

Administrative Policy and Procedure Manual

Code of Conduct
Scope: Organizationwide

Effective Date: 1/2005
Page 1 of 9

I. Purpose

The purpose of this policy is to provide direction to staff members to assist in carrying out daily activities within appropriate ethical and legal standards.

II. Policy Statements

- A. Children's Hospital of Chicago Medical Center (the "Medical Center") is a unique place where children, families, physicians, and staff come together to ensure our patients get appropriate care. It is a place where people matter, and where the customer-service focus, innovation, teamwork, and commitment of our staff make it possible to provide children with quality care. Our mission is dedicated to the health and well-being of all children.
- B. With your help, this commitment drives us to be a leader in:
 1. Pediatric health care delivery;
 2. Research into the prevention, causes, and treatment of diseases that affect children;
 3. Education for physicians, nurses, and allied health professionals;
 4. Advocacy for the general well-being of all children.
- C. As a charitable organization, we serve children and their families to the best of our abilities and the limits of our resources.
- D. Our vision is guided by the belief that all children need to grow up in a protective and nurturing environment, where each child is given the opportunity to reach his or her full potential. We believe this vision can provide a brighter future for all children. Just as we believe that each child should have the opportunity to reach his or her full potential, we are dedicated to providing you the opportunity to realize your full potential here at the Medical Center.
- E. Our promise to you is this – to cultivate a challenging yet compassionate work environment, to help you achieve your professional and personal goals, to recognize your strong performance, and to listen to your feedback and act upon it. Fulfilling this promise is how the Medical Center will remain a great place to work. Our

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Administrative Policy and Procedure Manual

Code of Conduct
Scope: Organizationwide

Effective Date: 1/2005
Page 2 of 9

Service Principles also reinforce and strengthen our environment of compassion and service. By embracing and continually striving for Service Excellence, we are expressing, with pride, that we are an organization where kids come first.

- F. Everything we do for our patients and families starts with you. We expect you to perform to the best of your ability, and we also rely on you to ensure that you do this in an ethical way. This doesn't only mean clinical ethics – it includes business ethics as well. The Medical Center's Organizational Ethics Statement – Code of Ethics outlines the general principles that guide our actions and the ethical commitments through which we convey respect to patients and their families, staff, physicians, volunteers, payors, the health care community, and the many other communities the Medical Center serves.
- G. The Code of Conduct (the "Code") is based on our Corporate Compliance Program (the "Program"). It is called a "compliance program" because it outlines what we do at the Medical Center to ensure that we comply with legal and ethical requirements. The Code explains some of the behaviors that you must exhibit and embrace, demonstrating your commitment to the mission, vision and strategic goals of the Medical Center. We expect you to take your compliance obligations seriously and you may be subject to disciplinary action, up to and including termination, if you fail to comply with those obligations.
- H. Elements of the Program include: (1) setting standards through written policies and procedures (including the Code), (2) communicating the standards through education and training programs, (3) providing a mechanism for reporting potential violations, (4) ongoing monitoring and auditing activities, (5) enforcing standards and disciplining non-compliant actions, (6) responding to and investigating potential problems, and (7) maintaining an organizational structure that supports the furtherance of the Program.
- I. The Code provides direction to Medical Center staff members to assist in carrying out daily activities within appropriate ethical and legal standards. Staff members governed by the Code include any person employed by the Medical Center and its officers, directors, volunteers, researchers, trainees, medical and dental staff and any other person or organization engaged by the Medical Center to provide products or services. The Code is not intended to cover every situation which may be encountered, and you should comply with all applicable laws and regulations whether or not specifically addressed in the Code of Conduct.

Administrative Policy and Procedure Manual

Code of Conduct
Scope: Organizationwide

Effective Date: 1/2005
Page 3 of 9

- J. The Code has been developed to be easily understood and demonstrates in the clearest terms the commitment of the organization to the highest standards of ethics and compliance. The Code provides you with the direction on what to do if you have a question or a concern about a business practice. Please use the Code as a guide if you are confronted with a situation that raises questions about business ethics. It is very important that you report any good faith perceived violation of law or business ethics outlined in this document. This is our expectation, and we promise that there will be no adverse consequences to you for doing so.

- K. Remember – living up to our commitment to legal and ethical business practices starts with you!

III. Procedures

The following principles govern our behavior at the Medical Center:

- A. *We obey the law.* At the Medical Center, we obey all applicable laws. Since these laws may change, we cannot list them all here. However, you are expected to be aware of and follow laws that affect the way you do your job. If you have any questions about legal or ethical issues affecting your job, you should refer them to your supervisor or to the Corporate Compliance Office at (312) 227-4679.

- B. *We do business in accordance with antitrust and competition laws.* You must not engage in any behavior that might interfere with fair competition. For example, federal and state antitrust laws prohibit competitors from fixing prices, bid rigging and allocating markets. Sharing price or cost (including wage) data, whether directly with competitors or indirectly through surveys, can evidence a price fixing violation. Accordingly, you should never disclose information regarding our charges, managed care contracts, wages, supply costs or similar information without the pre-approval of the Legal Department. The antitrust and competition laws also cover certain types of group boycotts, exclusive dealing arrangements, misappropriation of trade secrets, deception, intimidation and similar unfair competition practices.

- C. *We behave in a way that is appropriate for a charitable organization.*
 - 1. As a charitable tax-exempt organization, we have a legal and ethical obligation to use our resources in a way that promotes the public good rather than the private or personal interests of any individual. Therefore, we avoid compensation arrangements in excess of fair market value, accurately report

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Administrative Policy and Procedure Manual

Code of Conduct
Scope: Organizationwide

Effective Date: 1/2005
Page 4 of 9

payments to appropriate taxing authorities, and file all tax and information returns consistent with applicable laws. It is also important to know that if you contribute to a political campaign, it is as an individual, not as a representative of the Medical Center, and you must use your own personal funds.

2. The Medical Center is organized and operated exclusively for charitable purposes to serve the healthcare needs of the communities, and therefore it is exempt from the payment of federal income tax. All of its assets are used exclusively to further the Medical Center's charitable purposes. Such assets may not be used to benefit any individual or person who is in a position to exercise influence over the business concerns of the Medical Center. Moreover, the Medical Center may not allow net earnings to benefit insiders of the organization, nor may the Medical Center take part in any activities that result in excess financial benefits (for example excessive compensation) to any private individual.
- D. *We are honest in our communications and business relationships.* You are expected to be honest in your communication with patients and families, attorneys, staff members, auditors and with all of those with whom we do business. This means that no misleading statements may be made about our services or products or those of our competitors. It also means, for example, that you do not copy materials in violation of copyright laws or use any confidential business information obtained from a competitor and that you do not accept gifts of any substantial value from those with whom we do business. If you have any questions about whether a gift is appropriate, talk to your supervisor or the Corporate Compliance Office at (312) 227-4679.
- E. *We are honest in all matters related to medical documentation, coding and billing.* If you have any responsibilities in this area, it is expected that you will be absolutely honest and accurate in documenting and coding care and submitting claims and bills. You must never make a false representation to any person or entity in order to obtain payment for any service or to gain or retain participation in Medicare, Medicaid or any commercial network. A variety of laws prohibit false, fraudulent or misleading claims or statements to government and third party payors, including Medicare, Medicaid and commercial insurers. Many of these laws carry criminal penalties. The *Documentation, Coding and Billing Code of Conduct* outlines the ethical principles specifically applicable to documentation, coding and billing.

Administrative Policy and Procedure Manual

Code of Conduct
Scope: Organizationwide

Effective Date: 1/2005
Page 5 of 9

- F. *We see all patients who present themselves for emergency treatment or screening.* Generally, in an emergency situation, you are not to transfer or refer a person presenting to the hospital to another institution for treatment without first trying your best to make sure the patient has been stabilized and all other requirements have been met. In accordance with the Emergency Medical Treatment and Labor Act (“EMTALA”), we are committed to providing an appropriate initial medical screening to anyone requesting it, without regard to their financial situation or insurance coverage.
- G. *We comply with laws related to patient referrals.* The Medicare and Medicaid fraud and abuse laws prohibit certain behaviors involving patient referrals, and it is very important that you not engage in these practices. These laws forbid offering, providing, soliciting or receiving anything of value, whether in cash or in kind, directly or indirectly in exchange for patient referrals. This includes cash, gifts, meals, entertainment and below-market services provided with the intent of inducing or rewarding referrals or the recommendation of an item or service payable under the Medicare or Medicaid programs. In addition, Illinois law bars direct and indirect cash and non-cash payments to procure patients whose services are covered by commercial insurance. Other laws require that our financial relationships with physicians who refer patients to us meet certain requirements. You must not provide anything of value to a referral source or enter into any financial relationship with a physician on our behalf unless you are specifically authorized to do so and abide by all applicable Medical Center policies. If you are not sure if something you are asked to do is appropriate, ask the Corporate Compliance Office at (312) 227-4679.
- H. *We do not offer financial inducements.* You shall not offer any financial inducement, gift, payoff, kickback, or bribe to induce, influence, or reward favorable decisions of any government personnel or representative, any customer, contractor, or vendor in a commercial transaction, or any person in a position to benefit the Medical Center or other staff members in any way. You are strictly prohibited from engaging in any corrupt business practice either directly or indirectly. In accordance with the commercial and government bribery prohibitions, you shall not make or offer payment or provide any other thing of value to another person with the understanding or intention that such payment or other thing of value is to be used for an unlawful or improper purpose.
- I. *We provide you with assets to make your job more efficient.* We will make available to you assets and equipment necessary to conduct our business including such items

Administrative Policy and Procedure Manual

Code of Conduct
Scope: Organizationwide

Effective Date: 1/2005
Page 6 of 9

as computer hardware and software, billing and medical records, in hardcopy or electronic format, fax machines, office supplies, and various types of medical equipment. You should strive to use our assets in a prudent and effective manner. Our property should not be used for personal reasons or be removed from the Medical Center without approval from a department manager.

- J. *We respect confidentiality and privacy.* In the course of your job, you may have access to confidential information about patients and families, your co-workers, or business practices of the Medical Center. You are expected to keep this information confidential and not discuss it with anyone without prior authorization. The Health Insurance Portability and Accountability Act (“HIPAA”) federal guidelines are a guide to our practices to ensure that patient information is kept private, confidential and secure.
- K. *We do what is right for the organization when entering into agreements.* A conflict of interest may occur if your outside activities, personal financial interests, or other personal interests influence or appear to influence your ability to make objective decisions in the course of your job responsibilities. You are obligated to ensure you remain free of conflicts of interest in the performance of your job. Board members, senior management, and other individuals with applicable decision making authority are required to submit disclosure forms to disclose actual and potential conflicts related to decisions that arise during the year. All actual and potential conflicts will be reviewed and appropriate actions taken.
- L. *We conduct research, investigations, and clinical trials in accordance with all applicable laws.* The Medical Center follows high ethical standards and complies with federal and state laws and regulations in any research, investigation and clinical trials conducted by our physicians and professional staff. We do not tolerate research misconduct. Examples of research misconduct include making up or changing results or copying results from other studies as your own; these are merely illustrative not exhaustive. We protect research subjects and respect their rights during research, investigations, and clinical trials.
- M. *We comply with all laws related to management of Federal contracts and grants.* All Medical Center staff members engaged in activities funded by, or in connection with, Federal contracts and/or grants are responsible for following all applicable laws, regulations, and award terms. The Office of Sponsored Programs supports the efficient administration of Federal contracts and grants, and assures responsible stewardship of Federal awards. Staff members will be protected against retaliation for

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Administrative Policy and Procedure Manual

Code of Conduct
Scope: Organizationwide

Effective Date: 1/2005
Page 7 of 9

- reporting information they reasonably believe is evidence of gross mismanagement of a Federal contract or grant, a gross waste of Federal funds, an abuse of authority relating to a Federal contract or grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a Federal contract or grant.
- N. *We promote a workplace that is free of discrimination or harassment.* At the Medical Center you can expect to be treated fairly and equitably without regard to race, color, religion, age, sex, ethnic origin, disability, sexual orientation or any other protected status. This applies to hiring and other human resource practices, and to the way we treat each other on a daily basis. We also expect that you will treat our patients and families, your co-workers and everyone else with whom you come in contact at work in this same way. We do not tolerate any form of harassment. This includes disruptive behavior or threats, derogatory comments and sexual harassment. If you feel you have been subject to such behavior, you should notify your supervisor or Human Resources.
- O. *We do not knowingly contract with persons or entities ineligible to participate in Federal healthcare programs.* We do not knowingly contract with, employ, or bill for services rendered by an individual or entity that is excluded or ineligible to participate in Federal healthcare programs such as Medicare or Medicaid; suspended or debarred from Federal government contracts; or has been convicted of a criminal offense related to the provision of healthcare items or services and has not been reinstated in a Federal healthcare program after a period of exclusion, suspension, debarment, or ineligibility, provided that we are aware of such a criminal offense.
- P. *We respect the environment.*
1. The Medical Center is subject to many legal requirements under a variety of environmental laws concerning the handling, release, reporting, transporting and disposal of hazardous materials and wastes. If you handle or are responsible for hazardous materials or waste, you must be knowledgeable about these materials and the environmental regulations affecting them.
 2. In addition, we respect our environment and conserve natural resources. Therefore, it is important that you use resources appropriately and efficiently, recycle where possible, and dispose of all waste in accordance with applicable laws and regulations. The Medical Center and its staff will also work

Administrative Policy and Procedure Manual

Code of Conduct
Scope: Organizationwide

Effective Date: 1/2005
Page 8 of 9

cooperatively with the appropriate authorities to remedy any environmental contamination for which the hospital may be responsible.

Q. Reporting of suspected violations of this Code of Conduct and applicable law.

1. If you know, suspect or are concerned about an actual or potential violation of this Code of Conduct or applicable law, you must report it through one of the following channels:
 - a. To your supervisor
 - b. To the Corporate Compliance Office at (312) 227-4679
 - c. To the Compliance Voicemail at (312) 227-5288
 - d. To the Compliance Hotline at 800-273-8452
2. The Compliance Hotline is a toll-free number staffed by an independent outside service to receive reports 24 hours a day, 7 days a week. Upon receipt of a call, the outside service will ask you for detailed information about your concern and the report will be reviewed with you to assure that the information is documented accurately. All Hotline reports will be forwarded to our Corporate Compliance Office within 24 hours of receipt. If you call the Hotline and wish to remain anonymous, you will receive an ID number to be used so that you can call back to report more details or receive a follow up response.
3. Retaliation against any person who reports a compliance concern in good faith or who provides information during a compliance investigation will not be tolerated. Any instance of retaliation, whether via harassment or any other form of retribution, is a violation of this Code of Conduct and a basis for corrective action and discipline.

R. *In summary:* These principles form the basis for our commitment to ethical behavior that complies with all legal requirements. However, we cannot include in this document every legal or ethical issue that may arise. You must also use your own judgment. If you have any questions regarding your compliance obligations, ask your supervisor or the Corporate Compliance Office. If you believe that a violation of this

Administrative Policy and Procedure Manual

Code of Conduct
Scope: Organizationwide

Effective Date: 1/2005
Page 9 of 9

Code or applicable law has occurred, report it through one of the channels identified above. With your help, we can recognize our compliance goals.

IV. Cross-References/Related Policies

Administrative Policy: “Documentation, Coding and Billing Code of Conduct”

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