with Human Resources or other Mon Health policies and procedures.

This Code of Conduct and our Mon Health Compliance Program is based upon the Essential Elements as defined by the Office of the Inspector General and is always available at your facility. If you have any questions which you would like to have answered and /or added to this document, please submit them to the Mon Health Corporate Compliance Office or the Corporate Compliance Office located at your facility.

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