

Tidelands Health		Subject: <u>Standards of Conduct</u>	
<i>Policies and Procedures</i>		Hospital Affected: GMH: _____ WCH: _____ TH: <u>X</u>	
		Department Affected: Hospital Wide	
		Issued by: Compliance	
Effective	Supersedes	Approved By:	Title
8/26/16	12/2011		Chief Compliance Officer
	Reviewed 06/2021		

Tidelands Health Standards of Conduct

For

**Board of Trustees
Medical Staff
Management
Employees
Contracted Staff**

IMPORTANT NOTICE: THIS DOCUMENT DOES NOT CREATE A CONTRACT OF EMPLOYMENT

Dear Tidelands Health Colleagues:

Our Mission at Tidelands Health is to provide high quality healthcare to the citizens of Georgetown County and surrounding areas and to continuously improve the care we are able to render to exceed the expectations of our patients and customers.

These Standards of Conduct provide guidance for Tidelands Health team members; so that we can all uphold the highest standards of integrity, ethics, and compliance as we fulfill our Mission and strive to be a superior healthcare provider, employer, and resource center for health services in our community.

The Standards of Conduct detailed in the following pages is a summary of many of the policies, rules, and procedures that ensure our work is performed in an ethical and legal manner. Everyone at Tidelands Health is expected to review the Standards of Conduct carefully and abide by its provisions.

If at any time, you have questions concerning the Standards of Conduct, how to comply with the Standards, or encounter any situation that you believe may violate the provisions of the Standards, you should immediately consult with your supervisor, department director, a member of the management team, the Vice President of Compliance, the medical staff leadership, or the Human Resources Manager. **You may also raise questions or concerns through our Compliance Hotline at 1-800-273-8452.**

At Tidelands Health, our team members are our greatest asset, and I know each of you will work together to embrace a community of shared values with a commitment to the high Standards of Conduct as set forth in this document.

We look forward to working with you to provide highest quality healthcare to our community.

Sincerely,

SIGNATURE

Bruce P. Bailey, President & Chief Executive Officer - Tidelands Health



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Mission, Vision & Values

Our Mission

Tidelands Health is committed to providing high quality healthcare to the citizens of Georgetown County and surrounding areas. Our mission is to continuously improve the care we are able to render to exceed the expectations of our patients and customers.

Our Vision

Tidelands Health will achieve recognition as a leader in continuous quality improvement in healthcare and will be recognized as a superior healthcare provider, employer, and resource center for health services in Georgetown and surrounding counties. This delivery of care will ultimately result in the improved health status of our community.

Our Values

Tidelands Health expects the very highest standard in human behavior. Toward that end, we will respect the following principles:

- We will be dynamic in our efforts to meet and exceed the expectations of our customers through continuous improvement.
- We are a team and treat each other with respect. Our reputation and vitality are determined by our actions.
- Customer satisfaction is our primary focus.
- Our integrity and ethics will not be compromised.
- We will continuously review, upgrade and change technology to meet the needs of our patients and customers.
- We will ensure healthcare availability to all members of our community regardless of age, race or station.
- We will utilize our resources in a cost effective manner in an effort to contribute to the survival and continued growth of the facility.





Individual Commitments and Responsibilities

Compliance is Mandatory

The Tidelands Health Standards of Conduct apply to every Tidelands Health Board member, medical staff member, management team member, employee, and contracted staff member ("Tidelands Health colleagues"). Tidelands Health includes Georgetown Memorial Hospital, Waccamaw Community Hospital, and all affiliated entities and organizations.

The Tidelands Health Standards of Conduct set forth a summary of the legal and ethical responsibilities and requirements that apply to the healthcare industry and are applicable to each individual in connection with the performance of their professional responsibilities. The Standards of Conduct deals fully with the subject discussed in some instances, but in many cases a subject may require additional guidance and understanding. Also, the Standards of Conduct is not intended to cover every situation to be encountered, but Tidelands Health must comply with all applicable laws, regulations, and System policies and procedures. In these instances, individuals are directed to the Tidelands Health policies, procedures, rules, and regulations and are encouraged to bring questions and concerns to a supervisor, department director, member of the management team, the Vice President of Compliance, the medical staff leadership, or the Human Resources Manager as appropriate. **You may also raise questions or concerns through our Compliance Hotline at 1-800-273-8452.**

Making Ethical Decisions

Tidelands Health expects each of our colleagues to conduct all activities and actions in compliance with all applicable laws, regulations, and Tidelands Health policies and procedures. The Tidelands Health Standards of Conduct are intended to help Tidelands Health colleagues make decisions that are in line with this responsibility and to provide encouragement to colleagues to seek support in making compliant choices, when needed.

Reporting Compliance Concerns

Tidelands Health colleagues are also expected to report any violation or potential violation of any part of these Standards of Conduct, Tidelands Health policies, procedures, rules, and regulations, or any applicable laws. Reports may be made to a supervisor, department director, a member of the management team, the Vice President of Compliance, the medical staff leadership, or the Human Resources

Manager as appropriate. **You may also raise questions or concerns through our Compliance Hotline at 1-800-273-8452.**

Non-Retaliation For Reporting

Tidelands Health is committed to a policy of non-retaliation. When someone raises or reports a good faith concern, files a valid or legitimate report or complaint, and/or cooperates with an ongoing investigation or corrective action, retaliation against that person is prohibited. If you feel that you have experienced retaliation, Tidelands Health will investigate the allegations and take appropriate steps to protect individuals who report retaliation.

Additional Leadership Responsibilities

While all Tidelands Health colleagues are expected to follow the Code of Conduct, everyone who has supervisory or leadership positions are expected to assist Tidelands Health with setting the right tone for creating and enforcing a compliant environment. Each supervisor and leader is expected to set an example and to create an environment that encourages other colleagues to act in a responsible and compliant manner, and to report good faith concerns as needed. Supervisors and leaders are also charged with the responsibility for ensuring their colleagues understand the Standards of Conduct and understand how the Standards apply to their every day work environment.

Following Policies and Procedures

In addition to the Standards of Conduct, all Tidelands Health colleagues are expected to follow and comply with the System's policies and procedures. Health care is a heavily regulated industry, and it is important for everyone at Tidelands Health to adhere to the System's policies and procedures which are located on the System's internal website. Failure to follow Tidelands Health's policies and procedures may result in discipline up to and including possible termination.

Duty of Loyalty

Tidelands Health employees must avoid any actions that involve or may involve a conflict of interest with their obligations to Tidelands Health.

Tidelands Health employees may not:

- Profit or gain as result of their position with the System, other than participation in the System's compensation and benefit programs.
- Hold a significant financial interest in, receive compensation from, or serve as a director or officer of suppliers of Tidelands Health without the written consent of the Vice President of Compliance.
- Accept any gifts from suppliers, including discounts (except for discounts available to the general public).

For more information about Conflicts of Interest, see Tidelands Health's Conflict of Interest Policy.

Disclosure of Conflicts of Interest

Tidelands Health colleagues are expected to adhere to and comply with the System's Conflict of Interest policy and to disclose potential conflicts of interest in accordance with the Conflict of Interest policy. For more information about Conflicts of Interest, see Tidelands Health's Conflict of Interest Policy.

Gifts and Entertainment

All gifts, entertainment, or business meals provided or received must be reasonable and small enough so that they do not influence or appear to influence Tidelands Health colleagues' decisions. Hospital System colleagues shall never offer or receive anything of value in exchange for referrals or other business.

Tidelands Health employees must not provide gifts, loans, or other benefits to a customer (or representative) or a potential customer (or representative) to obtain patients or beneficial arrangements from any customer. A gift to a customer or patient is only appropriate if the monetary value is less than \$10 per item and \$50 in total per year per family, is not cash or its equivalent, and does not violate any applicable law. Employees must not accept cash gifts from patients or their families, while the receipt of non-cash gifts with a value of \$50 or less is permissible.

Use of Tidelands Health Information and Property

Confidential Patient Information

Tidelands Health patients entrust us with sensitive and personal information about their medical conditions. It is our responsibility to protect this information and prevent its improper or deliberate disclosure. Tidelands Health patients can expect their privacy to be protected and that patient-specific information will be released only as authorized by law or by the patient's written consent.

Confidential patient information acquired under the umbrella of services performed with Tidelands Health must be kept confidential and protected against theft, loss, or improper disclosure. Colleagues are to access health and personal information only when authorized to do so and only for the purpose of performing work duties. . Patient information will not be released to vendors or other third parties unless it is released in accordance with proper procedures. At no time should patient information be posted to a website or other public forum, even if the patient is not identified. The obligation to maintain confidentiality continues to apply even after an employee or representative leaves the Tidelands Health.

The Health Insurance Portability and Accountability Act ("HIPAA") is a federal law aimed at safeguarding the privacy and confidentiality of patients' protected health information ("PHI") and preventing the misuse of health information technology.

For more specific information concerning these laws, please see Tidelands Health's policies concerning patient privacy issues, including policies on HIPAA compliance.

Tidelands Health Information and Property

Tidelands Health colleagues are expected to use Tidelands Health property for Hospital System business only. The property of Tidelands Health is not to be used for personal reasons. Tidelands Health's assets, such as equipment and office supplies, must not be taken from Tidelands Health's facilities except for the purpose of performing the employee or representative's job, services, or functions. If removed from a Tidelands Health facility, the property must be returned to that facility unless it is no longer needed for Tidelands Health's business purpose, under the discretion of Administration.

No Improper or Illegal use of Tidelands Health Funds

Tidelands Health colleagues are expected to not use Tidelands Health funds for improper or illegal activities. Tidelands Health colleagues may not make payments to government officials to secure reimbursement or obtain favorable treatment. Gifts in excess of \$50.00 or entertainment of government officials or employees that would be considered excessive based on circumstances are prohibited because these actions could be construed as attempts to influence governmental decisions. Gifts, assistance or entertainment provided for any governmental official or employee should not compromise or appear to compromise that person's integrity. Tidelands Health colleagues are expected to not use Tidelands Health funds to contribute to a political party, committee, organization, or candidate. You may make personal contributions of your own choice, but such contributions are on a voluntary, personal basis and are not subject to reimbursement by Tidelands Health.

Workplace Conduct and Employment Practices

Diversity and Non-Discrimination

Tidelands Health actively promotes diversity in its workplace at all levels of the System. The System is committed to providing an inclusive work environment where all individuals are treated with fairness, dignity, and respect. Tidelands Health does not discriminate in its employment practices, and no person shall be discriminated against because of a person's race, color, creed, religion, age, disability, marital status, veteran's status, or any other bias prohibited by federal, state, or local law. Tidelands Health will also not tolerate sexual misconduct, sexual harassment, or any other form of harassment on the basis of legally-protected characteristics. For more information about diversity and non-discrimination, see Tidelands Health's policies.

Safe and Healthful Work Environment

Tidelands Health is committed to promoting sound environmental practices that will prevent damage to the environment, enhance human and community resources, and reduce or avoid exposure to environmental liabilities. All Tidelands Health colleagues are expected to comply with all federal, state, and local laws including the rules and regulations of the Occupational Safety and Health Administration and South Carolina Department of Health and Environmental Control. If you detect an existing or potential condition that is hazardous to human health or the environment, you should immediately report the condition to supervisor, department director, a member of the management team, the Vice President of Compliance, the medical staff leadership, or the Human Resources Manager as appropriate.

Drug-Free Workplace

Tidelands Health colleagues are required to not be under the influence of alcohol or illegal drugs during work hours. If you suspect any violations to this requirement, you should immediately report the issue to your supervisor, department director, a member of the management team, the Vice President of Compliance, the medical staff leadership, or the Human Resources Manager as appropriate.

Ineligible Persons

Tidelands Health does not contract with, employ, or bill for services rendered by an individual or entity that has been excluded or is ineligible to participate in Federal or state healthcare programs. Tidelands Health routinely searches the Health and Human Services' Office of Inspector General and General Services' Administration's lists of excluded and ineligible persons and entities. In addition, Tidelands Health colleagues are required to report to the System if they have been excluded or have become ineligible to participate in Federal or state healthcare programs.

Accuracy and Integrity in Billing and Records

Submitting Appropriate Claims

Tidelands Health bills only for services that are actually provided, and that are documented as medically necessary in our patients' medical records. We are committed to the accurate billing of claims submitted to the governmental and commercial insurance payors, as well as individual patients. Tidelands Health colleagues must never make misrepresentations regarding the services, supplies, or equipment furnished for patient care.

Appropriate Documentation, Retention, and Disposition of Medical Records

Excellent patient care requires excellent documentation. It is vital that medical records and supporting documentation be clear, accurate, and complete. Quality documentation helps ensure that Tidelands Health is properly reimbursed for the services provided and that our patients receive appropriate care. Tidelands Health colleagues are responsible for creating clear, accurate, and complete records and supporting documentation in a timely manner. No record or other documentation should ever be falsified or altered. Tidelands Health has also taken measures to ensure the proper retention and disposition of medical records. For more information, see Tidelands Health's Policy on Document Retention and Destruction.

Fraud, Waste, and Abuse

Tidelands Health takes healthcare fraud, waste, and abuse very seriously. We are committed to following all applicable laws and regulations, in particular those that address health care fraud, waste, and abuse, and the proper billing of claims for reimbursement to the Medicare, Medicaid, and other federally funded health care programs.

The Stark Law

The Stark Law prohibits a physician (or an immediate family member of that physician) who has a financial relationship with an entity that provides certain specific services from referring patients to that entity, unless there is an applicable exception. Examples of the services, known as designated health services, include inpatient and outpatient hospital services, laboratory services, imaging services and therapy services. The Stark Law further prohibits the entity receiving a prohibited

referral from presenting a claim to Medicare or Medicaid for the designated health service furnished under the prohibited referral.

Violations of the Stark Law can lead to serious consequences for Tideland's Health. It is crucial that Tideland's Health colleagues comprehend and abide by the System's policies and procedures regarding physician financial relationships.

The Anti-Kickback Statute

The federal Anti-Kickback Statute prohibits giving, accepting, soliciting or arranging items of value in any form (gifts, certain discounts, cross-referrals between parties), either directly or indirectly for the purpose of inducing or rewarding another party for referrals paid for by a federal government health care program. The federal statute also covers purchasing, ordering, leasing or arranging for or recommending the purchase, leasing or ordering of services paid for by a federal health care program in exchange for any item of value. Similarly, the South Carolina Provider Self-Referral Statute states it is unlawful for a health care provider to offer, pay, solicit, or receive a kickback in cash or in kind for referring or soliciting patients.

Financial incentives should never serve as the basis for referrals of healthcare services. At Tideland's Health, we do not permit our colleagues to solicit or receive anything of value in exchange for the referral of our patients, or to take into account the volume or value of referrals that a provider has made to Tideland's Health.

The Federal and State False Claims Acts

The federal False Claims Act imposes liability on any person who submits a claim to the federal government that he or she knows (or should know) is false. The false claims act combats fraud and abuse in federal health care programs by allowing the government to bring civil actions to recover damages and penalties when healthcare providers submit false claims for reimbursement. The federal False Claims Act also permits a private person with knowledge of a false claim to bring an action on behalf of the United States Government. The State False Claims statute provides that it is unlawful for a provider of health care services to submit a false claim in order to obtain payment from the State Medicaid program. For more information on the False Claims Act and South Carolina laws regarding false claims, see Tideland's Health's Federal and State False Claims Laws policy.

Antitrust and Unfair Competition

The antitrust laws are designed to prevent anticompetitive activities among actual or potential competitors, and the unlawful creation or exercise of market power (monopolization). The rationale for these objectives is that the absence of competition may result in one hospital system (or more than one system acting together with another) having sufficient power to maintain

charges above competitive levels or to depress wages below competitive levels. The purpose of the antitrust laws is to create a level playing field in the marketplace and to promote fair competition. At Tidelands Health, we must comply with applicable antitrust and similar laws that regulate competition. Tidelands Health and its employees must not take part in discussions or agreements with competitors regarding price or other terms for product sales, managed care contracting, prices paid to suppliers or providers, dividing up customers, services or geographic markets, or joint action to boycott or coerce certain customers, suppliers, or providers.

Governmental and Outside Contractors Inquiries

Tidelands Health is committed to providing high quality healthcare to the citizens of Georgetown County and surrounding areas, in full compliance with applicable state and federal laws. There may be instances, however, when external governmental agencies may review or investigate Tidelands Health activities. If you are contacted by an external governmental agency, immediately contact your supervisor, department director, a member of the management team, or the Vice President of Compliance. If the contact is made at home, without a search warrant or subpoena, you should request that the person contact you at work the next business day and immediately contact your supervisor, department director, a member of the management team, or the Vice President of Compliance. Under no circumstances should a Tidelands Health colleague provide information to a person not connected with Tidelands Health without verifying and authenticating the person's credentials and the legitimacy of the request.

Tidelands Health's Legal Compliance Program

Legal Compliance Program Structure

Tidelands Health has a robust Legal Compliance Program, which has been established to ensure that the System, including all of its components, provide healthcare services in compliance with all applicable state and federal laws and consistent with the highest standards of business and professional ethics. The Legal Compliance Program is dedicated to the identification, investigation, reporting, and resolution of compliance issues. The System's Legal Compliance Program is led by Wanda H. Prevatte, MT, MHA, Vice President of Compliance & Clinical Information. For more information on the False Claims Act and applicable state laws regarding false claims, see Tidelands Health's Federal and State False Claims Laws policy.

Compliance Hotline

Tidelands Health's Compliance Hotline is a confidential way to report work related incidents and concerns that may potentially violate state or federal law and/or cause or contribute to losses or problems. While Tidelands Health encourages colleagues to report incidents or concerns to a supervisor, department director, a member of the management team, the Vice President of Compliance, the medical

staff leadership, or the Human Resources Manager, if a Tidelands Health colleague is uncomfortable reporting an incident or concern to his or her supervisor, department director, a member of the management team, the Vice President of Compliance, the medical staff leadership, or the Human Resources Manager or wants to report anonymously, the colleague may use the Compliance Hotline.

No disciplinary or legal actions will be taken against any Tidelands Health colleague who, in good faith, calls the Compliance Hotline to report an incident or concern. Retaliatory acts are strictly prohibited. Anyone who is found to have retaliated against another colleague will be subject to disciplinary action.

You may also raise questions or concerns through our Compliance Hotline at 1-800-273-8452.

Certification and Agreement of Compliance

Tidelands Health requires everyone affiliated with the System to sign a **CERTIFICATION AND AGREEMENT OF COMPLIANCE** confirming that they received, read, and fully understand the requirements set forth in the Standards of Conduct. Each individual also confirms that they agree to act in accordance with the Standards of Conduct and the policies, rules, and procedures of Tidelands Health.

Each Tidelands Health colleague is required to review the Standards of Conduct and execute a copy of the **CERTIFICATION AND AGREEMENT OF COMPLIANCE** within the first 30 days of affiliation with Tidelands Health and each year thereafter. If you have any questions about this process or your responsibilities, please contact the Tidelands Health Vice President of Compliance.

**STANDARDS OF CONDUCT
CERTIFICATION AND AGREEMENT OF COMPLIANCE**

**IN ACCORDANCE WITH S.C. CODE § 41-1-110, THIS DOCUMENT IS NOT AN
EXPRESS OR IMPLIED CONTRACT OF EMPLOYMENT**

I certify that I have read the **Tidelands Health "Standards of Conduct"** and fully understand the requirements set forth in this document. I agree to act in accordance with the Standards of Conduct and the policies, rules, and procedures of Tidelands Health.

Print Name

Signature

Hospital and Facility

Position and Department

ID Number

Date