



Dear Colleagues,

Welcome to your employment and/or association with Prowers Medical Center.

When you decided to join the Hospital team, you made an important personal and professional decision. Your decision included a responsibility not only to provide quality healthcare, but also to personally conduct yourself in such a way that is consistent with the Hospital's commitment to operate within the highest standards of integrity and behavior.

Every person, business or government entity that encounters a representative of our Hospital expects this level of commitment, and so do we. It is the way we do business.

We have created a Code of Conduct which starts with our Core Values and is routinely enforced by becoming an integral part of our compliance program. It should be used in tandem with our company policies and procedures, applicable regulations and laws, and good common sense. It serves as a solid framework for business decisions, and it is mandatory that each of us comply with this Code of Conduct every single day.

As a condition of your relationship and/or employment with Prowers Medical Center, it is required that you read the Code of Conduct and adhere to these standards.

Thank you.

Sincerely,

Karen L. Bryant, CEO



## **Prowers Medical Center Code of Conduct**

Prowers Medical Center (the “Hospital”) has adopted a Compliance Program to ensure that Hospital operates in compliance with ethical commitments and applicable laws, rules, and regulations. A critical component of the Compliance Program is the Code of Conduct, which sets out basic principles that the Hospital, its team members, directors, officers, medical staff, and other associates are expected to follow. Associated policies and procedures provide further guidance on the operation of the Compliance Program.

The Code of Conduct applies to all Prowers Medical Center team members, members of the Board of Directors, medical staff and allied health professionals, volunteers, agents, consultants, contract labor, and others, when they are representing or acting on behalf of Prowers Medical Center. Contractors and agents/vendors or external advisors and consultants should also be directed to conduct themselves in a manner consistent with the Code of Conduct when they are acting on behalf of the Hospital.

You are not expected to have expert knowledge of all legal and regulatory requirements that may apply to your role with Prowers Medical Center. However, you are expected to:

- Be familiar with this Code,
- Be sensitive to legal and ethical issues,
- Ask questions if you are uncertain about any given situation, and
- Report concerns you may have about the conduct of others.

Prowers Medical Center forbids retaliation against anyone making a good faith report of inappropriate conduct, even if it turns out the report was wrong. Any covered person’s failure to report a compliance concern, to cooperate with a compliance investigation or corrective action, or failure to complete compliance training is a violation of this Code and may result in disciplinary action up to and including termination of your relationship with Prowers Medical Center.

If you have any questions regarding Prowers Medical Center’s Compliance Program, Code of Conduct and associated policies, or encounter any situation which you believe violates provisions of these guidelines, then you should immediately contact your supervisor, the Prowers Medical Center Compliance Officer (719-336-7390), Human Resources (719-336-7119), and/or the Prowers Medical Center Compliance Hotline (1-855-252-7606).

The following Conduct Principles/Risk Areas provide a summary of Prowers Medical Center’s position and expectations related to specific topics and describe certain ethics and compliance risk

areas in healthcare. These are intended only to provide an overview. A specific policy may also exist on a given topic.

### **Principle 1: Quality Care and Services**

***We are committed to providing quality care and services to those we serve.***

1. Treat patients with dignity, respect, courtesy, and in a manner that respects their unique background.
2. Provide treatment and medical services within our capability to our patients without regard to financial class, religion, race, gender, or age.
3. Patients and families can raise concerns or questions about ethical issues and care without fear of retaliation, retribution, or changes in quality of care. Everyone is expected to be knowledgeable about the procedure for patient grievance resolution.
4. Include patients in decisions regarding their medical care, whenever possible.
5. Inform patients of their right to make advance directives and have them followed within the limits of the law. Prowers Medical Center shall comply with all policies and procedures and federal and state laws and regulations governing advance directives.
6. Take steps to ensure that trained and licensed/credentialed individuals perform clinical duties. Conduct appropriate background checks and verify credentials and qualifications of licensed health care professionals providing service at our facilities.
7. Utilize quality improvement, peer review, and education to address patient care issues in an environment that supports teamwork and promotes quality care.
8. Provide the patient opportunities to make meaningful choices from the available home agencies, durable medical equipment (“DME”) suppliers, long-term care providers, pharmacies, ambulance services, and rehabilitation providers.
9. Provide appropriate medical screening and necessary stabilizing treatment within the Hospital’s capabilities to individuals who come to the hospital seeking emergency care, and without delay to inquire about means of payment.
10. Maintain a process for referral, transfer, or discharge of the patient that provides for continuing care based upon the patient’s assessed needs at the time of discharge.

### **Principle 2: Legal Compliance in Business Practices**

***We will provide healthcare services and conduct our business in compliance with applicable laws, regulations, and standards.***

1. Refrain from any activity that could violate the Federal Anti-Kickback statute and similar state laws including the following:
  - a. Offering or paying anything of value to induce someone to refer a patient to Prowers Medical Center, including, but not limited to, the routine waiving of co-payments;

- b. Offering or paying anything of value to anyone while marketing Prowers Medical Center services;
  - c. Soliciting or receiving anything of value for the referral of Prowers Medical Center patients to others;
  - d. Giving or receiving free goods or discounts, except as permitted under applicable law and regulations;
  - e. Receiving any payment or other item of value outside the normal compensation arrangement for performance of a team member's responsibilities on behalf of Prowers Medical Center.
2. Compete in a lawful, fair, and ethical manner in compliance with applicable antitrust laws.
3. Only provide discounts for health care services per Patient Financial Services' policies on discounts and financial assistance.
4. Refrain from offering any items or services to Medicare or Medicaid beneficiaries as an inducement to influence them in their choice of health care provider.
5. Conduct relationships and enter transactions with physicians, providers, clinical practitioners, vendors, and other external representatives and entities in a manner which, at a minimum, meet the following criteria:
  - a. Specifically defines the transaction and the respective parties' duties and obligations;
  - b. In the case of the purchase or sale of real or individual property, goods, or services, the real or individual property, goods and/or services are specifically identified in the agreement;
  - c. Amounts paid or received by the Hospital shall be consistent with reasonable value; and
  - d. Transactions shall be commercially reasonable and conducted at arms-length.
  - e. All contracts with physicians that would constitute a financial arrangement under Stark Law must satisfy the requirements of one of the specific exceptions.
6. Do not submit claims to Medicare or Medicaid programs for any services rendered to any patient referred to the Hospital by a physician with whom the Hospital has a financial relationship unless the relationship satisfies a Stark Law exception.
7. Accurately report payments to appropriate taxing authorities, and file all tax and information returns according to applicable laws and regulations.
8. Comply with the law and cooperate with any reasonable demands made by a valid search warrant, subpoena, or other form of an inquiry from law enforcement representatives and/or government agencies.
9. Respecting the legitimate rights of others to protect their confidential and proprietary information and do not engage in unauthorized or inappropriate usage of copyrighted materials.
10. Unauthorized duplication or downloading of computer software is prohibited.
11. Conduct any clinical research activities in a manner that is compliant with all applicable federal, state, and local laws and regulations.

12. Comply with Risk Management reporting policies and requirements, including the Safe Medical Devices Act.

### **Principle 3: Ethical Business Practices**

***We will conduct ourselves with integrity, honesty, and fairness and avoid any conflict between personal interests and the interests of the Hospital.***

1. Address all accrediting bodies in an open and honest manner in preparation for, during, and after surveys.
2. In advertising and marketing, represent Prowers Medical Center's services, activities, and facilities in an honest and accurate manner. Avoid inaccurate or exaggerated statements in all promotional materials.
3. Fulfill job responsibilities independent of personal considerations and in the best interest of Prowers Medical Center.
  - a. Do not directly or indirectly accept any gift of more than nominal value from another party that may create the appearance of a conflict of interest between personal benefit and official business. See Gratuities policy for further guidance.
  - b. Do not accept cash or cash equivalent gifts (such as gift cards or gift certificates) from patients. If a patient, family, or another individual wishes to make a monetary gift, he/she should be referred to the Prowers Medical Center Foundation.
  - c. Do not accept gifts or subsidies from a third party to attend a conference or view or train on new equipment or systems that Prowers Medical Center uses, intends to use, or is considering purchasing.
  - d. Do not ask for or provide, directly or indirectly, compensation or gifts of cash, services, or any items of value to physicians, vendors, clinical practitioners, patients, their families, visitors, or others in exchange for referrals of items or services provided by or at the Hospital.
  - e. Do not disclose or use confidential, special, or inside information of or about Prowers Medical Center, particularly for personal profit or advantage.
  - f. Do not use Prowers Medical Center human and/or material resources for non-Prowers Medical Center use.
  - g. Do not engage in lobbying or other political activities using Hospital resources or time. Only the designee of the Prowers Baca Hospital District's Board of Directors may use Hospital time and resources to facilitate elections per Hospital Bylaws.
  - h. Follow the Conflict-of-Interest Policies in reporting any circumstances that could cause a conflict of interest.
  - i. Conduct all fundraising activities per Prowers Medical Center fundraising policies.

Conduct financial matters in a manner consistent with accepted accounting principles (GAAP), established accounting policies followed by the Hospital, and internal control procedures.

**Principle 4: Safeguarding of Assets, Property, and Information**

***We will use our resources wisely and will be accountable for their proper use.***

1. Maintain, preserve, and be personally responsible for Hospital's assets, property, facilities, equipment, and supplies, as well as any property of others, which is our legal responsibility.
2. Do not use Prowers Medical Center equipment, supplies, materials, and other resources for personal purposes unless authorized.
3. Upon termination of a relationship with Prowers Medical Center, individuals may not copy, take, or retain any documents containing Prowers Medical Center proprietary or confidential information.
4. Report time records accurately and use time at work responsibly for work-related activities.
5. Ensure that property is disposed of in an appropriate manner.
6. Use E-mail, Internet, and other electronic communications responsibly.

**Principle 5: Privacy & Security Compliance**

***We will facilitate the responsible use of patient, visitor, team member, business, or other confidential information.***

1. Maintain confidentiality of information about our patients by using and sharing it according to the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and Health Information Technology for Economic and Clinical Health (HITECH) Act. Follow policies and procedures with respect to the proper authorization and disclosure of confidential information.
2. Limit restricted information to those who need to know.
3. Do not disclose computer identification codes and passwords provided to access computer systems to another person, nor use someone else's username and password.
4. Use caution and follow Hospital policy when transmitting sensitive information via Internet, electronic mail, voice mail, and fax machines.
5. Respect patients' privacy and information by discussing confidential information at appropriate times and in appropriate places.
6. Honor the following rights upon patient request:
  - a. Right to Inspect and Copy
  - b. Right to Request Amendments
  - c. Right to an Accounting of Disclosure
  - d. Right to Request Restrictions
  - e. Right to Request Confidential Communications
  - f. Right to a Copy of the Notice of Privacy Practices
7. Follow state and federal laws regarding retention and disposal of documents and records. All confidential records must be destroyed in a manner, so the information contained in the document is not legible or identifiable, according to our policy.

**Principle 6: Coding, Billing, and Collection in Accordance with Applicable Guidelines**

***We are committed to integrity in our coding, billing, and collection practices.***

1. Maintain honest and accurate records of all services provided to the patient.
2. Follow coding principles and applicable billing laws, regulations, and guidelines to facilitate the proper documentation, coding, and billing of claims.
3. Ensure that medical information is properly documented in patient records and complies with medical necessity requirements.
4. Take affirmative steps to prevent the submission of claims for payment and reimbursement of any kind that are fraudulent, abusive, inaccurate, or medically unnecessary, including, but not limited to the following:
  - A. Billing for items or services not provided to patients;
  - B. Upcoding for higher reimbursement than is supported by the documentation;
  - C. Submitting duplicate bills (more than one claim for the same services);
  - D. Unbundling claims (submission of bills in a fragmented fashion to maximize reimbursement if guidelines require the services be billed together);
  - E. Inclusion of costs that are not allowable to be reimbursed in a cost report;
  - F. Billing for a patient discharge when it is appropriate to bill the claim as a patient transfer.
5. If a billing error is discovered, take immediate steps to correct the error, alert the payor, and promptly refund any payments not due.
6. Provide an effective process to resolve patient billing issues.
7. Pursue collections in a professional manner in accordance with Hospital policy.

**Principle 7: Workplace Conduct and Fair Team Member Treatment**

***We are committed to providing a work environment throughout the organization that promotes equal employment opportunities and complies with laws in all matters relating to employment.***

1. Demonstrate appropriate respect and consideration for one another.
2. Apply Human Resource Policies and Procedures fairly and equitably, consistent with applicable legal requirements.
3. Hire, train, promote, and compensate team members without regard for race, gender, creed, color, age, national origin, religion, physical/mental disability, or other classification protected by law.
4. Comply with the Americans with Disabilities Act of 1990 and the ADA Amendments Act of October of 2008 (ADAAA) to ensure that qualified applicants and team members with a known disability who are able to perform the essential functions of the job, with or without reasonable

accommodation and whose employment does not pose a threat to their health and safety or that of others, are provided equal employment opportunity.

5. Maintain an environment free from harassment, disruption, intimidation, or hostility.
6. Encourage open expression of concerns and use of the problem-solving process.
7. Report to Human Resources or to the Compliance Officer in the event you or another provider, team member, vendor, or Board member becomes excluded or sanctioned by any federal health sponsored program.
8. Protect a team member's job status, working conditions, or employment relationship if he/she, in good faith, reports problems to their supervisor or contacts the Compliance Officer.
9. Direct honoraria received by team members who participate as faculty and speakers at programs and functions to Prowers Medical Center unless the team member used paid time off to participate in the program or that portion of the program for which the honoraria is paid.
10. Treat salary, benefits, and other personal information relating to team members as confidential and maintain personnel files, payroll information, disciplinary matters, and similar information in a manner designed to ensure confidentiality in accordance with applicable laws.
11. Do not engage in direct or indirect political campaign activities (including the publishing or distributing of statements) on behalf of or in opposition to candidates for public office. Prowers Medical Center funds may not be used to make any contribution to a candidate for political office, political party, partisan political organization, political candidate committee, or to any individual in violation of law.
12. Interact with governmental bodies and public officials in an honest and ethical manner and in compliance with all local, state, or federal statutes or regulation governing such activity.
13. Do not engage in social networking activities in or outside of work that adversely affect the job performance of Prowers Medical Center's team members, or otherwise adversely affect Prowers Medical Center's patients or legitimate business interests.
  - a. Never discuss patients or any aspect of patient care, any confidential team member matters, or Prowers Medical Center related business matters on social media.

### **Principle 8: Safety and Environmental Compliance**

***We are committed to providing a safe environment for our patients, staff, and visitors.***

1. Recognize, correct, and/or report unsafe practices, conditions or potential hazards that may violate a rule, regulation, or safety standard.
2. Take steps to prevent and respond in a prompt and appropriate manner to any incidents of threats/violence, and immediately report such acts or threats to a supervisor and/or the Lamar Police Department.
3. Read and follow policies and manufacturer's guidelines when using equipment, property, and medical products.
4. Use care in the handling and disposal of medical waste or other hazardous materials.





5. Eliminate or minimize hazards to the health and safety of team members, patients, and visitors.
6. Take steps to prevent and respond in a prompt and appropriate manner to any team member use of illegal drugs either on or off the job, use of non-prescribed controlled substances, or from reporting to work under the influence of alcohol.
7. Do not manufacture, distribute, or possess a controlled substance or drug not medically authorized.
8. Support patient's right to access protective services by maintaining current policies and procedures addressing assessment of need and mechanisms for accessing such services.



## Code of Conduct Acknowledgement

Each Prowers Medical Center director, officer, team member, medical staff member, contractor, vendor, volunteer, or other person with an official relationship with the hospital other than as a patient is considered a part of the compliance program. Each person is responsible for ensuring their conduct meets the ethical standards laid out in the Prowers Medical Center Code of Conduct. I therefore agree I and/or my company will do the following:

- a) Uphold and abide by the Prowers Medical Center Code of Conduct and all other policies of the Hospital, as well as any relevant laws, rules, and regulations.
- b) Report all known or suspected violations of the Code of Conduct, Prowers Medical Center policies, laws, regulations, or third-party payor program requirements in Healthicity or to the Compliance Officer before completing this attestation to the Code of Conduct.
- c) Report all cases in which any person or organization associated with Prowers Medical Center has been excluded from participation in government health care programs.
- d) Refrain from retaliating against any person for reporting suspected violations of the compliance program, laws, regulations, and third-party requirements or for cooperating with the compliance program.
- e) Participate in initial and periodic training concerning issues relevant to the compliance program.
- f) Compliance with the Code of Conduct and other PMC policies will be considered in annual team member evaluations and in decisions regarding promotion, retention, and compensation of all team members.
- g) Compliance with the Code of Conduct and other PMC policies is also a key factor in the decision to continue relationships with vendors and other parties.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Company (if signing for vendor)

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