





CODE OF CONDUCT

Excellence in Action







HEALTH CARE AGENCY

David L. Riley, Agency Director Jeffrey A. Nagel, PhD, Chief Compliance Officer

Table of Contents

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ı	ш	ш	ıι	JU.	IU		ш	UЛ	

Message from the Director	1
Standards of Conduct	
Quality of Care & Services	5
Individual Conduct	7
Adhering to Laws & Regulations	9
Conflicts of Interest	11
Protect Assets	13
Work Relationships	14
Records Maintenance	15
Compliance Program	
Statement of Non-Retaliation	16
HCA Chief Compliance Officer	16
Responsibilities of Employees	17
Confidential Disclosure Program	19

A MESSAGE FROM DAVID L. RILEY

The County of Orange Health Care Agency exists to promote and protect the health of individuals, families and our community. In order to succeed in our mission, HCA must consistently show that we have the competence, and character to provide community leadership on health care. Our reputation is a key to our success.

Every team member has a personal obligation to reflect HCA's values of Excellence, Integrity and Service in our daily interactions as representatives of HCA. <u>How</u> we do our jobs is just as important as <u>what</u> we do.

The HCA Code of Conduct is designed to help us put our values to work. This document communicates our commitment to full compliance with legal, ethical and quality of care principles. The expectation for ethical conduct applies to employees, contracted providers, management and HCA's Executive Team.

As we meet new challenges and encounter increasing needs in the community, we will encounter situations that will put our integrity and judgment to the test. The Code of Conduct is designed to help you when you are uncertain how to act or wish to report a concern.

Please read the HCA Code of Conduct, use it as a guide, and ask questions if you need clarification. Your supervisor, management team, HCA Human Resources or the Office of Compliance are always available to answer your questions.

David L. Riley Director

OUR VISION

Working Together for a Healthier Tomorrow

MISSION

We are dedicated to protecting and promoting the optimal health of individuals, families, and our diverse communities through:

- Partnerships
- · Community Leadership
- Assessment of Community Needs
- Planning and Policy Development
- Prevention and Education
- Quality Services

VALUES

Partnering with our clients and the community
We value
Excellence in all we do
Integrity in how we do it
Service with respect and dignity

GOALS

- Prevent disease and disability, and promote healthy lifestyles.
- Assure access to quality health care services.
- Reduce environmental threats to health.
- Promote and ensure a healthful environment.
- Recommend and implement health policy and services based upon assessment of community health needs.

BUSINESS STRATEGIES

- Encourage excellence by ensuring a healthy work environment that values employees.
- Support the workforce through the effective use of technological and other resources.

Page 2 Code of Conduct

INTRODUCTION TO THE CODE OF CONDUCT

The Health Care Agency (HCA) is committed to providing service with a focus on quality and creating a working environment that encourages excellence. This Code of Conduct was developed to support that commitment with employee participation from all levels throughout HCA.

The Code of Conduct is intended to:

- Communicate County and HCA expectations of ethical behavior;
- Communicate the commitment of HCA to promote compliance with laws, regulations, contractual obligations and standards of care consistent with community standards; and
- Familiarize all staff with the basic legal principles and ethical standards of behavior expected throughout HCA.

The Code of Conduct complements but does not replace, policies and procedures issued by the County Executive Office, the Auditor-Controller, and HCA.

All regular and extra-help employees, contract employees, contract providers, volunteers and other designated individuals engaged in our work environment or acting on behalf of HCA are expected to follow the Code of Conduct, all applicable statutes, regulations, contractual obligations and HCA and County policies and procedures. If there is not an existing HCA or County policy on a particular subject matter, the general principles of this Code of Conduct shall be used as a guideline.

When seeking guidance and direction concerning a workplace issue or concern, employees are encouraged to refer to HCA's administrative, division, or program policies and procedures, or contact their supervisor, manager or other management staff within the chain of command. Employees may also contact:

- HCA/Human Resources (714) 834-3101
- Office of Compliance (714) 568-5614 or officeofcompliance@ochca.com
- Compliance Telephone Hotline at (866) 260-5636

Issues can be reported confidentially and anonymously to the Compliance Telephone Hotline.

The Code of Conduct is a "living document," which will be updated periodically to reflect the work environment. At minimum, the Code of Conduct will be reviewed on an annual basis.

Questions regarding the Code of Conduct may be directed to:

Dr. Jeffrey A. Nagel, CHC, Chief Compliance Officer
405 W. 5th Street, #776
Santa Ana, CA 92701
(714) 834-4399
jnagel@ochca.com
or
officeofcompliance@ochca.com
Fax (714) 834-6595

Page 4 Code of Conduct

OUALITY OF CARE & SERVICES

We are committed to providing high quality care and reliable services to our patients, constituents, clients and community.

We:

- Provide all services in accordance with applicable federal, state and local laws and regulations. Where applicable, we are mindful of the recommendations of specialty organizations and the standards of practice in the community.
- Apply sound healthcare principles based on current research in our daily work activities.
- Treat all patients, constituents and clients with dignity, respect and courtesy.
- Strive to do our jobs so that no harm is caused to our patients, clients, the community, co-workers or us.
- Provide appropriate care and service. When possible, we individualize the service to address patient, constituent, client and community needs.
- Employ professionals with proper credentials. We are committed to ensuring that members of the care team have expertise in the area(s) in which they provide service.
- Ensure that the quality of care or service we deliver within the scope of HCA programs shall not be affected by the source or amount of payment for patient, constituent or client services.
- Provide care or service without regard to race, gender, religion, creed, color, economic status, sexual orientation, age, source of payment, or any other discriminatory characteristic.

Quality is everyone's responsibility.

W. Edwards Deming

- Document all services and activities in the official HCA record in a manner that is accurate, complete, appropriate and timely.
- Provide patients, constituents and clients with the information they need to make fully informed decisions.
- Treat all patients, constituents and clients in a manner respectful
 of their background, culture, religion, and heritage.
- Participate in quality improvement activities that promote identification and correction of problems in the quality of care or services by bringing concerns to the attention of those who can properly assess and resolve the issue.
- Keep current and renew any license, waiver, certification or registration required for our position prior to the expiration date.

Page 6 Code of Conduct

INDIVIDUAL CONDUCT

We recognize that our greatest strength lies in the talent of our workforce who foster our success and reputation. We treat our colleagues with respect, dignity, and courtesy.

We:

- Maintain a working environment free from all forms of harassment or intimidation, sexual or otherwise, showing respect and consideration for each other. Discriminatory treatment, abuse, violence or intimidation is not tolerated.
- Provide equal employment and advancement opportunities to all applicants and employees pursuant to HCA and County policies.
- Conform to the codes of ethics and standards of our respective professions and exercise sound judgment in the performance of duties.
- Comply with work and safety policies in accordance with County and HCA policies and procedures, including but not limited to the County of Orange drug and alcohol policy prohibiting the use of alcohol or drugs in the workplace.
- Do not bring dangerous weapons to the workplace, out to the work location or onto any County operated worksite, including parking lots. A dangerous weapon is a firearm or any other instrument capable of causing bodily harm when used in a manner and under circumstances that manifest intent to harm, or to intimidate another person, or that would cause a reasonable person to have concern for their safety or the safety of another.
- Provide our employees with clear direction about what is expected
 of them.

Act so as to elicit the best in others and thereby in thyself.

Felix Adlei

- Respect the privacy of our patients, constituents, clients and colleagues recognizing that we have access to the information of others on a "need to know" basis only.
- Refrain from discussing sensitive or confidential information in any public area, including elevators, hallways, restrooms, lobbies or breakrooms.
- Use work hours to perform County duties and assignments in a productive and professional manner.

Page 8 Code of Conduct

ADHERING TO LAWS & REGULATIONS

We follow all laws and regulations and conduct business in an ethical and honest manner. The Code of Conduct does not require you to be a legal expert; however, you are expected to be familiar with the laws that apply to your specific job and level of responsibility.

We:

- Comply with all applicable laws, rules, regulations, standards, and other requirements of federal, state and county governments. We comply with all requirements of federal healthcare program statutes, regulations and guidelines.
- Do not engage in any illegal activity or behavior that violates regulations and standards.
- Do not enter into any joint venture, partnership or other risk sharing arrangement with any entity that is a potential or actual referral source to County programs unless the arrangement has been reviewed and meets any applicable requirements as approved and enacted by the Orange County Board of Supervisors. Questions regarding these arrangements are addressed through the chain-of-command and, if necessary, County Counsel.
- Take reasonable precaution to ensure that billing and/or coding of claims are prepared and submitted accurately, timely, and are consistent with federal, state and local laws and regulations and HCA's policies and procedures and/or agreements.
- Bill only for eligible services actually rendered and fully documented.

The ethical person should do more than he is required to do and Less than he is allowed to do.

Michael Josephson

- Ensure that no false, fraudulent, inaccurate or fictitious claims for payment or reimbursement of any kind are submitted. Federal and state false claims laws protect government programs from fraud and abuse. False claims laws also protect employees who cooperate in reporting, investigating and identifying false claims from retaliation.
- Act promptly to investigate and correct problems if errors in claims or billings are discovered.
- Voluntarily disclose to third party law enforcement or regulatory agencies violations of law, regulations or standards where appropriate and legally required.
- Do not intimidate, threaten, coerce, discriminate against, nor take other retaliatory action against any patient, constituent, client or employee who exercises the right to file a complaint or who participates in an investigation or proceeding relative to a complaint.
- Do not reveal medical, clinical, or business information unless such release is supported by a legitimate clinical or business purpose, patient/client request, or court or agency order and is in compliance with applicable laws, rules, regulations, as well as our policies and procedures.
- Exercise care to ensure that confidential and proprietary information is carefully maintained and managed to protect its privacy and value.
- Dispose of medical and hazardous wastes properly and lawfully.

Page 10 Code of Conduct

CONFLICTS OF INTEREST

We avoid conflicts of interest or the appearance thereof between our own personal interests and the best interests of the County. A conflict of interest arises when the personal interests or activities of an employee appears to or does in fact influence the employee's ability to act in the best interest of the County.

We:

- Avoid commitments or activities that hinder, distract or interfere
 with our ability to properly perform duties for HCA or conflict with
 the known interests of HCA, its patients, clients or constituents.
 Examples include, but are not limited to:
 - Using prestige or influence of County employment for personal gain. This could include using your position with the County to steer business to a supplier who offers a discount on future purchases intended for personal use.
 - Using confidential information acquired through employment for private gain or advantage. An example could be sharing a vendor's pricing information to get a lower price from another vendor. The second vendor would have an unfair advantage with confidential information available to a County employee.
 - Accepting money or other consideration for performing an act required for your job. For example, accepting a reward, gift certificate or other item of monetary value, from a citizen, vendor, or client arising from their interaction with HCA.
- Conduct ourselves appropriately as representatives of local government on behalf of the best interests of the County's citizens.

To exercise good character daily is To be morally fit for life.

Karen Hartz

- Report any potential conflicts of interest to HCA in accordance with the HCA Conflict of Interest policy. Concerns or questions regarding potential conflicts of interest should be brought to the attention of a supervisor, manager, Human Resources, or the Office of Compliance.
- Do not accept or provide benefits that create conflict between personal interests and County interests. These benefits include, but are not limited to, accepting meals, gifts, refreshments, transportation, entertainment or any item of monetary value provided or received in connection with assigned duties as set forth for designated employees (employees required under the County's Conflict of Interest Code to file a "Statement of Economic Interests") in the County's Gift Ban Ordinance, enacted by the Orange County Board of Supervisors.
- Adhere to HCA's Conflict of Interest and Professional Conduct policies.

Page 12 Code of Conduct

PROTECT ASSETS

We protect the County's property and assets.

We:

- Are responsible and accountable for the proper expenditure of County funds and for the proper use of County assets and property which include time, material, supplies and information. We recognize that the County's assets and property are to be utilized for business-related purposes only.
- Have a duty to participate in efforts to prevent fraud, waste and abuse and ensure that public resources are used ethically, prudently and for legally designated purposes.
- Obtain appropriate authorization prior to accessing restricted or secure work areas.
- Dispose of surplus, obsolete or inoperable property in accordance with the County's procedures. We acknowledge that unauthorized disposal, including scrapping, selling or transferring of property without appropriate approval, is a misuse of assets.
- Safely store, secure, document, transport, relocate the inventory controlled and fixed assets and report missing assets promptly to the assigned asset control officer in accordance with County policy.
- Use computer systems, networks, and software consistent with HCA's license(s) and/or rights, and store equipment, data files and software in a secure manner in accordance with County and HCA policies and procedures.
- Report any observed misuse of HCA property or funds to an appropriate supervisor or manager, Human Resources, the Office of Compliance, or the confidential Compliance Hotline.

Excellence is to do a common thing in an uncommon way.

Booker T. Washington

WORK RELATIONSHIPS

We are committed to establishing and maintaining ethical and supportive work relationships.

We:

- Seek positive and cooperative relationships within HCA, as well as with other County agencies/departments, government programs, vendors, contractors, community groups and industry to enhance services and resources available to the public.
- Practice integrity in our dealings with customers, vendors, payors, other employees or agents, and the community.
- Report any observed non-compliance with HCA policies and procedures, laws or regulations to an appropriate supervisor or manager, Human Resources, the Office of Compliance or the confidential Compliance Hotline. If appropriate, we may also report issues to other government entities.
- Disclose to the supervisor or manager involvement in any relationships that may compromise objectivity, accountability or judgment, or give the appearance thereof.
- Maintain a work culture that promotes the prevention, detection and correction of instances of conduct that do not conform to ethical standards and our Code of Conduct.
- Ensure that no employee is required to compromise appropriate professional integrity, standards, judgment or objectivity in the performance of his or her duties.
- Ensure that all reports or other information provided to any internal or external entities including federal, state, or local government agencies are accurate and submitted in a timely manner.
- Perform duties in a way that promotes the public trust and encourages participation and access to County programs and resources.

There is a big difference in what you have the right to do, and what is right to do.

Justice Potter Stewart

Page 14 Code of Conduct

RECORDS MAINTENANCE

We are committed to maintaining accurate and appropriate records in accordance with all federal, state, and local laws and regulations and HCA policies and procedures.

We:

- Maintain complete, accurate records and prepare them in a timely manner.
- Ensure that all medical and business records in any medium (i.e. electronic or hardcopy) are maintained in accordance with guidelines established by the Orange County Board of Supervisors and applicable government and civil codes.
- Ensure that all medical and business records are maintained in an accurate and confidential manner to protect privacy and to provide factual information.
- Maintain documentation guidelines for recordkeeping according to the legal requirements for the records, and in accordance with the County record retention schedule.
- Maintain integrity of all records and ensure that records are not altered, damaged, removed or destroyed prior to the specified destruction date.
- Comply with all laws governing the confidentiality of information.
- Ensure that timecards, mileage claims, reimbursement claims, and other cost records and reports are completed and processed in a timely manner and reflect accurate information.

Questions regarding record maintenance guidelines may be referred to the HCA Custodian of Records Office at (714) 834-3536.

I long to accomplish some great and noble task, but it is my chief duty to accomplish small tasks as if they were great and noble.

Helen Keller

STATEMENT OF NON-RETALIATION

Committing or condoning retaliation for good faith reporting of a perceived or suspected Code of Conduct violation, or for participation in an investigation of an alleged violation, will not be tolerated. Any employee who commits or condones any form of retaliation may be subject to discipline up to and including suspension or discharge.

The phrase "in good faith" means that the employee honestly or truthfully believes or perceives the information reported to be true. Individuals who knowingly and intentionally report false or misleading information in order to harm or retaliate against another may be subject to discipline.

HCA CHIEF COMPLIANCE OFFICER

The HCA Chief Compliance Officer is responsible for the daily oversight of the Compliance Program. The primary responsibilities of the Chief Compliance Officer include:

- Receiving, investigating, and following-up on concerns, questions, and issues raised by employees or others related to the compliance program, including potential violations of the Code of Conduct, policies and procedures, laws and regulations.
- Maintaining auditing and monitoring mechanisms to promote compliance.
- Ensuring an ongoing compliance education program for all employees and other designated individuals.
- Monitoring the operation of the Compliance Hotline.
- Maintaining the Code of Conduct and compliance policies and procedures.

Page 16 Code of Conduct

RESPONSIBILITIES OF EMPLOYEES

The HCA Compliance Program can succeed only through the efforts of dedicated employees who conduct themselves with honesty and integrity, and in compliance with all applicable laws and regulations. Although each individual is ultimately responsible for his or her own conduct, HCA is committed to maintaining a work environment that encourages employees to practice the highest ethical standards in performing their daily tasks.

HCA requires all regular, extra-help, contract, executive, administrative and supervisory/management employees to actively participate in the HCA Compliance Program.

Highlights of employee responsibilities are as follows:

- Employees are responsible for reading, acknowledging and abiding by the HCA Code of Conduct, which is available both in hardcopy and on-line.
- Employees are expected to comply with the Code of Conduct, HCA policies and procedures, contractual obligations, and all applicable laws and regulations. This includes statutes, regulations and guidelines applicable to federal, state, and county healthcare programs. Failure to comply with this section may potentially subject an employee to civil and criminal liability, sanctions, penalties or disciplinary action.
- Employees are required to immediately notify a supervisor/manager, HCA Human Resources or the Office of Compliance upon receiving verbal or written notice that he or she is proposed for exclusion, has been convicted of a criminal offense that could result in being declared ineligible or has been excluded from participation in any governmental health program.
- Employees are responsible for assisting in creating a culture within HCA that promotes the highest standards of ethics and compliance.

- Employees are obligated to report and cooperate with the investigation of possible violations related to:
 - The Code of Conduct.
 - 2. HCA policies and procedures.
 - 3. Laws and regulations.

Failure to comply in reporting and cooperating with an investigation of a known or suspected violation may result in disciplinary action.

- Supervisors and managers are responsible and accountable for:
 - Ensuring that staff have sufficient information to comply with laws, regulations, and policies.
 - Providing appropriate and necessary training.
 - Responding in an appropriate and timely manner to issues or concerns brought to their attention by employees.
 - Maintaining an open and safe environment for staff to address compliance concerns.

Questions regarding responsibilities should be directed through the chain of command, to the Office of Compliance or to Human Resources.

By self-reporting, employees cannot exempt themselves from the consequences of their own misconduct; however self-reporting may be taken into account in determining the appropriate level of corrective action.

Before reporting a possible compliance concern, employees should ask:

- Do I have facts to support the allegation?
- Which standard in the Code of Conduct applies to this situation?
- What law, rule, regulation, policy or procedure covers this activity?
- Has the responsible supervisor or manager been informed of the issue and did they have a chance to address the concern?

Page 18 Code of Conduct

CONFIDENTIAL DISCLOSURE PROGRAM

HCA Employees have an obligation to report in good faith, any known or suspected violations of the following:

- Any statute, regulation or guideline applicable to federal healthcare programs
- Any federal, state, or local law or regulation
- The Code of Conduct
- County policies and procedures

Employees should first report their concerns to their supervisor, manager, or other management staff within the chain of command, but may also contact HCA Human Resources, the Office of Compliance, or other appropriate entities.

If an employee is uncomfortable directly reporting a suspected violation to any HCA resource, the HCA Compliance Telephone Hotline is available at (866) 260-5636. The Compliance Telephone Hotline provides a confidential means to report compliance concerns or violations. The Compliance Telephone Hotline is operated by an independent firm specializing in compliance related issues. All calls will be handled as confidentially as possible or allowable by law. **Employees are not required to identify themselves when reporting a concern.** Callers who wish to remain anonymous will be assigned a private code that can be used for follow-up communication through the hotline.

Calls received by the Compliance Telephone Hotline will be referred to the Office of Compliance for investigation and resolution.

Committing or condoning retaliation for good faith reporting of a perceived or suspected Code of Conduct violation, or for participation in an investigation of an alleged violation, will not be tolerated. Any employee who commits or condones any form of retaliation may be subject to discipline up to and including termination.

County of Orange Health Care Agency Office of Compliance 405 W. 5th St., Suite 776 Santa Ana, CA 92701 (714) 568-5614