



Be
Your
Best

Northwestern Memorial's
Integrity Self-Study Guide

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The Code of Ethics and Corporate Integrity

NMH has always had a history of encouraging and expecting ethical behavior: **doing the right thing**. Doing the right thing is another way of saying integrity. This means conducting oneself in an ethical manner.

Two of the most important things we share are a desire to make good decisions and a determination to **do the right thing**. NMH has based its Code of Ethics on these simple ideas. Our continued commitment to *Patients First* and the *Best Patient Experience* help us to ensure that patients, staff, co-workers, volunteers, the hospital and our community receive the best healthcare services possible. We consider our Code of Ethics to be the basis for everything that we do.



Why We Have a Code of Ethics

The Code of Ethics is both a hospital administrative policy and a patient care policy. The policy defines NMH's ethical values; it reinforces our reputation for **doing the right thing** and is the foundation for our decisions. By consistently following the Code of Ethics, you will know:

- Our standards of legal and ethical conduct.
- How to act honestly and how to comply with laws in the healthcare industry.
- About certain governing regulations and requirements.
- The resources available to help you follow the Code of Ethics.

Our Code of Ethics Depends on You

NMH has consistently maintained a solid reputation as a top-quality provider of healthcare. Consumers have voted our hospital among Chicago's best. As we face tougher competition each year, our respected reputation becomes a greater asset.

Your commitment to keeping our high standards and to always **be your best** and **do the right thing** helps NMH keep its good reputation. With the commitment of the entire NMH family to our Code of Ethics, we will always accomplish our mission of *Patients First*.



Creating Our Code of Ethics

Our Code of Ethics was created for many reasons. Over the years, many public and private companies have made mistakes that cost millions of dollars in fines and penalties and negative publicity. In many cases these companies did not intend to make these mistakes, but mistakes were made. It is especially difficult in health care where laws and regulations can change every day.

Congress decided that if companies put programs in place to try to avoid making mistakes, companies should not be overly punished or even put out of business. Congress then created rules called the U.S. Sentencing Commission Guidelines. These guidelines help companies protect themselves by creating programs, like Corporate Integrity, to avoid making mistakes and to **do the right thing**.

Under the sentencing guidelines, companies are required to have and maintain:

- A Standard of Conduct (our NMH Code of Ethics).
- Care in assigning duties to managers.
- A way to report mistakes and protect people who find them.
- Ways to enforce the Code of Ethics in a consistent way.
- A Compliance Officer and Committee.
- Education and training.
- Ways to prevent mistakes, find mistakes, and develop corrective solutions.

Who Must Know and Use the Code of Ethics?

The Code of Ethics applies to:

- All directors, officers and employees
- Agents, contractors and volunteers
- Members of NMH's medical staff and house staff. Especially members of the medical staff who:
 1. Have paid or unpaid administrative positions.
 2. Buy or recommend buying anything for the hospital.
 3. Are members of the hospital's boards or board committees.

NMH Corporate Integrity Office

The Office of Corporate Integrity is also known as Corporate Compliance. It is the area responsible for making sure that the hospital meets the U.S. Sentencing Guidelines and enforces Northwestern Memorial's Code of Ethics.

The Office of Corporate Integrity is responsible for:

- Understanding communicating and helping everyone at NMH to **do the right thing**.
- Educating everyone about our Code of Ethics.
- Working with and advising employees and others about issues concerning the Code of Ethics.
- Finding problems and solutions for ethical issues.

The Office of Corporate Integrity strives to consistently achieve and exceed legal and regulatory requirements through compliance activities and behaviors. They:

- Prevent, detect and correct any fraud, abuse or waste relating to federally funded and private health care programs.
- Promote the understanding of and adherence to federal and state laws and regulations.
- Preserve continuing participation in the government's health care programs.

NMH's Code of Ethics

An umbrella represents NMH's **Code of Ethics** because the code covers all laws and activities at NMH. Specific departments handle issues dealing with the environment, human resources, quality and safety. These laws will not be covered in this program. The Office of Corporate Integrity is responsible for the items down the stem of the umbrella. These items will be covered in the material that follows.

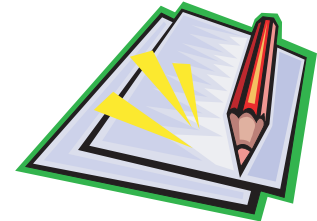


Patient Privacy & Confidentiality (HIPAA)

“All NMHC employees and persons associated with NMHC are responsible for protecting the security of all Protected Health Information (PHI) and other Confidential Information (oral or recorded in any form).”

– NMH General Administration Privacy & Confidentiality Policy

NMH places the highest priority on maintaining patient privacy and confidentiality. **It is the right thing to do!** As healthcare providers, we have access to volumes of private patient information. However, many instances have occurred throughout the nation where medical information has ended up in the wrong hands and misused. Often, this has happened without the intent to do harm, but that was the outcome.



The federal government has recognized the need to further protect patient information. Privacy and confidentiality of patient information is a legal requirement under federal regulations that enforce the Health Insurance Portability and Accountability Act, which we refer to by its acronym, HIPAA.

All hospitals, healthcare organizations and health service providers must comply with HIPAA. It is important that you recognize that actions that may have been viewed as indiscretions or carelessness in the past are now considered violations of the law.

There are serious penalties for violating patient privacy. At NMH, these may include disciplinary action up to and including termination. Further, the regulation carries the penalty of fines and imprisonment.

Importantly, a violation can have far-reaching impact. It can damage the reputation of NMH. Our reputation depends on each and every one of us to **do the right thing** and always put the patient first.

The laws under the HIPAA are divided into sections:

The Privacy Rule applies to protected health information (PHI) in any form – written, stored electronically and spoken in conversation.

Privacy means protecting and keeping private information that is intended or restricted to specific people or groups.

Confidentiality or to share a confidence is to entrust another with a secret. Confidentiality applies to information that should not be revealed.

The Security Rule covers PHI that is electronically stored or transmitted. There are administrative, physical and technical safeguards. This part protects against the unauthorized use or disclosure of electronic information.

HIPAA Applies to Healthcare Entities Including:

- Hospitals
- Health Plans
- Dental Offices
- Pharmacies
- Laboratories
- Doctors' Offices
- Billing Services
- Nursing Homes

One goal of HIPAA is to safeguard records that contain **Protected Health Information (PHI)**. This information can be written on paper or in a chart, spoken in person or over the phone, stored in a computer such as a desktop, laptop, handheld, personal digital assistant (PDA) or electronic organizer. And it can be sent through the mail, through e-mail or by fax. PHI includes a patient's name, information related to a person's past, present or future medical condition and anything associated with healthcare services, treatment or billing. **PHI that can identify an individual in any way must be kept confidential. It is your duty to protect this information.**

The Following Are Examples Of Information Considered To Be PHI:

Personal information	Personal medical information	Technical information
<ul style="list-style-type: none">• Names• Birth date, admission date, discharge date, date of death• Social Security numbers• Certificate/license numbers• Geographic subdivisions smaller than a state• Telephone numbers• Fax numbers• Electronic mail addresses (e-mail)	<ul style="list-style-type: none">• Medical record numbers• Health plan beneficiary numbers• Procedure Information• Test results• Clinical notes• Care plans• Diagnoses	<ul style="list-style-type: none">• Biometric identifiers such as finger and voice prints• Full-face photographic images and comparable images• Device identifiers and serial numbers• Web URLs• Internet Protocol (IP) addresses• Account numbers



On his first day back from vacation, Bill, a filing clerk for a medical clinic, is asked to fax a patient's test results to the patient's physician. The physician belongs to a large group practice.

Bill uses the pre-programmed number on the fax machine. Bill does not know that while he was away the practice changed its fax number and a fast-food restaurant now uses the number.

Our code of ethics in action:

Bill should have considered a different way of sending the medical records. Bill should avoid faxing patient medical information. If Bill needed to fax the records, he should have checked the fax number before sending it. Also, Bill should have used a cover page to the fax that read: "Confidential-Patient Information." Bill should always check fax numbers before sending any sensitive information.

Protected Health Information (PHI) Is A Part Of Everything You Do

Stop. For a moment, try to see through the eyes of a patient or family member. Look around your work area. Can you see medical charts or computer screens containing patient information? Can you hear conversations about patients?

Basic rules for protected health information:



- Find private places to discuss patient information.
- When leaving a message for a patient on an answering machine or voice mail minimize the amount of health information you discuss.
- Close doors or pull curtains when discussing health information.
- Walk over and greet patients instead of calling out their names.
- Direct all media inquiries about patients to the Public and Media Relations department.
- Use and discuss only the protected health information you need to do your job.
- Don't talk about patients in public places such as waiting areas, hallways, elevators or the cafeteria.
- Access only the "minimum necessary" amount of protected health information you need to do your job.



- Follow Northwestern Memorial's protected health information disposal policy.
- File, store and cover documents containing protected health information.
- Don't leave materials with patient names or information in public view.



- Turn computer monitors so others cannot see the screen.
- Verify the number before sending a fax.
- Log-off computers when you are away.
- Follow Northwestern Memorial's guidelines for e-mailing patient information.
- Don't leave handheld computers, PDAs, electronic organizers or laptops unattended. Be aware of their location at all times.
- Never share your computer passwords with anyone else.



- Familiarize yourself with Northwestern Memorial's Notice of Privacy Practices.
- Know the "opt-out" status of patients in your care.
- Obtain a patient's written authorization or special waiver for use of patient health information for research.
- Refer any questions from patients regarding their privacy rights to your manager or the Patient Representative Department.

PHI is part of everything you do. It exists in verbal and written communication, interactions with technology and activities related to the privacy rules. For example, you come in contact with a patient's health information when you speak to a colleague about a treatment, review a patient's medical record or bill and when you access information through a computer.

Always treat our patients' information as if it were your own!

NMH is committed to protecting the privacy of patients and to keeping all health records and information private and secure. This is of the highest importance at NMH. Our reputation as a trusted source of healthcare depends on your commitment to **do the right thing**. You should handle patient information in the same manner you would want your own medical information to be treated.

“Minimum Necessary” and “Need to Know”

The medical information you need to do your job is called “minimum necessary.” It is information you “need to know” to do your job.

Despite safeguards and controls to minimize access, we know that patient information surrounds us. If you come into contact with medical information and your job does not require it, you should not discuss or use this information.

Points you should remember regarding “Minimum Necessary” and “Need to Know”

- You should only access information that you “need to know” for job-related functions.
- When responding to a request for information, other than for treatment, disclose only the “minimum necessary” amount of information to complete the request.
- Never seek out confidential information that you do not have a “need to know.”
- Don't allow others to access written information they should not have.
- The “minimum necessary” rule does not apply to requests for treatment purposes.
- The “minimum necessary” rule does not apply to requests for which the patient has given permission.
- Ask yourself if you have a “need to know” this information to perform your job.
- Ask yourself what is the “minimum necessary” information you or others need to complete your work tasks.
- Talk to your manager if you are not sure.
- Don't repeat confidential information.



Sandra works in a patient care area. She is worried about her cholesterol. Her mother died at 45 and Sandra's birthday is coming up. She very much wants to know the results of her cholesterol test but her follow-up appointment with her physician is in two weeks. She knows that blood test results are available in the system within one day.

Sandra is very careful about patient procedures and confidentiality. She says to her co-workers, “How can I violate my own confidentiality by looking up the results of MY test?”

Our code of ethics in action: Sandra would not be violating her own confidentiality but she would be violating the hospital's policy. She should not look up her own medical information. It is not part of her job to look up her own results. She should only access information that she needs to know for job-related functions.

Sandra can call her doctor's office for the test results or she can request a copy of her test results and even a copy of her medical record through the Medical Records department. You have a right, as a patient, to your healthcare information. Patient Care Policy “Patient Rights: Protected Health Information (PHI)” explains the procedure for you (and all patients) to access health information.


No matter where you work it is important that you understand the meaning of privacy.

Our systems are well designed and secure.

- We've built "audit trails" (also known as tracking tools) into our computer systems so we can know exactly who has accessed the systems and the files and records they looked at.
- NMH relies on you – your behavior and integrity to only review the information you need to know.

As we use technology to improve patient care, we are faced with additional challenges to protect health information from unauthorized use and disclosure. It is important that you understand the form of technology you are using and the precautions you must take to safeguard patient information. Protect your passwords. Do not leave them in places where others can see them, and do not let colleagues borrow them to gain access to information. Giving someone else your password is like giving them your identity. Ultimately, you are responsible for the other person's actions. If you work with PHI on a computer placed in an area with public access, such as a registration desk or a nurses' station, make sure the monitor is not in public view. Also, it is important to verify fax numbers before sending so an unintended recipient does not receive private information.

Our computer systems contain Protected Health Information and ALL employees must protect NMH's electronic environment.



Tricia has access to the PeopleSoft payroll system as part of her job. Tricia's friend, John, who works at NMH, does not have access to PeopleSoft. Tricia lets John use her User ID and password to log in to PeopleSoft, so that he can access his friend's employee file to find out his birthday.

Our code of ethics in action: Tricia should never share her User ID or Password with anyone. When you share your ID you allow someone access to information that they are not supposed to see. Plus, you are accountable for anything they do in the system.

User IDs and Passwords

- Your User ID is a unique name or number assigned to you for identifying and tracking your identity
 - Your Password is a secret series of numbers and letters to log in to a computer system as an authorized user.
- Both identify the user and provide access to electronic information.

Someone else may have used your User ID if:

- You return to your desk and find you have been locked out of the computer; or
- You cannot log in at the beginning of your workday; or
- You see a different User ID in the log in box (note, this does not apply to patient care areas).

Contact the Customer Response Unit immediately at 6-HELP (6-4357) if you think someone else may have used your User ID.

Best Practices

- **Don't** look up information about your family or your friends.
- **Don't** look up your own information.
- **Don't** look up information about other employees.
- **Don't** look up information about celebrities.

Computer Viruses are spread through email attachments.

- **Don't** open an email attachment you were not expecting to receive.
- **Only** open email attachments that you were expecting and you and the sender discussed in advance.

Contact the Customer Response Unit at 6-HELP (6-4357) if you think your computer has a Virus.

NMH performs random reviews of our computer systems.

- **Always** be prepared to explain your access to information.
- **If it's not part of your job, it's none of your business.**
- If we learn you have accessed information that you do not have a need to know, there will be Disciplinary Action.

Password Protection

- Do** log off computers when you are away.
- Do** change your Password periodically and immediately, if compromised.
- Don't** write your Password down.
- Never** share your Password for any system.
- Do** use both letters and numbers in your Password.
- Don't** use your name, birth date, telephone number or any other obvious words or numbers.

Conflict of Interest

A conflict of interest occurs when we find ourselves torn between two different commitments or obligations. It is a situation where a person must make a decision between two courses of action and there is a personal interest or opportunity to gain something in one of the possible choices. Some conflicts may seem very small and can seem easy to ignore. Other conflicts are easy to see and have more serious results.

The **NMH Code of Ethics** comes into play in situations where a person's personal activities or interests may cloud his or her decisions when it comes to NMH business. When a conflict of interest occurs, it is important to carefully think through the situation and **do the right thing**.

If a vendor offers you a gift, ask yourself these questions:

Why would the vendor do this?

Could the vendor want a favor in return, now or some time in the future?

If I accept this gift, could that create an obligation beyond the value of the product or service?

Many gifts that are offered by vendors are offered as thanks for your business. However, such gifts can also be given to gain an unfair advantage. They want to develop a relationship with you where you might feel obligated to do business with them.



Peter, a vendor representative, who sells equipment for spine surgery, approaches Jodi, a nurse in the Operating Room who works on the spine surgical team. Peter has been working with NMH's account for many years. One day, Peter offers Jodi four tickets to a Cubs game and suggests that she take her husband and two kids to the baseball game.

Our code of ethics in action: Jodi should not accept the baseball tickets. She should remind Peter that NMH policy says that employees may not accept gifts from vendors. Jodi should also inform her manager of Peter's offer so her manager is aware.



A doctor is a consultant to a company that makes hip implants. He helped to design and develop the implant. This implant is now the best product available. The doctor and hospital use it.

Our code of ethics in action: There is no conflict of interest if the doctor is removed from any decision making responsibility. The doctor should disclose his consultant role to NMH. NMH takes the responsibility to compare hip implants, decide upon the best product for its patients, and negotiate a fair purchase price for the implants.

Many gifts offered by vendors are offered as thanks for your business. However, these gifts can also be given to gain an unfair advantage. The vendor wants to develop a relationship with you that might make you feel obligated to do business with them. This is wrong.

The Northwestern Memorial Foundation has the exclusive authority to solicit donations on behalf of Northwestern Memorial.

There are certain circumstances that may allow you to keep the gift.

Gifts you can accept:

- Low value (under \$25) items that can be used by staff in your department – pens, notepads, etc.; or
- Food that can be shared with the department or group or when given at an authorized educational or informational session.

Best Practices

The Three “Ds”

Discourage business courtesies or gifts offered to you by vendors.

Direct questions regarding vendor gifts to your manager.

Don’t ask a vendor for a gift or business courtesy.

Examples of gifts you CANNOT accept from a vendor:

- Cash or gift certificates.
- Expensive dinners.
- All-expense paid trip to a conference.
- Discounted or free services that are not offered to the public.



Jennifer, a representative from a nearby nursing home, offers to send Patty, an NMH case manager, to an educational conference in Springfield, Illinois. Jennifer will pay for the conference fee and hotel and car rental for her trip to Springfield.

Our code of ethics in action: Patty should decline Jennifer’s offer. Northwestern Memorial Hospital is responsible for the continuing education of its employees and if Patty wants to attend the conference, she should discuss it with her manager.

If a patient or family member offers you a gift

Do encourage the patient or family to make a donation to Northwestern Memorial Foundation. Call Northwestern Memorial Foundation at 926-2033.

Do accept the gift if it is small and/or it can be shared with your co-workers.

Do show respect for the traditions and ways of other cultures. In some countries, it is expected to give money or tips to healthcare workers. You may find some way of receiving the small gift and sharing it publicly.

Do talk about situations with your supervisor, and refer to policies or call Corporate Integrity if you are not sure or have questions.

Never suggest or ask patients or their families for gifts.



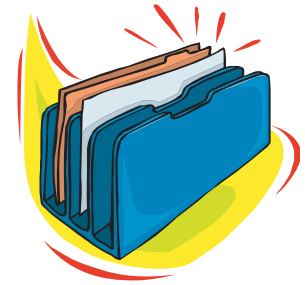
A Hall of Fame hockey star is recovering from knee surgery at the hospital. When he is discharged, he offers to supply free hockey tickets to all the staff on the unit. "Just give me a call," he says, "I'll take care of you."

A few weeks later, Nick, a patient care technician on the unit, has family visiting from Montreal. His father asks if Nick can get some hockey tickets. Nick remembers the offer and wonders if he should call the hockey star.

Our code of ethics in action: Nick should purchase the tickets at the box office. It would be a violation to call the hockey star and ask for free tickets even though he offered.

Accurate Books and Records

Your role in recording information is a very serious responsibility. It is important to do your best to see that all information is maintained in an accurate, complete and timely manner.



All hospital activities rely on the accuracy of our records to make sure that we:

- Are paid correctly.
- Use our people and resources appropriately.
- Correctly charge for the services that we provide.

In addition, organizations such as federal and state governments and insurance companies use our records to make payment decisions.

Honest and accurate recording of information pertains to all documents and systems, both written and electronic. Some of these include:

- PeopleSoft System,
 - Financial Reports
 - Expense Reports
 - Human Resources
- Automated Time Reporting (ATR)
- Patient Accounting System (PRIMES)
- Medical Records including,
 - PowerChart
 - Radnet
 - SurgiNet
- Scheduling Systems including,
 - Cadence

Attention and accuracy must be part of all forms of record keeping because it affects the care of our patients directly or indirectly. Please be especially careful when charging patients — use the right code and the right account. Our patients always deserve an accurate bill.



Terrence has just scanned his ID card into the ATR system starting his shift. Just as he completes the swipe, Matthew runs up behind him, pulls his ID card out and swipes in. He then turns around and runs out down the hall and into the stairwell. Terrence sees Matthew later that shift and asks Matthew where he was at the start of the shift and why he was in such a hurry when he swiped in. Matthew tells him he was running late today, he pulled into the hospital driveway rather than parking his car in the lot first. It saved him time and he didn't get in trouble for being late.

Our code of ethics in action: Time reporting must be accurate and correct. There are many reasons for this, especially legal reasons. Terrence should talk to Matthew and remind him that he should not have scanned his ID card unless he was available for work. He should encourage Matthew to tell their manager so time reporting is accurate.

If Terrence is uncomfortable talking to Matthew, he should report this to his manager. According to our Code of Ethics, Terrence is aware that something is wrong and that it goes against our Code of Ethics he must report it. He can also call the Office of Corporate Integrity at extension **6-4866** and report the violation anonymously.



Susie is processing purchase orders for her boss. Susie has a lot of paperwork that must be done today. She does not want to take the time to look up the right codes, so she leaves the cost center and account number spaces blank. She knows the purchasing department will send the forms back to her for the correct information.

Our code of ethics in action: Susie needs to commit to doing her best all the time. Incomplete and late work increases the risk of errors being made and costs more time and money as records are checked and rechecked.

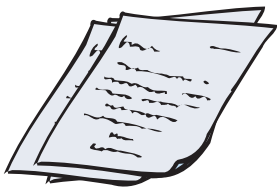


Lynn took a call for Yvette while she was getting lunch. When Yvette returned from lunch Lynn told her to call the Accounting department about the expense report she submitted after she returned from a conference. Lynn overheard Yvette tell the Accounting department she sent the original receipts through interoffice mail and that she forgot to make copies of the receipts. After Yvette got off the phone she told Lynn she couldn't be bothered to ask for receipts when she was at the conference so there were no receipts for her to send to Accounting. She just requested reimbursement without receipts.

Our code of ethics in action: Yvette is wrong. She should not submit false claims or make false statements. This is a violation of our Code of Ethics. If Lynn feels comfortable in talking to Yvette, she should tell her she should be truthful with Accounting. If she does not feel comfortable talking to Yvette she should talk to her manager. She can also call the Office of Corporate Integrity.

The Accounting department follows hospital policies and procedures. They would not release the organization's funds without appropriate supporting documentation.

False Claims



A false claim is when an incorrect or dishonest statement is made to the federal or state government to get payment for services. When a false claim is made on behalf of the organization it is a violation of our Code of Ethics and it is against the law.

An example of a false claim is when a bill with incorrect information is submitted to the government for payment. Laws allow the government to fine the organization and even prevent the organization from participating in government sponsored programs.

One of the major laws prohibiting and punishing the submission of false claims information is called the Federal False Claims Act (31 USC 3729-3733). There are state and city laws as well, the Illinois Whistleblower Reward and Protection Act and the Chicago False Claims Act. NMH has policies and procedures to help guide us so every patient's account is billed properly. The policies to ensure proper charges are the Chargemaster Maintenance policy and our Revenue Management Standards policy.

Organizational policies, the Office of Corporate Integrity and each of us — individually and together — help to prevent, detect and correct any false claims activity. We must work very hard to make certain all the charges on a bill are accurate. This activity helps to preserve our continuing participation in the government's health care programs.

Laws provide another mechanism for people to report false claims and they demonstrate just how important the prevention of false claims is to the government at all levels.

NMH policies, like the federal, state and city False Claims Acts contain protections for anyone from retaliation if they report a false claims submission in good faith.

NMH is committed to protect our employees from retaliation. We have developed policies that address protection from retaliation, they are our Code of Ethics, Reporting of Potential Wrongdoing, and Rules of Personal Conduct. Any employee who attempts to take or takes retaliatory action against an employee reporting such an incident will face appropriate disciplinary action, up to and including termination of employment.



Kevin works in an outpatient area. He has new equipment to provide a new service to our patients. He does some research on the new service and finds there are different ways to code the service. The code not only describes the service but it affects the way the hospital is reimbursed by different payers. Kevin learns one code gets a very high reimbursement and he recommends that code be used for the new service.

Our code of ethics in action: Kevin should never guess at code assignment and he should never choose a code based upon reimbursement. Code assignment is critical and should clearly and accurately reflect the service provided. If an incorrect code is used and we submit a bill with the incorrect code for payment we have submitted a false claim. We never want to submit a false claim.

There are many resources in the hospital that could help Kevin determine the correct code for the new service. The charge master team in the division of Finance is great place to start.

Remember, behind every bill is a patient, someone who put their trust in us for quality health care. Financial responsibility is part of quality health care; it is a part of our *Patients First* philosophy. As part of our commitment to our patients and to NMH we must maintain ethical standards and use our best efforts to comply with both the letter and spirit of all federal, state and local laws, regulations, rules, and guidelines.

Employees are encouraged to call our **hotline** at **926-4866** to report any concerns. Report suspected illegal or unethical behavior; non-compliance with laws, regulations and policies; criminal offenses. **We're here to help!** You can call on an anonymous basis. The hotline is designed to maintain strict confidentiality and protect the identity of the caller. All concerns will be promptly addressed.



Julia is a medical records coder. While coding a chart, she doesn't know which code to select from two possible choices. Larry, a fellow employee hears her sigh and asks her what's wrong. Julia explains the situation and Larry tells her to pick the more complex code because that code gets more reimbursement for the hospital.

Our code of ethics in action: Julia's actions could be called 'up coding' and the government could say it is a false claim. Julia should review the documentation to determine the correct code. If she is unable to determine the code, she should talk to her manager. She should also talk to her manager about Larry's suggestion to pick the more complex code.

Best Practices

Never apply a charge or a charge code to a patient account unless you are absolutely certain it is correct.

Always ask someone if you're not certain about a charge or a charge code. Talk to your supervisor, your manager or call Corporate Integrity.

Always ask someone if you're not certain about a charge or a charge code. There are many resources in the hospital that can help. Talk to your supervisor, your manager, the charge master team in the division of Finance or call Corporate Integrity.

Always remember we have to work together to prevent false claims.

Healthcare Fraud and Abuse

Anti-Kickback Laws

Asking for a payment or offering a payment in order to get a patient to use a hospital or physician service that is paid for under a federal program (Medicare or Medicaid) is a violation of our Code of Ethics and federal law. This act is considered a felony and is punishable by fines and possible jail time.

Doctors are not allowed to refer Medicare and Medicaid patients to a specific health service provider in which the doctor or his/her immediate family member has a financial interest (unless permitted by law).



Bob's lab service does tests for cholesterol. Bob puts an ad in a local newspaper offering a 20% discount for Medicare patients.

Our code of ethics in action: Offering a discount to attract Medicare patients is against the law. Bob could be fined, put out of business and may even be sent to jail.



A doctor on the staff recommends Millie's Merry Manor to all patients he treats at the hospital. He has no financial interest in that particular nursing home chain, but his son is on the Board of Directors.

Is the doctor violating our Code?

Our code of ethics in action: Unless the doctor meets the requirements set by law that allow him to refer patients to a specific health service provider, he is violating the law and our Code and is at risk for prosecution.

Fraud, Bribery and Theft

Theft is stealing or taking something that is not yours from the hospital, a patient or co-worker.

Examples of theft include:

- Taking NMH office supplies or medical supplies for personal use at home.
- Taking patient belongings.
- Drug diversion (stealing drugs).
- Stealing cash or valuables.
- Using NMH phones to make unauthorized long distance phone calls.

NMH does not accept nor forgive any act of theft.

If you see someone stealing or think that stealing is happening, report it to your supervisor or tell security. Reporting is doing the right and safest thing.

NMH has zero tolerance for retaliation against those who report theft or fraud.

Best Practices

Don't overuse NMH phones, email or other resources for personal use.

Don't clock in before parking your car in the garage.

Don't use the hospital's patient discount parking program for personal parking.

NMH has zero tolerance for retaliation against those who report theft or fraud.

As one of our Best People, it's also your responsibility to be aware of your environment at NMH. Keep your eyes and ears open. If you see or hear something that does not look right – say something. Don't assume someone else knows what may be going on. You have an obligation to tell someone. **Call your manager, Call security, or Call Corporate Integrity.**

Personal Use of Resources

NMH has hired the Best People to work here.

We understand that it's hard sometimes for employees to balance the demands of work and family.

Sometimes you must handle a personal or family matter during work hours. You may on occasion have the need to make use of NMH resources, for example telephone, email, or computers. However, it is very important to keep it to the minimum necessary.

You should follow three (3) steps:

1. You should only use NMH resources with the approval of your manager,
2. Always use the minimum necessary, and
3. Do not let your personal use interfere with your job duties.



Molly has been working overtime during the holiday season to help out on the unit. While on duty, she takes a moment to order a gift for her son using the Internet. The gift is to be a surprise so she orders the package to be delivered to her department.

Our code of ethics in action: While this situation may not seem important or a violation of our Code, the basic issue is theft in terms of time and resources. We must be mindful at all times because everything we do, from the smallest task to the most important decision, affects our patients, their families and the trust they place in us. Infrequent and occasional use of the Internet is okay if your manager approves but using the hospital's mailroom for personal use is never allowed.



Tim's home computer crashed last night. His daughter has a term paper due tomorrow. He takes a short lunch and types the paper at his computer at work.

Did Tim violate NMH's Code of Ethics?

Our code of ethics in action: With the consent of his supervisor, this small and off-company use of the computer for personal use would seem reasonable, especially when such use is an exception and is performed during his lunch period.



Katrina drives to work every day. She always parks in the hospital's employee parking facility that is a few blocks away from the hospital.

Today she overslept because her infant daughter was up all night with a fever. She's late, so she decides to park in the facility nearest to the hospital that is reserved for patients and their families.

Katrina mentions it to her co-workers and finds out that the parking fee will be over \$30 for the day. She didn't know this and really can't afford the fee. She plans to go to the service desk and say that she is getting a validation stamp for a patient on her unit. The hospital can afford this better than I can, she thinks to herself.

Is Katrina violating the Code of Ethics?

Our code of ethics in action: Katrina's actions are a form of theft and she is violating the Code of Ethics. She could be disciplined and most likely terminated. She should remember that her supervisor would rather have her arrive late to work than not at all.

Occupational Fraud is an intentional or deliberate act. It's when someone uses his or her job in a misleading or deceptive way for personal gain rather than for the benefit of the organization.

Occupational Fraud can be classified into three areas:

1. Misuse of the organization's assets (cash or materials owned by the organization);
2. Dishonest activity; and
3. False statements and falsification of records.

Fraud can also occur where there is collusion. Collusion is when two or more people work together to mislead and misinform.

Fraud is a crime of convenience. Procedures and controls may be weak. For example, no individual should have the ability to complete a transaction, record it and reconcile it.

FACTS (according to national statistics)

- A typical organization in the United States loses 6% of its annual revenue to fraud and theft.
- Fraud and theft account for close to \$600 Billion a year to the American economy or \$4,500 for each employee.
- This results in higher costs to consumers.
- One out of every five employees is aware of people stealing from their employer.

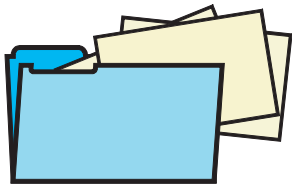
Some examples of Fraud include:

- Faking a supervisor's signature on an authorization form (*forgery*),
- Using a person's personal information (address, taxpayer identification, credit card, etc.) to apply for credit in their name (identity theft),
- Intentional inaccurate time reporting (*falsifying records*),
- Lying about dependents, birth dates or marital status to qualify for benefits (*falsifying records*), or
- Intentional inaccurate financial reporting (*financial statement fraud*).

Best Practices

- **Do** accurately complete all financial documents and reports.
- **Don't** sign someone else's name for an approval or signature.
- **Don't** improperly use someone else's personal information.

Tax Exemption



We are a not-for-profit, charitable, tax-exempt organization. Our charitable purposes include: providing exceptional clinical care to all in our community who need it, regardless of their ability to pay, education, research and community service. We are committed to do our part to make sure that no one should have to choose between good healthcare and financial hardship. As part of our charitable mission, we support health related programs that benefit our community, and relieve the burden of government by participating in many federal and state health care programs that do not cover our costs.

As a charitable, tax-exempt organization, any money remaining after we pay our expenses is used to fulfill our charitable purpose; it is not paid out as profits to investors or any private persons.



As an employee working in a patient care area, you encounter various patients on a daily basis. Or let's say you don't work in patient care but somewhere else in the hospital. One day, someone — a patient or even a friend — mentions to you how she (or he) is really concerned about her hospital bill and doesn't know how she will be able to pay for it since she has no insurance. **What should you do?**

Let the person know that she can call a financial counselor or that you will call for her to arrange for a financial counselor to discuss her financial concerns. Employees and patients should be aware that financial counselors are available to help any patient who is without insurance or needs financial assistance such as free or discounted care.

NMH provides care without charge, at discounted rates or under special payment arrangements for our patients. We do this for medically necessary health care services for patients who are uninsured or have inadequate health insurance, who do not have the ability or resources to pay their hospital expenses, and who meet income and other guidelines specified by NMH.

Some of the ways we fulfill our mission and benefit our community include the following:

- We provide free and discounted care for people in our community who are financially unable to pay the costs of their needed health care.
- We participate in government programs such as Medicaid and Medicare, even though the payment we receive is less than what it costs us to treat patients covered under these programs.
- We support and partner with community based health clinics and other community organizations to provide services to indigent and underserved members of our community such as primary and preventative health care and wellness and health care education.
- We help to educate more than 1,000 health care providers including medical students, residents, nurses, technicians, and therapists every year.
- We invest millions of dollars in research to create new medical knowledge, not only for our current patients, but for generations to come.
- We invest millions of dollars to continually update and improve our facilities, equipment, information systems, and other support systems in order to provide the best and safest health care we can.

Best Practices

Do protect NMH charitable assets (this means anything that belongs to NMH). We all have a responsibility to protect these assets and not use them to benefit our own personnel interests or those of any other person.

Do refer patients who ask about free or discounted care, special payment arrangements or who indicate they may have trouble paying their hospital bill to a financial counselor.

Don't use NMH funds or resources to support or oppose a political candidate or to contribute to a political action committee.

Political Contributions

Because of our tax-exempt status and various federal and state laws, NMH may neither directly nor indirectly contribute any money to any political party. Because of our tax-exempt status and various federal and state laws, political expenditures are strictly prohibited. Lobbying expenditures are limited. NMH is also not allowed to use its buildings, equipment or supplies to help support a political party, candidate or incumbent. Furthermore, the hospital may not contribute to the support of a campaign of any person running for political office.



The hospital may participate in lobbying activities, but it cannot include the costs of lobbying for changes in healthcare laws and regulations on its Medicare cost reports to the federal government. The hospital is also limited by the IRS as to how much it can spend for lobbying. The hospital must pay careful attention when paying for membership dues and similar expenditures to ensure that the political or lobbying activities or any other political action committees (PACs) are not included. All proposed political activities should be coordinated through the Hospital's Office of Government Affairs.



The State Legislature is considering a bill that would negatively affect hospital finances and potentially impact patient care.

The hospital hires a bus to transport hospital employees to a rally at the State Capital. The hospital also provides snacks and drinks for the employees on the bus ride. The trip to the rally occurs on the employees' own time.

Our code of ethics in action: The hospital may pay for the bus and the snacks as long as the costs are excluded from being reported on the hospital's Medicare cost report. The hospital's action is a service to its employees. Using the hospital's resources in this manner does not endanger the hospital's tax-exempt status because these costs are excluded from the costs reported to the federal government, employees are doing this on their own time, and it is not a direct or indirect contribution to any political party or candidate.



Roberto is a hard worker-both on duty and off duty. His best friend from college is running for Congress.

While working on the weekend, Roberto gets a call asking if he can make 1,000 leaflets for his friend's campaign. Roberto's manager is not at work and nobody will know if he copies the leaflets at work.

Our code of ethics in action: Roberto should refuse to print the leaflets. Using the hospital's resources for the campaign could endanger the hospital's tax-exempt status. Using the hospital's resources in this manner is also a form of theft.

NMH is not prohibited from engaging in lobbying, grassroots or other advocacy efforts to inform elected or administrative officials about the impact of proposed legislation or regulations.

The hospital encourages its employees to participate in political activities on a personal basis, on their own time and in their own way.

Marketing and Purchasing

Marketing and purchasing refer to two very important and major activities for NMH. Every day NMH is responsible for buying and arranging for supplies, materials and services to run the hospital. We must decide what to buy, how much to buy, how much to pay, and from whom we will buy the products and services.

Two main beliefs must guide all marketing and purchasing activities:

- Employees must never make false statements or lie to anyone with whom we do business.
- Be honest and clear during all business activities.
- Employees should be fair to everyone with whom they do business.



Paul overhears a hospital purchasing agent tell Vince, the vendor, he will certainly get our business in the future. Paul knows that Vince was the only vendor the hospital approached for this specific project and has been the only vendor approached for a variety of other projects. None of the projects the vendor has been affiliated with seem unusual or unique. Paul questions this.

Our code of ethics in action: Paul should approach the hospital purchasing agent and discuss what he just overheard. Anyone at NMH who is responsible for purchasing supplies, materials and services must make certain that the hospital is getting the best product at the best price. We may in fact have a contract with this vendor to provide this type of service. If this is not the case, and the hospital purchasing agent does not obtain additional quotes for projects this would be a serious concern. At that time, Paul should talk to his manager or report the incident to the Office of Corporate Integrity.

Antitrust Laws

The antitrust laws apply to practically all industries and to every level of business including healthcare. These laws make it illegal for companies to monopolize an industry. These laws also prevent practices like price-fixing and actions that can affect or reduce competition. For example, all hospitals in a city agree to set the same charge for services or supplies so people do not have a choice of lower prices. This could also involve hospitals working against suppliers by sharing supply cost information and demanding lower prices.



Be Your Best

Ivanna is a diagnostic technologist at a local clinic. She recently attended a professional meeting. At the meeting, she heard about the staff shortages in her field and the higher salaries offered at other clinics. She listed the salaries of each person at the meeting.

When she returned to work the next day she gave the list to her manager and asked for a raise. The manager was surprised at the range of salaries and began calling the clinics to verify.

Our code of ethics in action: Although the manager wants to keep Ivanna as his employee, the single action of confirming salaries at other clinics could have the appearance of using the information to set salaries at the same level and restricting competition in the job market. This act could lead to wage or salary fixing, which would be a violation of Antitrust laws. The manager should contact the Human Resources department who will obtain this comparable salary information using suitable consultants and industry sources.

Be Your Best

David, a department manager, asks his assistant to call five other hospitals and find out what they charge for a certain medical procedure. He wants to make sure that the hospital is not undercharging for its services.

David's assistant does not want to disobey her boss, so she makes the calls.

Our code of ethics in action: The assistant is helping with an illegal activity that could be called price fixing and is violating the law and our Code of Ethics. She should call the Corporate Integrity Office and explain her concern.

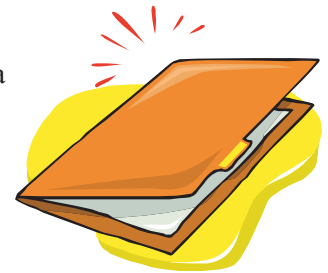
Research

All research projects sponsored by our hospital are to be conducted with the highest ethical standards, including correctly billing research sponsors and insurance companies for provided services.

If there are any claims regarding misconduct in a research project, it becomes the duty of the hospital to report and investigate such suspected misconduct.

What to do if a patient is involved in a research study

- **Do** call the NMH Office of Research at 926-2249, if you have any questions about a research study.
- **Do** be aware that a separate consent form is required for a patient to participate in a research study.
- **Do** expect that the study team has placed the patient's signed research consent form in the medical record for each specific treatment (for example, an inpatient stay).
- **Do** encourage the patient to ask questions of the study team if he/she has any concerns about the research and his/her participation.
- **Do** support the patient if he/she feels that he/she does not want to continue in the research study.
- **Do** feel comfortable asking the study team for a current copy of the Institutional Review Board (IRB) approval letter if you are asking for information or access to records of patients not directly under the care of the study team.
- **Do** question any charges that are not standard care when processing patient records for insurance coverage.
- **Do** get approval from you supervisor and the Office of Research before becoming part of a research study team.
- **Don't** discourage a patient from leaving a research study.
- **Don't** release patient information unless the research study has IRB approval.
- **Don't** share any information about the research study except on a need-to-know basis.



Patti is a nurse and has just taken off orders on one of the patients for whom she is responsible. Patti has learned that the patient cannot read very well.

A research nurse who works for the attending doctor enters the patient's room and asks the patient to sign up for a research study. She then has the patient sign the consent form.

Patti allows the research nurse to get the signed consent form from the patient.

Our code of ethics in action: Patti should talk to the research nurse outside the patient's room and explain that the patient cannot read very well and may not understand what he has signed. She should tell the research nurse that she must read the entire consent form to the patient to make sure the patient understands everything that is involved and may happen during the study.



Salah works at the hospital and has just completed some research related to a patient's condition. He has completed the paperwork that will charge all his fees to the patient's clinical account. These fees will then be billed to the patient's health insurance company.

Our code of ethics in action: Salah should determine exactly which fees should be charged to the patient and which fees should be charged to the research sponsor and correctly complete the paperwork. Salah must provide detailed communication so that the charges are handled correctly.

Emergency Medical Treatment and Labor Act (EMTALA)



The Emergency Medical Treatment and Labor Act (EMTALA) is a set of federal laws. These laws make sure that people seeking emergency care are not refused treatment because they cannot pay for services. EMTALA requires hospitals to properly screen, evaluate and treat a person’s medical condition to prevent it from becoming worse.

NMH has policies and procedures that deal with the duties of staff in the emergency service areas and other areas of the hospital.

EMTALA applies everywhere on our property, including areas such as the hospital’s sidewalks, tunnels, bridges and parking lots.

Do’s and Don’ts

If you see someone who seems to be sick and in need of help:

- **Do** ask the person if they need help.
- **Do** ask the person if he/she needs help getting to the emergency area or can walk on his/her own.
- **Do** go with the person to the ED or find another appropriate staff member to do so.
- **Do** start the appropriate “Emergency Medical Response” as needed and per hospital policy.
- **Do** contact Risk Management at 926-7475 (RISK) (or the Integrity Action Line at 926-4866 to report the incident) if the patient insists on going to another hospital (in case questions are asked at the receiving hospital).
- **Don’t** direct or point out the emergency area and leave the person alone.

Patient Transfers

NMH must also be careful about transfers of patients between hospitals that do not involve the Emergency Department.

Nurses and patient care staff on inpatient units should remember that for routine transfers, they should:

1. Call the hospital in advance and confirm their acceptance of the transfer.
2. Record the name of the person spoken to at the other hospital.
3. Make sure the proper forms are transferred with the patient (i.e. Continuity of Care forms).



Debra and a co-worker are having lunch in the hospital cafeteria. While sitting in the cafeteria, a woman goes into labor and requests help. She asks that someone help her go downstairs and get a taxi so that she can go to the hospital where her doctor is on staff.

Our code of ethics in action: Debra should offer to take the woman to the Emergency Department (or find another appropriate staff member to do so). The Emergency Department (or the Labor and Delivery) staff will evaluate the woman’s medical condition and determine whether she is stable to transfer to another hospital.

Integrity - It's All About You



You have a duty to the hospital and to the Corporate Integrity Program. It is a serious commitment.

Dishonest behavior and behavior that violates our Code of Ethics is harmful to you and NMH. Breaking the laws that apply to healthcare organizations puts the hospital and you at great risk. This type of behavior can eventually affect the quality of patient care. Patients are the reason we are here, so please be careful.

Regulators look for people and organizations that disobey laws. Their business is to find mistakes and violations of the law.

When fraud and wrongdoing happen, it can cost the hospital:

- Money and fines.
- Reputation and trust of patients, employees and public.
- Money for research activities.
- Jobs, security and financial stability.

The healthcare industry must follow many federal and state government laws. The government uses many methods to make sure they are strictly enforced. The government also watches that each institution enforces the rules. As an employee of NMH, it is your responsibility to make the right choices and obey the established Code of Ethics.

When faced with questionable situations, remember that your responsibilities are to:

- Make the right choices and make good decisions,
- **Do the right thing** at all times, in every situation,
- Report any violation you see, and
- Be cooperative during investigations.

Disciplinary Action

All employees of NMH must obey the established Code of Ethics. You can put your job at risk if you:

- Participate in or allow any actions that are in violation of the Code.
- Know or reasonably believe, that someone has or is about to commit a crime, and do not immediately report it.
- Refuse to cooperate in the investigation of a violation.
- Improperly manage or supervise a situation where a violation may occur.
- Take actions to get revenge, in any way, against someone who has reported a violation of the Code of Ethics.

You have a duty to promptly report any actual or possible criminal activity by an employee, volunteer or agent of the hospital. If you do not report such activity, you are subject to disciplinary action that may include a written warning, suspension, probation, demotion or termination of employment. There are no excuses for failing to report a violation.

To Report a Concern

It is your responsibility to immediately report any real or suspected activity that violates our Code of Ethics. If you know of any act by another employee that violates, or appears to violate the Code, you must report it to the appropriate personnel.

**You may report violations anonymously (without having to give your name).
The first step is to talk to your manager and report your concern.**

If the concern continues or you are not comfortable discussing this concern with your manager, you should contact your manager's manager or contact a concern-related department.

If the concern continues, or you are not comfortable discussing this with other areas call Corporate Integrity. Always remember you have someplace to turn to at NMH.

How to contact the Office of Corporate Integrity



The Corporate Integrity Hotline **926-4866**

Our Hotline is available 24 hours a day, seven days a week and is answered by a person at all times. All calls are considered confidential and anonymous (you do not have to give your name).

The Office of Corporate Integrity, for general questions about the Code of Ethics and their interpretation.



Telephone 926-4800



In Writing Attention: Corporate Integrity, 251 East Huron, 240/3/340, Chicago, IL 60611
When you send your report, mark the envelop as follows:
Personal and Confidential
To be opened by the Corporate Integrity Executive



E-mail compliance@nmh.org
In the subject line enter "To the Attention of the Corporate Integrity Executive"



On-line Look for "Corporate Integrity" through NM Connect, NMH's portal.
From the homepage, Click "Departmental Pages" in the Main Menu, then click "All Others" then click the "Corporate Integrity" link.

When reporting a violation, you should be as detailed as you can.

**Remember that our Code of Ethics protects anyone who reports a violation
from acts of retaliation in any form.**