



## CODE OF CONDUCT





**Peter Baronoff**  
Chief Executive Officer

Dear Colleague:

As reflected in our mission, Promise Healthcare, Inc. is committed to providing professional and compassionate healthcare. We demonstrate this commitment by employing both skilled and compassionate staff. The Code of Conduct is the foundation of our Compliance and Ethics Program. It helps to articulate our standards as we approach our work with both integrity and professionalism. Regardless of your job title, tenure or responsibilities, we each have a fundamental role in carrying out our mission.

Likewise, our responsibility to our patients requires that each employee adhere to the highest standards of ethical and legal conduct. Trust is fundamental to the success of our business and ethical conduct is the foundation upon which trust is built. On a daily basis, we each have the opportunity and responsibility to promote and support an ethical culture by serving our patients with integrity, respecting one another, bringing forward concerns without fear of retaliation and utilizing our Code of Conduct to help guide us in making good decisions.

As employees, we are all obligated to become familiar with provisions of the Code of Conduct and apply its principles to our day-to-day actions. Let us be diligent in ensuring we conduct ourselves in an ethical manner and stay focused on delivering our promise. If you should notice anything you consider questionable, I urge you to report it immediately through the appropriate channels. We thank you for the work you do on a daily basis and trust that you will abide by the guidances set forth in this publication.

Sincerely,

Peter Baronoff  
Chief Executive Officer





## **Our Mission**

Promise Healthcare's mission is to provide professional and compassionate healthcare for patients in need.

The employees, medical staff and others who comprise or have a relationship with Promise Healthcare fulfill this mission by adhering to our Code of Conduct when working with patients, physicians, colleagues and members of our local communities. We will provide quality care to our patients while observing high standards of legal and ethical conduct and will comply with all applicable laws, rules and regulations.

## **Organizational Values**

Key values guide the delivery of care and fulfillment of all aspects of Promise Healthcare's mission and vision for its future.

### **Our patient-centered philosophy values the following:**

- Dedication to our mission is demonstrated by how well we treat patients, families, staff and physicians.
- Recognizing that family and friends are essential team members in supporting and encouraging the patient during treatment and recovery.
- Providing appropriate and efficient care in a timely and effective manner.
- Meeting the needs of our patients and families for a comfortable and safe hospital environment.
- Celebrating our staff as the strength of Promise, empowering them to make on-the-spot decisions for the well-being of patients and their families.
- Becoming part of the fabric of each community we serve, committed to medical excellence as well as a civic sense of duty.



# Promise Healthcare's Compliance Program

## Overview

The goal of Promise Healthcare, Inc. is to promote ethical, compliant and legal behavior within the organization that encourages prevention, detection and resolution of conduct that does not conform to our standards, Federal and State law or Federal and private health care program requirements. Thus, Promise Healthcare has developed a Compliance Program based on guidance provided by the Department of Health and Human Services' Office of the Inspector General. The following seven elements form the core of the Program:

- Designation of a Compliance Officer
- Written Standards of Conduct
- Training & Education
- Monitoring and Auditing
- Enforcing Disciplinary Standards
- Open Lines of Communication
- Responding Appropriately to Detected Offenses & Developing Corrective Action

The Compliance Program's purpose is to codify the organization's commitment to compliance and general conduct expectations and or requirements of all employees and those acting on its behalf. The adoption and implementation of a Compliance Plan will significantly advance the prevention of fraud, waste and abuse in these health care plans while at the same time furthering the fundamental mission of Promise to provide quality care to our patients. The Code of Conduct provides guidance to all Promise Healthcare employees and colleagues and assists us in carrying out our daily activities consistent with appropriate ethical and legal standards. The Code of Conduct is intended to be comprehensive and easily understood.

In some instances, the Code of Conduct completely deals with the subject covered. However, in other instances, the subject discussed has so much complexity that additional guidance is necessary for those directly involved with the

particular area and will require sufficient direction. To provide additional guidance, we have developed a comprehensive set of compliance related policies and procedures.

Together, the Compliance Plan, the Code of Conduct and compliance policies and procedures comprise of Promise Healthcare's Compliance Program.

## Compliance Program Participation

All Promise Board of Directors, Officers, Employees, Contractors, Vendors, Physicians, Business Associates and Volunteers must review and attest to adherence



to the Code of Conduct to ensure that all actions are consistent with Promise's values and principles. The Code of Conduct should be considered a tool which should be used in all of our daily activities.

However, the tools cannot be effective unless we actively participate and attend training and education programs. The Compliance Program may evolve over time to adapt to changes in our business and or regulatory requirements.

Adherence to Promise's Compliance Program is a condition of employment and doing business with Promise. Disciplinary action for violations of the Plan, acts of noncompliance with State and Federal laws and regulations, healthcare program requirements or Promise Healthcare policies and procedures supporting this Code of Conduct will be enforced according to Promise Healthcare's policies and procedures. Disciplinary actions will be determined on a case-by-case basis and may include dismissal from employment, and will be enforced equally regardless of the offender's position within the company. If it is determined that a violation has included illegal activities, Promise Healthcare will cooperate with the appropriate civil or criminal authorities as the offender may be subject to civil or criminal investigation and prosecution in connection with the violation.





Who is expected to adhere to Promise Healthcare’s Code of Conduct?



All Promise Healthcare Board of Directors, Officers, Employees, Contractors, Vendors, Physicians, Business Associates and Volunteers.

### Compliance Program Guidance

There are many Federal and State laws and regulations, and health plan requirements that govern the provision of healthcare. Although one of the objectives of Promise Healthcare’s Compliance Program is to educate all Promise Healthcare colleagues about the basic requirements of these laws and regulations, Promise Healthcare does not generally expect its colleagues to become experts. For precisely this reason, if an employee or other colleague is not sure whether a particular activity or practice violates a law, regulation, health plan requirement, the Plan, this Code of Conduct, or its supporting policies and procedures, the employee or colleague should not, under any circumstances, “guess” as to the correct answer. Instead, the employee or other colleague should seek guidance from either his or her Supervisor, Administration, Human Resources, the Facility Compliance Officer, the Corporate Compliance Department, or **Promise Healthcare’s anonymous Compliance & Ethics Hotline at (866) 568.5428 or [www.promisehealthcare.alertine.com](http://www.promisehealthcare.alertine.com).**

When in doubt about the meaning or requirements of the law, regulations or Federal or private health plans (or the Plan, Code or their supporting policies and procedures), ASK. Promise Healthcare employees and other colleagues will not be penalized for asking compliance related questions. To the contrary, Promise Healthcare’s intent is to create a culture in which every employee and other colleague is comfortable asking the questions necessary to ensure that he or she understands his or her tasks and obligations in its entirety.



Some of the topics in the Code of Conduct don’t apply to me. Why should I be concerned with this booklet?



As a company-wide document, some sections and topics may be more relevant to certain functions or departments than to others. However, because of our industry, it is helpful to be aware of how business is conducted in different areas within the Company.

### Duty to Report

Promise provides mechanisms for internal reporting on the open door policy and the Compliance & Ethics Hotline. We are each responsible for reporting, in good faith, possible instances of wrongdoing and or non-compliance with regulations or policies. “Good faith” means to tell the truth when reporting facts or violations. Do not create false reports, bend the truth, or file accusations against anyone just to get them in trouble. If an employee is found to have purposely misled another through the use of false statements or filing a false report against an employee or individual, that employee may face disciplinary actions.

Failure to report actual or suspected compliance violations may place the organization at risk for irreversible damage; and, may prevent the immediate implementation of measures to resolve a violation or to prevent the escalation of a small issue into a major problem for the organization.

All inquiries or reports of a violation will be handled in a confidential manner. Concerns may be raised anonymously to the Corporate Compliance Department or to the Compliance and Ethics Hotline. Anonymous reports that provide adequate information to permit an investigation will be pursued. The caller should provide important details such as the department and facility where the violation occurred, names of individuals involved, events of the compliance violation, etc.

### Contact Information

Promise Healthcare, Inc.  
c/o Corporate Compliance Department  
999 Yamato Road, Suite #300  
Boca Raton, FL 33431  
Office: (561) 869-3100 Ext.142  
Compliance & Ethics Hotline (866)568.5428  
[www.promisehealthcare.alertine.com](http://www.promisehealthcare.alertine.com)

To the extent possible, Promise Healthcare will strive to maintain the confidentiality of any reporting employee or other colleague. It must be understood, however, that there may be circumstances wherein reporting a colleague’s identity may be disclosed (e.g., if government authorities become involved in the investigation or the reporting of a crime).

Finally, whether or not the identity of a reporting colleague becomes known or is revealed, under no circumstances



will Promise Healthcare take or allow adverse action to be taken against an employee or other colleague who reports actual or suspected misconduct in good faith in accordance with the Plan, the Code and the policies and procedures that support it, and who was not involved in the misconduct in question.

**Q** I know someone who has violated our Code of Conduct, should I report this? And, what will happen to the employee?

**A** Yes, you should report any violation of the Code. Employees are responsible and are held accountable for reporting suspected or known violations of our Code of Conduct, policies and procedures, laws and regulations. Any employee found to be in violation of our Code of Conduct, policies and procedures, or laws and regulations, may be subject to disciplinary or corrective action, up to and including termination of their employment with Promise Healthcare.

### Duty to Investigate

If a Promise Healthcare employee or colleague reports a violation of a State or Federal law, federal or private healthcare program requirement, the Compliance Plan, this Code of Conduct or supporting policies and procedures; Promise Healthcare will conduct a prompt and thorough investigation of the suspected misconduct. This investigation will allow Promise Healthcare to determine whether a violation has actually occurred and, if so, what remedial measures or disciplinary action should be taken, if any.

**Q** I have reason to believe that my department manager falsifies documentation by providing inaccurate data on our department's audit sheets. I know where these documents are stored in his office, is it okay if I retrieve the documents and submit to our Facility Compliance Officer for review?

**A** No. You should not retrieve these documents from your manager's office. You should however either report this to Administration, Human Resources, the Facility Compliance Officer, the Corporate Compliance Department, or Promise Healthcare's anonymous Compliance & Ethics Hotline at

(866)568.5428 or on the web at [www.promisehealthcare.alertline.com](http://www.promisehealthcare.alertline.com)

The purpose of reporting such violations is to allow the appropriate personnel to investigate allegations to determine if the allegation is true.

In addition to the Corporate Compliance Department, Promise Healthcare's Corporate Compliance Program includes the following functions:

- **Compliance Committee:** Responsible for the oversight of the Compliance Program and is comprised of leaders throughout the corporation. The Chief Compliance Officer reports on matters of compliance directly to the Compliance Committee and the Board of Directors.
- **Facility Compliance Officers** have been designated at each facility within the organization to further operationalize compliance and to ensure the oversight of regulatory compliance for all services at the facility level. The Facility Compliance Officers must assist Corporate Compliance in the implementation of the Compliance Program elements and conduct investigations of compliance related issues as appropriate.

## Code of Conduct

The obligations set forth in this Code of Conduct govern our relationships with patients, visitors, physicians, third party payors, contractors, vendors, agents and business partners and apply equally to everyone. It is our duty at all times to adhere to the Code which is based on the following standards throughout this publication.

### Standard 1: Respect for Patient Rights

We believe that all patients have specific rights which must be respected at all times. These rights include the right to receive quality healthcare in a safe, respectful and compassionate manner; the right to choose their healthcare practitioner; the right to be involved in the decisions made regarding their medical treatment; the right to receive information necessary to enable them to give informed consent prior to any non-emergency procedure or treatment; and the right to make decisions regarding advanced directives. Each patient is an individual entitled to dignity, consideration and respect. Additionally, patient abuse or neglect is not tolerated at any Promise facility.



**Q** A doctor has ordered medication for a patient and the patient refuses to take the medication. What should I do?

**A** Adult patients who have the ability to make their own medical care decisions have the right to refuse medication, tests and or procedure concerning their care. If this situation should occur, you must consult with the attending physician who will in turn speak with the patient to ensure the patient clearly understands what the consequences are should they decide not to cooperate with the physician's recommendations regarding their care.

**Standard 2: Provision of Emergency Services**

We will furnish emergency services in accordance with Promise Healthcare's mission, legal obligations and capabilities. Following the Emergency Medical Treatment and Labor Act (EMTALA), we will provide a medical screening examination and stabilization to the best of our abilities to anyone who comes to the facility in an emergency situation. If the patient's needs exceed our capabilities, an appropriate transfer will be arranged

**Q** A woman who is six months pregnant arrives at the facility and has complaints of pain in her stomach. However, we do not have a Labor and Delivery Unit, what should I do?

**A** In accordance with EMTALA, the patient should be stabilized as best as possible and transferred to the appropriate facility for care.

**Standard 3: Compliance with Laws, Regulations and Program Requirements**

Promise Healthcare operates in a heavily regulated industry, subjecting Promise and its employees to a large number of Federal and State, civil and criminal laws and regulations, and health plan requirements. The penalties for violation of these laws, regulations and requirements are severe and can apply both to Promise Healthcare and any involved employees and other colleagues. The penalties include substantial fines or other financial penalties, potential exclusion from participation in federally funded programs, loss of licensure and in some cases, imprisonment.

Any violation of laws, regulations and healthcare program requirements can also seriously damage Promise Healthcare's reputation. Violations are contrary to our ethical standards and impair our ability to achieve our mission. Thus, Promise Healthcare's Compliance Program is designed to prevent such violations. All Promise Healthcare employees and other colleagues must be aware of and comply with the regulatory requirements applicable to their respective positions and duties. Promise Healthcare has and on an ongoing basis, will implement policies and procedures, training programs and auditing and monitoring programs in an effort to educate employees and colleagues on applicable laws, regulations and requirements, and to monitor and promote compliance with these laws, regulations and requirements. It is the responsibility of each Promise Healthcare employee and other colleagues to comply with the Compliance Plan, the Code of Conduct and Promise Healthcare policies and procedures which supports the Compliance Program.

**Q** My immediate supervisor has directed me to do something that I believe is against the law. I am afraid that if I don't do as I am told, my job would be in jeopardy. What should I do?

**A** You should clarify with your supervisor the specific request so that you may rule out any misunderstanding of what is being asked of you. If that conversation does not resolve the matter to your satisfaction, you should take your concern either to Administration, Human Resources, the Facility Compliance Officer, the Corporate Compliance Department or Promise Healthcare's anonymous Compliance & Ethics Hotline at (866) 568-5428 or on the web at: [www.promisehealthcare.alertline.com](http://www.promisehealthcare.alertline.com)

Do not jeopardize your job, your co-workers' jobs or the company's future by taking part in what you believe may be illegal or unethical activity. There are no circumstances where breaking the law would be acceptable to Promise Healthcare.

**Standard 4: Integrity**

Promise Healthcare employees and other colleagues must ensure that all statements, submissions and other communications within our organization, to our patients, prospective patients, the government, accrediting bodies, regulatory agencies, private healthcare plans, suppliers and



other entities are truthful, accurate and complete. Such communications include, but are not limited to a patient's medical record, all documents and communications with accrediting bodies and regulatory agencies, claims for reimbursement, bills, certifications, cost reports, expense reports and timesheets, etc. It is also critical that all documents prepared and all data entered into Promise Healthcare's systems by employees, whether for internal or external use or processing, be truthful, accurate and complete. All documentation regarding diagnoses, procedures and coding related documentation must be accurate and not exaggerated. Upcoding is not permitted and it is unacceptable for anyone to attempt to coerce any employee to do such. Any changes to documents or information may only be made in accordance with Promise Healthcare's policies and procedures.

**Q** I work in the medical records department and I have reason to believe that a provider has given inaccurate information related to the level of service provided to a patient. What should I do?

**A** First, you should discuss the issue with the physician and ask for additional information. If you are not satisfied with the answer or believe that inaccurate information is still being provided, then the situation should be immediately discussed with either your Supervisor, Administration, Human Resources, the Facility Compliance Officer, the Corporate Compliance Department or Promise Healthcare's anonymous Compliance & Ethics Hotline (866) 568- 5428 or on the web at: [www.promisehealthcare.alertline.com](http://www.promisehealthcare.alertline.com) You should never accuse the provider of wrongdoing. A review will be undertaken and if wrong doing is proven, it will be handled through the appropriate process.

#### **Standard 5: Accurate and Honest Billing**

The federal FCA, 31 U.S.C. Sections 3729-3733 and similar state laws assist the federal and state governments in combating fraud and abuse and recovering losses resulting from fraud in government programs, purchases and or contracts. These laws prohibit the knowing and or intentional use of false or fraudulent claims, records, or statements for the purpose of obtaining payment from the government. These laws apply to Medicare and Medicaid program reimbursement and prohibit, among other things, billing for services not

rendered; billing for undocumented services; falsifying cost reports; billing for medically unnecessary services; assigning improper codes to secure reimbursement or higher reimbursement; participating in kickbacks; and retaining an overpayment for services or items. A violation of these laws may result in civil, criminal and or administrative penalties, including monetary penalties, imprisonment, and exclusion from participation in Medicare and Medicaid and a loss of licensure status.

It is critical to Promise Healthcare's success that the company bill Federal and private healthcare plans accurately, honestly, with integrity and in compliance with the plan requirements. The policies and procedures that support the Compliance Program, including those that apply to the functions within Promise Healthcare that relate to health plan billing provide direction and instructions on the proper performance of these functions. All Promise Healthcare employees and other colleagues are required to comply with the requirements of these policies and procedures.

These laws and Promise policy prohibit retaliating or discriminating against employees, agents or contractors because of their initiation of, or participation in a lawful false claims investigation, report, claim or proceeding. Suspected false claims violations should be made to either your Supervisor, Administration, Human Resources, the Facility Compliance Officer, the Corporate Compliance Department or Promise Healthcare's anonymous Compliance & Ethics Hotline at (866) 568-5428 or on the web at: [www.promisehealthcare.alertline.com](http://www.promisehealthcare.alertline.com)

**Q** Government agencies are diligently monitoring for Medicare and Medicaid fraud, waste and abuse. What does the government consider to be fraud and abuse in healthcare?

**A** The government is pursuing the recovery of Medicare and Medicaid funds that were obtained by healthcare providers by fraudulent means. The Centers for Medicare & Medicaid Services (CMS) administers the Medicare and Medicaid programs. The U.S. Department of Health and Human Services (DHHS), Office of Inspector General (OIG) oversees the investigations of fraud, waste, and abuse in healthcare. The OIG also monitors the Medicare and Medicaid Programs through audits and evaluations. The OIG has the authority to impose administrative sanctions. Other





government enforcement agencies collaborate in these investigations, including the Department of Justice (DOJ) and the Federal Bureau of Investigation (FBI).

Examples of occurrences of fraud, waste and abuse in the healthcare industry that government agencies are investigating include the following:

- Billing for items and services that are not medically necessary
- Billing for items or services not actually rendered
- Duplicate billing
- Upcoding for higher reimbursement than what actually are entitled to receive
- Falsifying information or documentation to maximize reimbursement
- Knowingly failing to report and return overpayments made by Federal Healthcare Programs.
- Employing persons excluded from participation in Federal Healthcare Programs.

**Q** Someone from Administration instructed me to upcode so that the hospital would receive a higher reimbursement than what should actually be received. What should I do?

**A** Upcoding services for higher reimbursement other than what Promise Healthcare is entitled to receive is a compliance violation of Promise Healthcare's policies, the law and this Code of Conduct. Employees are held accountable for reporting compliance violations such as this immediately. This violation should be reported to either someone else in your facility's Administration, the Corporate Compliance Department or Promise Healthcare's anonymous Compliance & Ethics Hotline at (866) 568-5428 or on the web at: [www.promisehealthcare.alertline.com](http://www.promisehealthcare.alertline.com)

Failure to report this violation may expose the organization to fines and penalties and possible exclusion from Federal Healthcare Programs.

**Q** While coding services for a patient, I notice that there was no documentation in the medical record for a particular service. Should I still code and bill for this service under the assumption that it was done?

**A** No. Coding and billing must reflect the actual services rendered to a patient based on supporting medical documentation, including patient conditions and diagnoses, in the medical record. An employee should never assume that a service was provided. If proper documentation is not present in the medical record as required for billing purposes, then the bill should not be submitted to the payor for payment.

## **Standard 6:** Compliance with Anti-Kickback and Inducement Laws and Laws That Regulate Physician Self-Referrals

### A. Avoidance of Anti-Kickback Issues

Promise believes that success in the marketplace results from providing quality services at competitive prices. Promise funds may not be used for improper or illegal activities such as payments to "induce" referrals. We prohibit all colleagues from offering a kickback to anyone to induce that patient or physician or potential patient or physician to purchase services from or to refer a patient to Promise Healthcare. Moreover, colleagues are prohibited from accepting a kickback. Prohibited inducements include gifts of more than nominal value, excessive entertainment, or other considerations given to physicians or any other party in a position to influence patient referrals. To avoid even the appearance of impropriety, employees must not provide any potential referral source or patient with gifts or promotional items of more than a nominal value (i.e. pens or calendars). Similarly, Promise will not accept any gifts of more than a nominal value or promotional items from anyone.

It is important that those employees who interact with physicians and others in a position to make or influence patient referrals, particularly regarding making payments to physicians for services rendered, providing space or services to physicians, recruiting physicians to the community, and arranging for physicians to serve in leadership positions, are aware of the requirements of the laws, regulations, and policies that address relationships between Promise Healthcare and physicians or others in a position to make or influence patient referrals. 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 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. All arrangements with physicians, physician family members, physician-owned entities, and physician family member owned entities must be in writing and approved by the General Counsel and Chief Compliance Officer or their respective designee. Failure to meet all requirements of these laws and regulations can result in serious consequences for Promise Healthcare and the individual or entity involved.

#### B. Avoidance of Self-Referral Issues

Promise physicians, technicians and employees will also abide by Federal and State prohibitions on referrals to entities with which they have financial relationships. While there are certain exceptions to these Federal and State self-referral prohibitions, we must ensure compliance with such laws. Before any compensation, joint venture or other ownership relationships are established between other physicians and Promise or its colleagues, the relationship will be reviewed by corporate Legal counsel to ensure compliance with the relevant State and Federal laws. Promise employees shall not make payments of any kind or provide services, gifts or anything else of any value in exchange for the referral of patients to Promise. When in doubt, consult with Promise Legal Counsel.

#### C. Government and Government Contractor Employees

Promise Healthcare employees and colleagues are prohibited from giving or offering anything of value to any official or employee of a governmental agency (or holder of elective office), or of any contractor of a governmental agency (including without limitation Medicare Administrative Contractors and other parties contracted in the administration of any Federal healthcare program), other than minor refreshments in the course of business discussions at Promise Healthcare facilities.

**Q** I am an administrative assistant for my facility and I have been asked to obtain a sublease renewal for a physician sublessee. While doing so, I notice that the prior sublease expired 6 months ago. The physician has suggested that I backdate the sublease. What should I do?

**A** You should immediately advise your CEO of the situation and the Legal department should be contacted immediately after. No backdating is permitted as this is considered a Stark law violation. The Legal department will determine the appropriate action.

### Standard 7: Fundraising and Philanthropy

Promise Healthcare will, from time to time, identify opportunities to utilize our reputation and relationships within the local and national healthcare and business sectors as a means of giving back to the communities we serve through charitable contributions, event sponsorships, volunteerism and facilitation of participation, donations, and contributions by vendors, suppliers, service providers, groups, organizations, individuals, philanthropists and the community at large. It is the intention of Promise Healthcare that all fundraising and philanthropy efforts shall be driven by its charitable philosophies and, as such, Promise does not intend to realize any gain or benefit beyond the satisfaction of promoting improvement of the overall health, wellness and quality of life of the persons that work and reside in the communities in which we operate.

**Q** My family's annual tradition is to help fundraise for Sickle Cell Anemia on behalf of a local non-profit organization. Can my colleagues donate monies to help aid in this initiative?

**A** Any solicitations for raising money on behalf of local charities should be approved with your facility's administration.

### Standard 8: Compliance with Antitrust Laws

promise fair competition in the marketplace. Our competitors are other hospitals and facilities providing similar products and services in the same geographic markets in which we operate. It is our policy to fully comply with antitrust laws which could be violated by discussing Promise business with a competitor, such as how our rates are set, disclosing the terms of supplier relationships, allocating markets amongst competitors, or agreeing with a competitor to refuse to deal with a supplier or payor. Prohibited topics of discussion include any aspect of pricing, our services in the market, key costs such as labor costs, marketing plans, business plans or strategic plans.

**Q** A close friend of mine is employed by one of Promise's local competitors. During a weekend outing, my friend begins to discuss supplier pricing with a vendor that also services Promise and has documentation which has sensitive information regarding their employer. What should I do?





You should not review the documentation and immediately stop the conversation. In addition, you should report this occurrence either to Administration, Human Resources, the Facility Compliance Officer, the Corporate Compliance Department or Promise Healthcare’s anonymous Compliance & Ethics Hotline at (866) 568-5428 or on the web at:  
[www.promisehealthcare.alertline.com](http://www.promisehealthcare.alertline.com)

**Standard 9: Accurate and Ethical Marketing Practices**

Promise Healthcare will market and advertise accurately, fairly, truthfully and ethically and in compliance with laws and regulations. Marketing and advertising must be used for legitimate purposes such as educating the public, reporting to the communities served, increasing awareness of available services and recruiting staff. Marketing and advertising materials must be approved by the Corporate Legal office and must accurately reflect the services available and the level of our licensure and accreditation status.



I have been asked by my supervisor to create a marketing brochure that includes a service that is not provided by either of our hospitals. What should I do?



First, you should discuss the issue with your supervisor to ensure that the request was not a mistake. If you confirm that the request is being made to include improper information, you should report this concern to either Administration, Human Resources, the Facility Compliance Officer, the Corporate Compliance Department or Promise Healthcare’s anonymous Compliance & Ethics Hotline at (866)568.5428 or on the web at:  
[www.promisehealthcare.alertline.com](http://www.promisehealthcare.alertline.com)

**Standard 10: Provision of a Safe and Secure Environment**

Promise Healthcare is committed to observing all environmental policies, procedures, laws and regulations and maintaining a safe environment for all patients, employees, physicians and visitors. Medical waste, potentially environmentally damaging substances and hazardous materials are to be disposed of properly. Any significant spill or accidents involving hazardous materials are to be promptly reported and steps must be taken to prevent harm to others. Promise Healthcare assures environmental safety through

organized action plans for effective response to natural, man-made, or technical disasters. Promise Healthcare’s commitment to a safe workplace prohibits employees, medical staff and others who have a relationship with Promise Healthcare from possessing weapons of any kind on Promise Healthcare property to the extent permissible by state law.

Each Promise Healthcare supervisor is charged with the responsibility of ensuring that employees receive proper training in healthy and safe work environments as well as develop programs to eliminate or minimize, to the extent reasonably possible, any hazards to the health and safety of employees, visitors, physicians, and patients, in accordance with applicable Federal, State and local laws and regulations.

Employees must immediately report any accident/injury sustained on the job or any environmental or safety concerns to appropriate management. Employees must comply with all applicable laws and internal policies that relate to medical waste and hazardous materials, and must apply due diligence and care with respect to generation, storage, discharge, or disposal of such materials.

All spills or accidents involving medical waste or hazardous materials must be immediately reported and appropriate actions must be taken to prevent harm to people, property and the environment. Employees of Promise Healthcare must report any practice or condition to their supervisor that violates any rule, regulation or safety standard.

Employees are expected to consider the needs of patients first, and to act promptly to facilitate the protection of patient health and safety. Good judgment should be exercised by each employee with respect to environmental safety.



I noticed that a fellow co-worker in my department doesn’t always use a sharps container when he/she disposes needles. What should I do?



Failure to dispose sharps properly could result in a serious injury to the employee or someone else in the workplace. If an employee is not disposing of sharps correctly, you should discuss your concern with either your Supervisor, Administration, Human Resources, the Facility Compliance Officer, the Corporate Compliance Department or Promise Healthcare’s anonymous Compliance & Ethics Hotline at (866) 568-5428 or on the web at: [www.promisehealthcare.alertline.com](http://www.promisehealthcare.alertline.com)



### **Standard 11: Respect for Intellectual Property**

Promise Healthcare employees will comply with the laws regarding intellectual property, including patents, trademarks, and copyrights. Employees may not reproduce any copyrighted material without the express permission of the copyright holder, except in accordance with Promise Healthcare's policies on such matters. This material may include, but is not limited to, printed articles from publications, magazines, or books, videotapes/DVDs, training materials, manuals, software programs and databases.



My sister was just hired as an administrator for a start-up hospital similar to Promise and she has asked me to assist her with the creation of her facility's patient booklets. Is there anything wrong with me copying Promise's booklet to help her create hers?



Yes. Promise Healthcare's booklets are not to be reproduced and shared with any other entity for purposes of reproduction.

### **Standard 12: Confidentiality**

Promise Healthcare must respect and preserve the privacy of our patient's medical and other protected health information such as names, addresses and social security numbers, etc. Except as permitted by the patient and by law (and Promise Healthcare's information, privacy and security policies), Promise Healthcare, its employees and colleagues must not disclose information that is received from or is about a patient to any third party. Also, Promise Hospital will preserve the confidentiality and security of patient information that it retains as required by law and the Company's policies.

Promise Healthcare employees and other colleagues are each responsible for maintaining the confidentiality of all patient and employee protected health information (PHI). PHI is defined as individually identifiable health information that is transmitted or maintained in any form, including electronic health information. Any unauthorized exposure of PHI, which reasonably compromises the security or privacy of the PHI is a potential breach that must be immediately reported to either the HIPAA Privacy Officer, your Supervisor, Administration, Human Resources, the Facility Compliance Officer, the Corporate Compliance Department or Promise Healthcare's anonymous Compliance & Ethics Hotline at (866) 568-5428 or on the web at: [www.promisehealthcare.alertline.com](http://www.promisehealthcare.alertline.com)

Confidential information is not limited to patient information but also includes information such as personnel files, financial data, payroll, strategic plans and statistical data, as well as any other information that has been designated confidential. Such proprietary information is to be obtained, used, or disclosed only as minimally necessary to perform job responsibilities and then only to the extent necessary. It is not to be shared with external or internal sources, such as vendors or competitors, and may not be used for any direct or indirect personal gain or other improper use. We're all responsible for protecting Promise Healthcare's proprietary information, even if we are no longer employed at Promise Healthcare.



I just learned that my aunt has been admitted into our hospital. I am generally concerned of her well-being and am not sure she is being honest with me about her condition. Although I have access to electronic patient health information, is it okay to take a look at my aunt's confidential information?



No. All employees, physicians and others who have been granted access to patient health information (medical records), may only access this confidential information for authorized purposes, including treatment, payment, and/or health care operations.

An individual, who views confidential patient information or Protected Health Information (PHI) out of curiosity such as for a co-worker, family member, patient or friend, is violating the HIPAA Privacy Regulations and Promise policies. Employees who are found doing such, will be subject to disciplinary action, up to and including termination. In addition, individuals violating HIPAA Privacy Regulations may face hefty government fines and imprisonment for improperly disclosing or obtaining PHI.



What is Protected Health Information (PHI)?



PHI is any health information that can be used to identify a patient and that relates to the patient, health care services provided to the patient or the payment for these services. PHI includes all medical records and other information that identifies the patient, including demographic, medical, and financial information in any form (electronic, paper or verbal).



**Standard 13: Protection of Promise Healthcare's Assets and Resources**

Confidential information about Promise Healthcare's business is a valuable asset and is intended for use only within Promise. All information concerning Promise's finances, operations, products, policies, customers, development plans, computer programs and related information should be treated as proprietary and confidential.

We have access to Promise Healthcare's assets and resources so that we can do our jobs and advance Promise Healthcare's interest. We must always protect Promise Healthcare's assets from loss, damage, carelessness, misuse, theft and waste, including wasted supplies, equipment, space and capital. We should be as careful with Promise Healthcare's resources as we would be with our own. We do not use proprietary information, physical assets, such as supplies or equipment, for personal purposes or remove them from the premises; even just to "borrow" them. Physical assets include vehicles and machinery, office supplies, medical, cleaning and food supplies, tools, furnishings, televisions, computers and computer software, printers, telephones, and all other types of equipment, including medical devices.

**A** Occassionally I take my work home. Am I allowed to install the department's purchased software on my Home computer so that I can get more work done?

**Q** No. Promise Healthcare has license agreements with software vendors, which allows employees to use software on their computers at work. Our license agreements permit software to be used only on computers owned by Promise Healthcare, so it is not permissible to take software home and install it on your personal computer.

**Standard 14: Avoidance of Conflicts of Interest**

We have a duty to place the interest of Promise Healthcare ahead of our personal interests by avoiding both financial and clinical conflicts of interest. Financial conflicts of interest may occur with a business decision that an employee is involved in making. Clinical conflicts of interest may occur when a clinician puts his or her own financial interest over what is in the best interest of Promise Healthcare or a Promise Healthcare patient when making a clinical decision.

We have the obligation to report conflicts of interest and even situations that may appear to be a conflict of interest. Completion of the Conflict of Interest Disclosure Form is a mandatory tool used to fulfill for this purpose. Board of Directors, Officers, Employees, Contractors, Vendors, Physicians, Business Associates and Volunteers must file this form annually, even if they are not faced with a conflict of interest. In avoiding conflicts of interest, we keep in mind that we work to advance the interests of Promise Healthcare. We do not compete with Promise Healthcare, we do not use Promise Healthcare property, information or position for personal gain, we do not take for ourselves, opportunities discovered through the job, we make sure that any outside jobs or positions do not conflict with our work at Promise Healthcare and we disclose to our manager any conflicts that might, and we avoid buying from, employing or making any business decision that involves friends or family. Anyone who fails to disclose actual or potential conflicts of interest will be subject to disciplinary action up to and including termination.

**A** One of our vendors offered me (4) tickets to the local team's baseball game. The face value of each ticket is \$75. Can I accept the tickets?

**Q** No. The offer of these tickets would not be an acceptable gift. In addition, you must avoid the appearance that your decision to accept the tickets might be improperly influenced for future business with the vendor. Entertainment, such as sporting, arts, culture or charitable events must be part of a legitimate business activity and be within bounds of reason and a nominal value. The face value of each ticket exceeds the nominal value of any permissible gift from a vendor.

**Standard 15: Intolerance of Disruptive and Other Unacceptable Behavior (Discrimination or Harassment)**

Intimidating and disruptive behaviors will not be tolerated by Promise Healthcare. Such behavior can contribute to hostile work environments, medical errors, poor patient satisfaction, and adverse outcomes, increase the cost of care, and cause good employees to seek new positions elsewhere.

Safety and quality of patient care is dependent on teamwork, communication and a collaborative work environment. Acceptable behavior is that which supports teamwork, a positive attitude, and good communication and which



follows the principles in our Code of Conduct.

Unacceptable behavior is any behavior that has a negative impact on the quality of care we deliver or which can affect the safety of our patients, employees, physicians and visitors, and may be either overt or passive. Overt disruptive behavior includes intimidating behavior such as sexual harassment, verbal outbursts and physical threats. Passive disruptive behavior includes refusing to perform assigned tasks or quietly exhibiting uncooperative attitudes, such as reluctance or refusal to answer questions, return phone calls or pages, condescending language or voice intonation, and impatience with questions. Overt and passive disruptive behaviors undermine team effectiveness and can compromise the safety of patients. All disruptive behaviors are unprofessional and will not be tolerated.

Unacceptable behavior also includes discrimination. Promise Healthcare is an equal opportunity employer and does not discriminate against employees or potential employees on the basis of race, color, religion, gender, ethnicity, sex, sexual orientation, age, marital status, genetic predisposition, veteran status, or disability. We are committed to policies that promote fair employment and equal treatment in hiring, placement, promotion, training, compensation, transfers, leave of absence, termination, layoff, and disciplinary action.

Management has established a process to manage disruptive or unacceptable behavior. Reports of disruptive or unacceptable behavior may be made to either your Supervisor, Administration, Human Resources, the Facility Compliance Officer, the Corporate Compliance Department or **Promise Healthcare's anonymous Compliance & Ethics Hotline at (866) 568-5428 or on the web at: [www.promisehealthcare.alertline.com](http://www.promisehealthcare.alertline.com)**

**Q** My co-worker has been acting erratically lately and I overheard him make a remark that he was going to hurt someone but sounded as if he was joking. What should I do?

**A** It may not be clear whether someone truly intends to commit a violent act, but if someone threatens to act violently toward another person, you should immediately notify either your Supervisor, Administration, Human Resources, the Facility Compliance Officer, the Corporate Compliance Department or **Promise Healthcare's anonymous**

**Compliance & Ethics Hotline at (866) 568-5428 or on the web at: [www.promisehealthcare.alertline.com](http://www.promisehealthcare.alertline.com)**

### **Standard 16: Maintaining an Alcohol- and Drug Free Workplace**

Impaired employees cannot provide quality care or a safe environment for our patients. Therefore, Promise Healthcare maintains an alcohol- and drug-free workplace. Employees and other colleagues are expected to abide by policies prohibiting illegal possession, distribution and use of drugs, alcohol or other substances. If you become aware of colleagues who might be violating these policies on alcohol or substance abuse, you must report such information either to your Supervisor, Administration, Human Resources, the Facility Compliance Officer, the Corporate Compliance Department or **Promise Healthcare's anonymous Compliance & Ethics Hotline at (866) 568-5428 or on the web at: [www.promisehealthcare.alertline.com](http://www.promisehealthcare.alertline.com)**

Employees and other colleagues suspected of being under the influence of drugs, alcohol, or other substances must submit to appropriate testing, as permitted by law, and may be subject to disciplinary action, up to and including termination.

**Q** While conversing with my co-worker, I smelled alcohol whenever my co-worker spoke. Also, in some instances while working, it appears my co-worker's judgment is clouded and seems very nervous when conducting general day-to-day activities. I don't have any evidence whether or not she is drinking alcohol or doing drugs. What should I do?

**A** It may not be clear whether someone has an alcohol or substance abuse issue. However, if you suspect that abuse is taking place, you should immediately report the issue to either your Supervisor, Administration, Human Resources, the Facility Compliance Officer, the Corporate Compliance Department or through **Promise Healthcare's Compliance & Ethics Hotline, (866)568.5428 or on the web: [www.promisehealthcare.alertline.com](http://www.promisehealthcare.alertline.com)**

Impaired judgment does not provide quality of care to anyone. If someone is working while under the influence of alcohol or drugs, we place our patients at great risk and as an employee, you have an obligation to report such behavior.



### Standard 17: Substandard Care

The Office of Inspector General (OIG) issued supplemental guidelines to hospitals regarding substandard care to patients. Substandard care is defined by the OIG as an individual or entity (i.e. hospital) providing unnecessary or substandard items or services to any patient:

- Unnecessary- “Items or services in excess of the needs of a patient”
- Substandard- “Items or services of a quality which fails to meet professionally recognized standards of health care”

Individuals can be excluded from participation in Federal Healthcare Programs for either of these compliance violations. The exclusion can be applied even if the patient is not a Medicare or Medicaid beneficiary.

According to the *OIG Supplemental Compliance Program Guidance for Hospitals*) Medicare participating hospitals must meet all of the Medicare Hospitals Conditions of Participation (COP’s), including quality assessments and performance improvement programs and medical staff services. State survey agencies or national accreditation organizations (i.e., The Joint Commission) determine if a hospital is compliant with COP’s.

To prevent substandard care, the OIG recommends that hospitals:

- Review the quality of care provided to patients
- Monitor the quality of medical services rendered.
- Oversee the credentialing and peer review of medical staff.



I witnessed a nurse exchanging a patient’s pain medication for an aspirin and later saw my co-worker taking the pain medication. What should I do?



You should immediately report this occurrence to either your Supervisor, Administration, Human Resources, the Facility Compliance Officer, the Corporate Compliance Department or Promise Healthcare’s anonymous Compliance & Ethics Hotline at (866) 568-5428 or on the web at: [www.promisehealthcare.alertline.com](http://www.promisehealthcare.alertline.com).

Employees must not exchange a patient’s medication without authorization of a physician. Neither should an employee take a patient’s medicine.

### Standard 18: Qualified Healthcare Providers

Another means of ensuring quality care and patient safety is to ensure all employees and providers of professional services are appropriately credentialed (licensed, certified, registered, or trained) and we have verified the status of those credentials before anyone is permitted to work.



I learned that my co-worker is performing patient care with a suspended nursing license, what should I do?



You should immediately report this occurrence either to your Supervisor, Administration, Human Resources, the Facility Compliance Officer, the Corporate Compliance Department or Promise Healthcare’s anonymous Compliance & Ethics Hotline at (866) 568-5428 or on the web at: [www.promisehealthcare.alertline.com](http://www.promisehealthcare.alertline.com)

Employees must have a valid and current license and any applicable certification that is required for their job role at Promise Healthcare. Employees, physicians and other caregivers are responsible for maintaining a current and valid professional license and appropriate certification if required by Promise Healthcare and or federal and state law.





## Together We Accomplish More

*We, the employees, medical staff and others who have a working relationship with Promise Healthcare, Inc. will act with integrity when working with patients, physicians, colleagues and members of our local communities. The obligations set forth in this Code of Conduct apply to our relationships with patients, visitors, affiliated physicians, third party payors, subcontractors, independent contractors, vendors, consultants, and one another.*

*We will provide quality care to our patients while observing the highest standards of legal and ethical conduct. We will comply with all applicable laws, rules and regulations. This Code of Conduct, based on principles outlined in our mission and values statement, serves as the foundation of our Corporate Compliance Program.*

**The guidelines set forth in this Code of Conduct applies equally to everyone and are mandatory.**





## **ACKNOWLEDGEMENT**

I certify that I have received the Promise Healthcare Code of Conduct, Inc.,  
and that I understand it represents mandatory policies of the organization and I agree to abide by it.

---

Signature

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

Position: \_\_\_\_\_

Department: \_\_\_\_\_

Last Four Digits of Your Social Security Number: \_\_\_\_\_

Date: \_\_\_\_\_

**Please return the completed and signed  
Code of Conduct Acknowledgement form to your facility's  
Human Resources Department.**





A Leader In Acute Long-Term Hospital Care



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