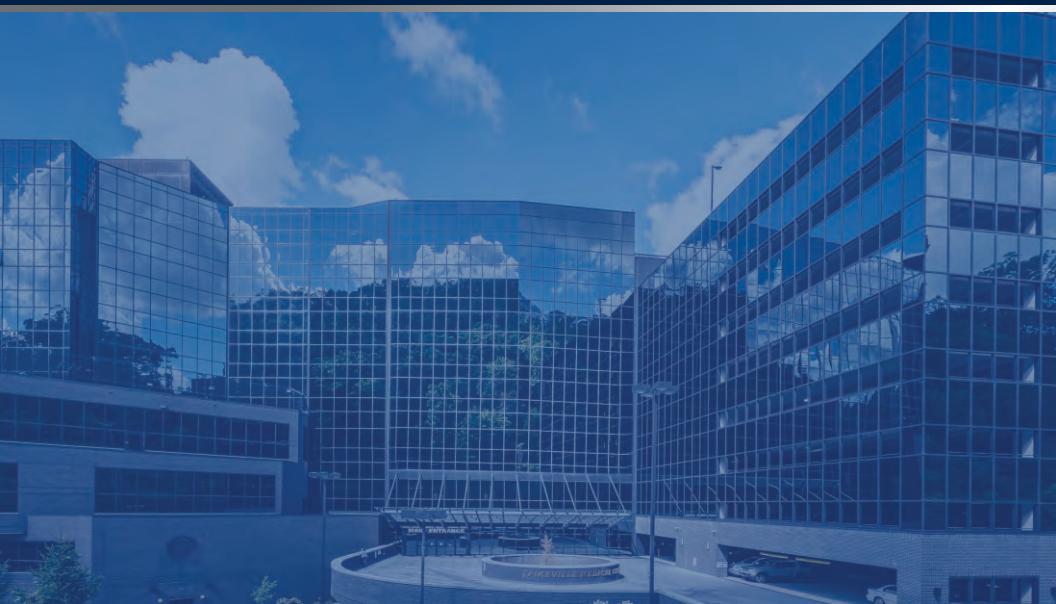


# **PIKEVILLE MEDICAL CENTER**

## **CODE OF CONDUCT**



The practice of behaving honestly, ethically and with integrity is an individual responsibility. Everyday, we make choices about how to conduct ourselves; we are each accountable for our decisions. The Code of Conduct is provided to you as a resource. Please refer to it when you have questions about any part of the Corporate Compliance and Integrity Program (CCIP) or the AVP of Corporate Compliance.

Thank you for your role in strengthening and sustaining Pikeville Medical Center's standards and for all you do to serve our patients.

# Together. We Succeed.



## OUR MISSION

To advance the health and well-being of our region through comprehensive care in a Christian environment.

## OUR VISION

To be the provider and employer of choice for healthcare in the region we serve.

## OUR VALUES

### QUALITY

We commit to a culture that provides quality healthcare services through dedicated professionals who continually strive for excellence.

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### TEAMWORK

We work together for the safety and well-being of our patients and fellow co-workers.

### FAITH

We rely upon our Christian values to give us strength to heal and provide comfort to those in need.

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### INTEGRITY

We adhere to high moral principles and professional standards by committing to honesty, trust, respect, and transparency.

### INCLUSION

We intentionally create an environment of acceptance where all are valued and respected for who they are.

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### STEWARDSHIP

We sustain our mission by managing our resources in a responsible manner.

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## AN OVERVIEW

### **CORPORATE COMPLIANCE & INTEGRITY PROGRAM (CCIP)**

When we behave with integrity, we adhere to standards of professionalism, ethics and personal responsibility. By doing so, we aim to be worthy of the trust our patients place in us.

The PMC Code of Conduct ("this Code") is a formal statement of PMC's standards and rules of ethical business conduct. Through the Code, we communicate our ethical standards to directors, officers, employees, those we conduct business with and the general public. This Code is an essential part of the CCIP.

### **THE CORPORATE COMPLIANCE AND INTEGRITY OFFICE (CCIO)**

This office oversees the CCIP. The AVP of Corporate Compliance is available as a resource for questions and concerns about the healthcare regulatory environment. The officer works with Administration, physician leaders and appropriate committees to verify compliance with complex regulations. The office also provides annual education on compliance topics for all employees.

The AVP of Corporate Compliance receives reports of suspected violations of PMC policy, laws or regulations. Every report, whether received directly or through the Hotline (606-430-3532), is thoroughly investigated.

## WHY DOES PMC NEED A CCIP?

PMC needs this program:

- to provide a formal statement of PMC's standards of ethical business conduct to all employees and business partners;
- to provide information about laws, regulations and PMC policies;
- to protect PMC and its staff from legal action if a breach of ethical conduct occurs;
- to meet the expectations of government regulatory agencies;

## DOES THE PMC CCIP APPLY TO ME?

PMC is committed to a culture that prevents, detects and corrects conduct that does not conform to laws, regulations, PMC policy or this code.

The CCIP leads in setting the ethical tone for work conducted at PMC. Preserving PMC's reputation for integrity is imperative.

Compliance applies to each of us. This includes:

- PMC directors and officers
- Employees at all PMC sites
- Contract employees
- Students
- Volunteers
- People who do business with PMC

All are expected to follow the standards described in this Code.

- Compliance is everyone's responsibility;
- Each of us who works at PMC has a responsibility to report, in good faith, any known or suspected violation of PMC policy, law or regulation;
- Anyone who, in good faith, reports suspected wrongdoing will be protected from retaliation;
- All PMC employees must complete annual compliance training;

## WHAT IF I NEED MORE INFORMATION ABOUT THE CODE OF CONDUCT?

This Code cannot anticipate every circumstance you may face. If you have questions or see or know about a possible violation of this Code or a law or regulation, talk to your supervisor or call the AVP of Corporate Compliance.

You can report concerns anonymously and confidentially through the 24- hour Hotline at 606-430-3532.

## ETHICS

PMC's policy is to prevent unethical or unlawful behavior, to halt such behavior as soon as possible after its discovery and administer appropriate levels of discipline for employees who violate this Code. You must comply with this Code. Seek clarification with the AVP of Corporate Compliance when questions or issues arise, and assist in any investigation of wrongdoing.

This Code cannot cover all circumstances or anticipate every situation. If you encounter a situation not addressed specifically by this Code, you should apply the overall philosophy and concepts of this Code to the situation. You should also be mindful of the values for which PMC stands. PMC's policy is to obey the law. Even when the law is permissive or silent, PMC will make choices based on our values of honesty and integrity.

You, our business partners and the public, must understand that PMC cares how results are obtained, not just that they are obtained. You are encouraged to openly discuss issues with each other and with your managers, to record transactions accurately in books and records (including medical records), and to be honest and forthcoming with internal or external auditors. PMC expects honesty in all aspects of your work – whether in patient care, education or research. (8410-0039)

# CONFLICT OF INTEREST & OUTSIDE ACTIVITIES

You must avoid situations in which your personal interests could conflict, or *reasonably appear* to conflict, with the interest of PMC. For example, any opportunity for personal financial gain or investment apart from your normal compensation is a potential conflict of interest.

## Personal Financial Gain and Investments

Any outside financial interest that might influence your decisions or actions as a PMC employee should be avoided. A Conflict of Interest form should be disclosed for any such interest. In addition, an employee should withdraw from any decision involving that interest.

- This restriction does not apply to minimal holdings of a publicly traded corporation that may incidentally do business with PMC.

An investment in another business that competes directly with PMC.

- This does not apply if the investment is not of significant worth or if the area of competition is minimal.

## Outside Activities

- May have a negative impact on your job performance in the community or
- May conflict with your obligation to PMC

If you think you may have a conflict of interest due to any of the activities above, consult the AVP of Corporate Compliance.

# USE OF PMC FUNDS & ASSETS

PMC assets are to be used solely for the benefit of PMC. You may not use PMC assets for your personal gain. Assets are more than equipment, inventory, funds and office supplies. Assets include medical records, concepts, financial data, intellectual property rights, research data, business strategies and plans about PMC activities.

## **Government Investigations**

You must cooperate with government employees conducting investigations. Government investigators have the right to contact you at work or at home for work related issues. The Legal Department should be contacted immediately about any unexpected government interview or investigation. In most situations, you have the right to decide when and where the interview will be conducted. For more information about your rights regarding government investigations, contact the AVP of Corporate Compliance.

## **Anti-Corruption Laws**

It is illegal in the United States to offer a bribe to any U.S. or foreign government official in order to get or keep business, or influence the officials actions. Bribes include cash, gifts, services, entertainment or anything of value. If a government official involved in a PMC transaction asks you for anything of value for their personal benefit, you should immediately contact the AVP of Corporate Compliance or the Legal Department.

## **Other Improper Payments**

The use of PMC funds or assets for any unlawful or unethical purpose is prohibited. Making payment to a third party for any purpose other than that shown in PMC's records is prohibited.

## **CONFIDENTIAL INFORMATION & TRADE SECRETS**

PMC's patient records must remain confidential as required by PMC policies, applicable laws and regulations, and our patients' expectations.

In addition, you must safeguard PMC's confidential and/or information and trade secrets. This includes information not generally disclosed to the public or information that is useful to PMC's competitors. This could include in some cases:

- Financial data
- Planned new projects
- Information about PMC's expansion plans
- Employee information
- Capital investment plans
- Projected earnings
- Changes in PMC's management or policies
- Unpublished research data

You may only discuss proprietary information with others only on a need-to-know basis. Do not inadvertently discuss confidential information or trade secrets in either social conversations or in routine business relations.

(8371-0265) (C0000.0185)

## PRIVACY

- PMC has a longstanding commitment to guarding the confidentiality of Protected Health Information (PHI). Maintaining the confidentiality of PHI is the responsibility of every person at PMC.
- PHI is intended to be used only in the course of treatment, research, education or other institutional purposes by individuals within PMC as they perform their assigned duties.

***Note: Only use the minimum amount of PHI necessary to meet the intended purpose.***

- Intentional violations of this Code will not be tolerated and may be grounds for disciplinary action including termination of your employment. In addition to loss of employment, you could be subject to criminal or professional penalties.
- PMC retains all rights to all PMC patient PHI acquired during the course of the patient's care at PMC.
- The following principles apply if you wish to electronically review your own records:
  - You may only access your own records. You are encouraged to discuss your questions or concerns with your care provider.
  - You also may access your own records via MyChart
- The following principals apply if you wish to electronically review the records of a family member or friend:
  - You may not access the electronic health records of another, including a family or friend, including your child, unless you are treating provider of that person. (0000.0145)

- If you are the treating provider of that person, you must document appropriately and have a legitimate reason for accessing those records.
- If you are not the treating provider of that person, you may only access the records with the permission of that person, and then only access those records via the MyChart system as the proxy of that person.
- Even with permission of the patient is not appropriate to review the PHI of a patient in the Electronic Health System. You should only access records through the appropriate and usual resources available to all patients.

## Information Security

As we become more reliant on technology, the confidentiality of patient information and PMC's business information is crucial. Security starts with you. It is your responsibility to protect PMC's information.

- Do not open a link or email attachment from an unknown or unexpected source.
- Encrypt all confidential information before transmitting it outside PMC.
- Create a strong password and never reveal them to others. PMC will never ask for your ID or password through email.
- Do not insert a flash drive or any other peripheral device into any PMC computer if the drive was given to you by an unknown source.
- Contact the Help Desk for support.

## **Social Media**

Social media refers to online communities and personal blogs in which users post information, personal messages and other content. When you use social media:

- Maintain patient privacy and do not share confidential information about PMC.
- If you identify your connection to PMC, make it clear you are speaking for yourself and not for PMC.
- Your social media activities should meet PMC's high standards of professional conduct.
- Be professional, use good judgment and be accurate and honest in what you say. Unprofessional language or behavior will reflect poorly on PMC.
- Be respectful toward patients, colleagues, business partners and PMC's competitors.
- Social media activity must not interfere with your work commitments.

(8371.1021)

Dealing with product and service suppliers, as well as referring providers, can present ethical and legal problems. The following guidelines are intended to help you make ethical decisions in these potentially difficult situations.

## **SUPPLIERS AND REFERRING PROVIDERS**

### **Kickbacks and Rebates**

You or your family must not receive personal kickbacks or rebates as a result of PMC's purchase or sale of goods or services. Kickbacks or rebates can take many forms and are not limited to direct cash payments or credits. All employees are to avoid situations that may create an actual or potential conflict of interest between their, or family member's personal interests and

PMC's interests and to refrain from participating, directly or indirectly, in any business activities that could result in their, or their family member's own personal benefit at the expense of PMC. Employees are required to disclose their outside financial interests to PMC, disclose their familial relationships and to recuse themselves from decision making concerning transaction in which their or their family member's personal interest are involved.

### **Reciprocity**

PMC often purchases goods or services from suppliers who also buy goods or services from PMC. This practice is normal and acceptable, but any form of pressure for reciprocity with suppliers is not. You must never ask suppliers to buy PMC products or services in order to become a PMC supplier.

### **Gifts or Gratuities from Businesses**

As a PMC employee, you may accept gifts with a total value of \$50.00 or less in any one year from any individual or organization who has a business relationship with PMC. Physicians practicing at PMC are considered to have a relationship. Any and all gifts must be reported. Under no circumstances may you solicit individual gifts for yourself or anyone else who is employed at the hospital. No entertainment or gifts shall be given to physicians or other persons who are in a position to refer patients to our facility without the express approval of the Chief Executive Officer or the Chief Operating Officer.

Officer or the Chief Operating Officer.

### **Food from Businesses**

Perishable or consumable gifts given to a department or group are not subject to any specific limitation.

### **Gifts from Patients**

Patients who desire to make a gift to PMC should be referred to Administration.

- Gifts of substantial value that cannot be refused graciously should be delivered to Administration
- All gifts of money must be forwarded to Administration

Some patients may insist on making a personal gift for you that cannot be declined without embarrassing the patient. If the gift is small, you may accept and share it with your coworkers (e.g., flowers or a box of candy). You may keep and use small gifts that cannot be shared (e.g., a necktie).

This topic can be difficult. Seek guidance from the AVP of Corporate Compliance.

### **Business Meals**

When business meetings include a meal, modest offers of hospitality may be made and accepted by outside business representatives or by PMC employees.

### **Entertainment by Businesses**

It is unethical to ask any person or company conducting business with PMC for entertainment of any kind (e.g., theater tickets, golf outings, sports events). In particular, you should avoid any offer that is intended to gain favor for business suppliers. You should decline invitations from vendors, pharmaceutical representatives or

business representatives for any entertainment not included in the agenda of a professional educational event, such as national meetings, continuing medical education and preapproved advisory board meetings.

### **Payments to Agents, Representatives, Outside Consultants**

Agreements with agents, sales representatives or outside consultants must be reasonable in terms of the value of the service provided and the amount of the payment in comparison to trade practices. All agreements must be in writing and go through the Contracts Office. (8371.1002)

## **BOOKS AND RECORDS**

### **Falsification of Records**

Federal law requires that PMC's books and records accurately reflect the true nature of the transactions represented. You must not create or be a part of the creation of any records intended to mislead or to hide anything that is improper.

- It is against PMC policy, and likely illegal, to knowingly cause PMC's books and records to be inaccurate.
- Falsifying records can include making records appear as though payments were made to one person when payments actually were made to another, submitting expense accounts which do not accurately reflect the true expense or creating any records that do not accurately reflect what occurred.
- Permanent entries in PMC records must never be altered.
- Payment may not be made if any amount will be used for a purpose other than that described in the documents supporting the transaction.

- Slush funds or similar off-book accounts, in which there is no accounting for receipts or expenditures on corporate books, are strictly prohibited.

### **False Claims Act**

PMC devotes many resources to prevent and correct billing errors involving Medicare, Medicaid and its other payers. The federal government and many states have False Claims Act laws to penalize billing fraud, waste and abuse. If you suspect billing errors are occurring, you have an obligation to report these to management or to the AVP of Corporate Compliance. Employees who report in fraud, waste and abuse. If you suspect billing errors are occurring, you have an obligation to report these to the AVP of Corporate Compliance. Employees who report in good faith will be protected from retaliation. The AVP of Corporate Compliance can provide more information and resources on billing issues.

### **Retention of Records**

Disposing of PMC's records and files is not discretionary. Applicable laws require that certain records be kept for specific periods of time, particularly records related to:

- Employees
- Health, safety and the environment
- Taxes and finances
- Contracts
- Corporate areas
- Research

Relevant records must not be destroyed if any litigation, government investigation or audit is pending. Until the related matter is closed,<sup>14</sup>

## POLITICAL ACTIVITY & CONTRIBUTIONS

destroying records to avoid disclosure in a legal proceeding may be a criminal offense.

PMC is a tax-exempt entity. As a condition of that tax-exempt status, tax regulations prohibit PMC from conducting political activities. This prohibition applies to your activities as a PMC employee during work hours. Any use of PMC resources to distribute statements supporting or opposing any political candidate or to engage in political fundraising is prohibited.

PMC encourages you to participate in the political process outside the workplace. Your personal political activity, however, should not reference PMC or your position at PMC.

It is against PMC policy, and may be illegal, for you to:

- Enter, directly or indirectly, any political contribution on your expense account that causes PMC to reimburse you for that expense. This includes the cost of fund-raising tickets for political functions and fund-raising dinners. Even if PMC business is discussed at such events, it is against PMC policy and possibly illegal to include such costs on your expense account.
- Use any PMC property, facilities, employee time or the PMC intranet for any political activity. Examples of prohibited actions include: using PMC secretarial time to send invitations for political fund-raising events, using a PMC telephone to make political solicitations, allowing any candidate to use any PMC meeting rooms for political

## **SAFETY HEALTH & ENVIRONMENT**

campaigning or using PMC property in a political campaign.

PMC is committed to providing a safe and healthy workplace for you and visitors to our premises. These commitments are met only through your cooperation.

Each of us has a responsibility to:

- Abide by safe operating procedures,
- Guard our own and our fellow employees' health and safety

Government agencies review and enforce compliance with safety, health and environmental laws. It is PMC's policy to comply with these laws and to cooperate with inspection and enforcement personnel. You are encouraged to report any conditions that you believe to be unsafe, unhealthy or hazardous to the environment.

### **Substance Abuse and Mental Acuity**

To protect the interests of our employees and patients, we are committed to an alcohol and drug-free work environment.

## **EMPLOYEE RELATIONS**

You should treat everyone in PMC's diverse community with respect, including patients, their families and your colleagues. Equal opportunity in employment and education at PMC is a moral and legal obligation. PMC selects, employs, admits, educates, advances, promotes, transfers and compensates each person on the basis of their individual capability, potential or contribution to the programs and goals of the institution. PMC is also committed to upholding laws prohibiting discrimination on the basis of race, color, creed, religion, gender, age, national

origin, marital status, sexual orientation, veteran's status, disability or status with regard to public assistance.

***If you see or know about a possible violation of PMC policy or applicable law or regulation, share your suspicion with your supervisor, administrator, or the AVP of Corporate Compliance.***

### **Compliance Resources**

You are expected to comply with this Code and its underlying policies and procedures. You are encouraged to ask if you have questions or concerns. When in doubt, it is your responsibility to seek clarification from the AVP of Corporate Compliance.

The AVP of Corporate Compliance is responsible for implementing the CCIP. The office provides training and information about this code, PMC policies and related laws and regulations to PMC's employees.

## **HOW TO REPORT SUSPECTED VIOLATIONS OR SEEK COMPLIANCE INFORMATION**

The AVP of Corporate Compliance operates a confidential 24-hour Hotline for questions and reports about compliance-related issues and this Code. If you choose, you can use the hotline without giving your name. You can reach the 24-hour Hotline at 606-430-3532.

If you report suspected violations in good faith, you will be protected from any form of retaliation.

### **Disciplinary Action**

If you knowingly violate this Code of Conduct, you will be subject to appropriate corrective action, up to and including termination of employment. If you think you have been unfairly disciplined, you may follow the appeal process described in your employee handbook.

## **For More Information or to Report a Suspected Violation**

You are expected to comply with this Code of Conduct and the CCIP. To report a suspected violation of this Code, or if you simply wish to ask a question, use the resources below:

- Talk with your supervisor. If this is uncomfortable or inappropriate, discuss the situation with another member of management such as the AVP of Corporate Compliance
- Visit the Corporate Compliance and Integrity intranet site at:  
[https://home.pikevillehospital.org/  
corporate-compliance/](https://home.pikevillehospital.org/corporate-compliance/)
- Call the Hotline at 606-430-3532

# NOTES

# NOTES



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