

Hilo Medical Center

We Care for Our Community

CODE OF CONDUCT



Policies and Procedures

Issued by: Corporate Compliance Committee

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CODE OF CONDUCT

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STANDARDS OF CONDUCT

Patient Relationships

We are committed to providing a high quality of health care and services to address the needs of our patients, their families, visitors and the community. We treat all patients in a manner that preserves their dignity, autonomy, and involvement in their own care.

General Legal and Regulatory Compliance

Hilo Medical Center will continuously promote full compliance with applicable federal and state laws and regulations, and federal healthcare program requirements.

Avoidance of Conflicts of Interest

Employees, management, board members, medical staff and agents maintain a duty of loyalty to Hilo Medical Center and, as a result, must avoid any activities or private interests that may influence or appear to influence the employee, manager, director, member of the medical staff or agents ability to render objective decisions in the course of his or her job responsibilities, or other services he or she furnishes to Hilo Medical Center.

Relationship with Payors

Hilo Medical Center will consistently strive to satisfy accurate billing to government payors, commercial insurance payors, and patients with which Hilo Medical Center transacts business.

Relationship with Physicians and Other Healthcare Providers

Hilo Medical Center will monitor its business dealings to structure relationships with physicians and other healthcare providers consistent with relevant federal and state laws and regulations, and in furtherance of Hilo Medical Center's mission.

Work Environment

We recognize that a diverse workforce and safe work environment enriches the life experience of all employees in our community, and Hilo Medical Center will continue to maintain this culture.

Information and Information Systems

We recognize that the provision of healthcare services generates business, financial, and patient related information that requires special protection. We will establish systems that ensure such information is used appropriately and properly safeguarded.

I. PURPOSE

To implement the Hilo Medical Center's Code of Conduct.

II. POLICY

This Code of Conduct is a summary of the ethical and legal standards by which Hilo Medical Center employees, management, HHSC Board of Directors, East Hawaii Regional Board of Directors (Board or Board members), members of the Medical Staff (Medical Staff) and agents will conduct themselves to protect and promote facility integrity and to enhance Hilo Medical Center's mission. The Code of Conduct is to be used as a guide to help the above members and Medical Staff use good judgment and make sound decisions in carrying out their day-to-day responsibilities. The Code of Conduct does not address all legal and ethical standards applicable to Hilo Medical Center; therefore, policies and procedures applicable to specific legal and ethical standards shall supplement the standards set forth in the Code.

III. DEFINITIONS

- A. Compliance Committee:** shall mean those employees responsible for providing direct support to the Compliance Officer in the creation, implementation and operation of Hilo Medical Center's Compliance Program,
- B. Covered Persons: include the following**
1. Employees shall mean those individuals employed by Hilo Medical Center, including, but not limited to, civil service/exempt employees, managers, facility administrators, employed Medical Staff, and other healthcare professionals.
 2. Management shall mean those Hilo Medical Center employees who have the responsibility of evaluating, recommending and implementing major policies and strategies that promote the provision of quality healthcare to the communities, which Hilo Medical Center serves.
 3. Board or Board Members shall mean the members of HHSC's Board of Directors and/or those members of the East Hawaii Regional Board of Directors, which consist of community volunteer leaders who are representatives of the total community, and are knowledgeable of Hawaii's unique cultural diversity and health needs.
 4. Medical Staff or member of the Medical Staff shall mean those physicians and other providers of healthcare services who have been granted membership or clinical privileges to admit, treat or practice medicine within Hilo Medical Center, according to the terms of Hilo Medical Center's Medical Staff Bylaws.

5. *Agents* with respect to Hilo Medical Center shall mean all persons and entities that have contracted with or volunteer at Hilo Medical Center to provide healthcare related services, equipment or other items that impact Hilo Medical Center's provision of healthcare to patients, and Hilo Medical Center's relationship with federal healthcare programs. Agents shall include, but not be limited to residents, medical students, contractors, consultants, volunteers and vendors.
- C. Excluded individual and entities:** refers to an individual or entity who: (a) is currently excluded, barred, suspended, or otherwise ineligible to participate in the federal healthcare programs or in federal procurement or non-procurement programs; or (b) has been convicted of a criminal offense that falls within the realm of 42 U.S.C. 1320a-7(a), but has not yet been excluded, debarred, suspended, or otherwise declared ineligible.
- D. Federal healthcare programs:** as defined in 42 U.S.C. Section 1320 s-7b(f), include any plan or program that provides healthcare benefits to any individual, whether directly, through insurance, or otherwise, which is funded directly, in whole or in part, by a United States Government or state healthcare program, including, but not limited to, Medicare, Medicare, Civil Health and Medical Program for the Uniform Services (CHAMPUS), Department of Veterans Affairs (VA), Tricare Military Health Program (TRICARE), Federal Bureau of Prisons, and Indian Health Services, but excluding the Federal Employees Health Benefit Program (FEHBP).
- E. HHSC:** shall include all healthcare facilities or services which are currently operated or provided by the Hawaii Health Systems Corporation, or which shall be operated or provided by the Hawaii Health systems Corporation in the future.
- F. Monitoring:** refers to compliance reviews that are repeated on a regular basis during the normal course of Hilo Medical Center's operation.
- G. Noncompliance:** refers to conduct inconsistent with the goals of Hilo Medical Center's compliance program or in violation of any criminal, civil or administrative law or regulation, or federal healthcare program requirement.

IV. RESPONSIBILITIES UNDER THE CODE OF CONDUCT

Who must comply with Hilo Medical Center's Code of Conduct?

This Code of Conduct applies to ALL Covered Persons that are employed or

Responsibilities	Employees	All Mgrs	Sr. Mgrs	Board	Med Staff	Agents
Read the standards of conduct and think about their application to your work or services provided and have a basic understanding of issues covered by each standard and the supplemental compliance P&Ps that apply to your job function.	X	X	X	X	X	X
Seek assistance from your immediate supervisor, senior manager (SM) or corporate compliance officer (CCO) when you have questions about the application of the standards and other Hilo Medical Center policies.	X	X	X	X	X	X
Reporting Concerns: HMC encourages you to promptly raise such concerns to your immediate supervisor or your CCO.	X	X	X	X	X	X
For anonymous reporting, Hilo Medical Center has established a 3rd party HOTLINE (phone: 1 866 913-2988) or online at: https://www.compliance-helpline.com/HMC.jsp , or you may call the HHSC telephone hotline 1-877-733-4189.	X	X	X	X	X	X
Cooperate in Hilo Medical Center investigations concerning potential violations of law, the Code of Conduct, Corporate Compliance Program or policies and procedures.	X	X	X	X	X	X
Lead by example, using your own behavior as a model.	X	X	X	X	X	X
Personally lead compliance efforts through frequent meetings that require compliance reports and monitoring of compliance matters and programs.		X	X			
Encourage all covered persons to raise conduct and ethical questions and concerns.		X	X			
Use employee actions and judgments in promoting and complying with the Code of Conduct and other Hilo Medical Center policies as considerations when evaluating and rewarding employees.		X	X			
Ensuring the CCO is equipped with the necessary resources for an effective compliance program.			X	X		
Prevent Compliance Issues: Identify compliance risks and propose/implement additional policies and procedures that may be appropriate to address such risks.		X	X		X	

provide services to Hilo Medical Center.

Responsibilities	Employees	All Mgrs	Sr. Mgrs	Board	Med Staff	Agents
Provide education to all covered persons to understand the Code of Conduct, Hilo Medical Center policies, and applicable law.			X	X		
Implement and maintain appropriate controls to monitor compliance.			X	X		
Promote an environment that permits all covered persons to raise concerns without fear of retaliation.			X	X	X	
Support periodic compliance reviews that are conducted by the CCO, internal/external auditors, to assess the effectiveness of Hilo Medical Center's compliance measures and to identify methods of improving internal controls.				X		
Respond to Compliance Problems: Pursue prompt corrective action.			X	X	X	X
Apply appropriate disciplinary action.			X	X		
Make decisions that are in the best interest of Hilo Medical Center which are not affected by conflicts of interest.				X	X	
Receive and act upon advice from Hilo Medical Center's management, HHSC President and Chief Executive Officer (PCEO), the CCPO and general Counsel.				X	X	
Ensure that the Compliance Program is free from undue restraints and influences, and raise any compliance issues with the PCEO or the CCPO.				X	X	
Maintain the confidentiality of all compliance-related information provided to you.			X	X	X	
Actively participate in compliance activities as requested by the CCO, and other Hilo Medical Center administration.	X	X	X	X	X	X

V. STANDARDS OF CONDUCT

- A. Patient Relationships:** Hilo Medical Center is committed to providing high quality healthcare and services to address the needs of our patients, their families, visitors, and the community. We treat all patients in a manner that preserves their dignity, autonomy and involvement in their own care.

Principles: We will...

1. recognize the right of our patients to receive quality services provided by competent individuals in a safe manner.
2. continually monitor the clinical quality of the services we provide and, as necessary, will endeavor to improve the quality of services provided.
3. support every patient's right to be free from all types of abuse, and will not tolerate patient abuse in any form.
4. apply our admission, treatment, transfer and discharge policies equally to all patients based upon identified patient needs, and such policies will be consistent with our legal requirements applicable to Hilo Medical Center.
5. involve patients in the decision making process about their care.
6. provide treatment and medical services without discrimination based on race, color, age, religion, national origin, gender, sexual orientation or disability.
7. complete emergency assessments, according to applicable legal requirements, for all who request our emergency services, and not based on the patient's ability to pay or any other discriminatory factor.
8. provide our patients with only those services which are medically necessary and appropriate.
9. maintain licensure and credentialing standards to promote the provision of clinical services by properly trained and experienced medical staff.

10. perform thorough background checks of potential employees and other individuals involved in patient care at the Hilo Medical Center facilities to verify credentials and to assess whether such individuals have ever been excluded from participation in any federal healthcare program, including the Medicare and Medicaid programs.
11. respect the privacy of our patients, and will treat all patient information with confidentiality, in accordance with all applicable laws, regulations and professional standards.

B. General Legal and Regulatory Compliance: Hilo Medical Center will promote full compliance with applicable federal and state laws and regulations, and federal healthcare program requirements.

Principles: We will...

1. continuously study our legal obligations and create policies and procedures that facilitate compliance by covered persons.
2. recognize the critical role of research (when research done) in improving the health status of our community, and we are committed to conducting the research activities in compliance with the highest ethical moral and legal standards.
3. treat our employees with respect, and will engage in human relations practices that promote the personal and professional advancement of each employee
4. commit to providing a safe work environment, and will implement and monitor policies and procedures for workplace safety that are designed to comply with federal and state safety laws, regulations, workplace safety directives, and applicable collective bargaining provisions.
5. require our employees, management, medical staff and agents to understand the basic legal obligations that pertain to their individual job functions or services they furnish to Hilo Medical Center and our patients, and will require that they strive to make certain that their decisions and actions are conducted in conformity with such laws, regulations and policies and procedures.

6. support educational and other training sessions to teach Hilo Medical Center employees, management, board members and, as warranted, medical staff and agents, about the impact of the law on their duties, and to promote compliance with our collective legal obligations.
 7. support and maintain multiple resources for all covered persons, to voice any questions about the proper interpretation of a particular law, regulation or policy and procedure.
- C. **Avoidance of Conflicts of Interest:** Covered persons must avoid any activities or private interests that may influence or appear to influence the employee, manager, director, member of the medical staff or agent's ability to render objective decisions in the course of his or her job responsibilities, or other services he or she furnishes to Hilo Medical Center.

Principles: We will...

1. maintain policies and procedures that clarify scenarios in which an individual's private interests may inappropriately interfere with Hilo Medical Center's interest, and will provide support through which covered persons may pose questions about whether a particular outside activity or relationship could be construed as a conflict of interest.
2. articulate expectations of the conduct that must be demonstrated by covered persons in the performance of services for Hilo Medical Center, and will require that such individuals remain free of conflicts of interest in the performance of their responsibilities and services to Hilo Medical Center.
3. require covered persons to inform Hilo Medical Center of personal business ventures and other activities that could be perceived as conflicts of interest.
4. not permit covered persons to use any proprietary or non-public information acquired as a result of a relationship with Hilo Medical Center for personal gain or for the benefit of another business opportunity.
5. not permit the use of Hilo Medical Center's resources, such as materials or equipment, for the pursuit of financial gain unrelated to Hilo Medical Center's business.

6. render decisions about the purchase of the external goods and services based on the objective criteria, such as the subcontractor's or supplier's ability to best satisfy Hilo Medical Center's needs, and not based on personal relationships.

D. Relationship with Payors: Hilo Medical Center will strive to satisfy accurate billing to government payors, commercial insurance payors, and patients with which Hilo Medical Center transacts business.

Principles: We will...

1. promote compliance with laws governing the submission and review of bills for our services and will deal with billing inquiries in an honest and forthright manner.
2. implement reasonable measures to prevent the submission or filing of an inaccurate, false or fraudulent claims to payors.
3. utilize systematic methods for analyzing the payments we receive and reconcile inaccurate payments after discovery.
4. as necessary, rely on internal and external sources to help improve our coding and billing protocol and to identify potential areas of noncompliance.
5. investigate (when warranted) inaccurate billings and payments to determine whether changes to current protocol or other remedial steps are necessary.
6. implement documentation procedures to ensure physicians document services rendered both accurately and timely.
7. review cost reports to be filed with the federal healthcare programs to determine whether such reports accurately and completely reflect the operations and services provided to beneficiaries and to confirm that such reports are completed in accordance with applicable federal and state regulations and Hilo Medical Center's policies and procedures.
8. compensate billing and coding staff and consultants for services rendered, and will not compensate such persons in any way related to collections or maximization of revenues.

E. Relationship with Physicians and Other Healthcare Providers: Hilo Medical Center will monitor its business dealings to structure relationships with physicians and other healthcare providers consistent with relevant federal and state laws and regulations, and in furtherance of Hilo Medical Center’s mission.

Principles: We will...

1. accept patient referrals based on our ability to render appropriate healthcare services to the patient.
2. treat referral sources fairly and consistently, and will not provide remuneration that could be considered payment for referrals, including:
 - free or below-market rents;
 - administrative or staff services at no – or below-cost;
 - grants in excess of actual allowance for bona fide research or other services rendered;
 - interest-free loans, or;
 - gifts, “perks” or other payments intended to induce patient referrals.
3. implement policies and procedures that require fair market value determinations for services rendered by referral sources and for services rendered by Hilo Medical Center.
4. require all agreements with referral sources to be in writing and reviewed and approved by Hilo Medical Center’s legal consultant.
5. educate and train the appropriate personnel on the primary laws and regulations governing patient referrals and other legal restrictions on the manner in which Hilo Medical Center transacts business, including the penalties that may result for violations of such laws.

F. Work Environment: Hilo Medical Center recognizes that a diverse workforce and safe work environment enriches the life experience of all employees in our community, and Hilo Medical Center will continue to maintain this culture.

Principles: We will...

1. provide equal employment opportunities to employees and applicants for employment without regard to race, color, age, religion, national origin, gender, sexual orientation, veteran status or disability, in accordance with applicable law.
2. enforce policies and procedures that promote compliance with laws governing nondiscriminatory personnel actions, including recruiting, hiring, evaluation, transfer, workforce reduction, termination, compensation, counseling, discipline and promotions.
3. enforce “non-harassment” and “no tolerance” policies addressing workplace violence and negotiate provisions on workplace violence in applicable collective bargaining agreements.
4. perform thorough background checks of potential employees to verify credentials.
5. enforce policies and procedures on promoting a drug-free workplace and negotiated provisions on substance abuse testing in applicable collective bargaining agreements.
6. enforce policies and procedures to monitor the dispensing of, and appropriate storage of, controlled substances.
7. enforce policies and procedures, and monitors to protect employees from potential workplace hazards.

G. Information and Information Systems: Hilo Medical Center recognizes that the provision of healthcare services generates business, financial, and patient related information that require special protection. We will establish systems that ensure such information is used appropriately and properly safeguarded.

Principles: We will...commit to safeguard the integrity and accuracy of the documents and records in our possession, and will develop systems and policies and procedures sufficient to:

- establish retention periods and protocols for business, financial and patient records;
- prevent the alteration, removal or destruction of records or documents except according to our retention policy and applicable ethical legal standards;

- promote the accurate and detailed documentation of all business, financial and patient transactions;
- control and monitor access to Hilo Medical Center’s communication systems, electronic mail, Internet access and voicemail to ensure that such systems are assessed appropriately and used in accordance with Hilo Medical Center’s policies and procedures;
- protect the privacy and security of patient medical, billing, and claims information by implementing sufficient physical, systematic and administrative measures to prevent unauthorized access to or use of patient information, and to track disclosures of such information as required by law;
- provide access for our patients and their legal representatives to patients’ medical, billing and claims information, as required by law;
- safeguard the personal and human resources information of our employees including, salary, benefits, medical, and other information retained within the human resources system.

VI. VIOLATION OF THE CODE OF CONDUCT

Hilo Medical Center is committed to promoting compliance with the Code of Conduct. To assist in ensuring compliance, Hilo Medical Center has provided all covered persons with a means of raising questions and concerns, and reporting any conduct that the employee, manager, director, member of the medical staff or agent suspects is a violation of this Code of Conduct, Hilo Medical Center policies and procedures, and applicable laws and regulations.

Violations of the Code of Conduct may lead to discipline (up to and including termination of employment), termination of Medical Staff privileges, or termination of contract as appropriate. Disciplinary actions will be in accordance with respective collective bargaining agreements, the Hilo Medical Center’s Human Resources and Civil Services System Rules and/or the Hilo Medical Center/Medical Staff policies and procedures, as applicable.

The compliance officer shall be responsible for investigating reports of infractions and may solicit assistance from the legal department or the Chief Compliance and Privacy Officer as warranted.

The following list, while not exhaustive, describes the type of concerns and questions that covered persons should raise with, as applicable, their immediate supervisor, the facility Compliance Officer, the Chief Compliance and Privacy Officer or through Hilo Medical Center’s Hotline:

- the possible submission of false, inaccurate, or questionable claims to Medicare, Medicaid or any other payor;
- the provision or acceptance of payments, discounts or gifts in exchange for referrals of patients;
- the utilization of improper physician recruitment techniques under applicable law;
- allegations of discrimination;
- potential breaches of confidentiality of privacy, and;
- situations that could raise conflicts of interest concerns.

VII. REVISIONS OF THE CODE OF CONDUCT

The Compliance Committee, to foster its effectiveness, will review this Code of Conduct annually. Suggested changes to the Code of Conduct will be presented to the Hilo Medical Center CEO, Regional East Hawaii Board, HHSC Board and HHSC President and CEO. The Code of Conduct may be amended, modified or waived only with the approval of the above.

The name of my Compliance Officer is

and can be reached at

ACKNOWLEDGEMENT AND CERTIFICATION

I state that I have received and read **Hilo Medical Center's Code of Conduct** and I understand that compliance with the requirements set forth in the Code of Conduct is a condition of my continued affiliation with Hilo Medical Center. I understand that it is my responsibility to read, understand and seek guidance, should I require clarification, with regard to the standards set forth in the Code. I also understand that I may be subject to disciplinary action for violating these standards or failing to report violations of these standards.

I am a/an: (check all that apply)

- Employee (Department _____)
- Medical Staff Member (physician only)
- Board Member
- Senior Manager
- Agent (Traveler etc.)

Print Name: _____

Signature: _____

Date: _____



**To report a concern please call the confidential
Hotline at: 1-866-913-2988 or online at
<https://www.compliance-helpline.com/HMC.jsp>**