

**CORPORATE COMPLIANCE
CODE OF CONDUCT**



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PURPOSE: This Code of Conduct and Ethical Standards (“Code of Conduct”) has been adopted by the Wyoming Medical Center Compliance Committee and the Board of Directors to provide standards by which Board members, Medical Staff members, and employees of Wyoming Medical Center and Wyoming Health Medical Group (“Wyoming Medical Center”, “WMC”) will conduct themselves in order to protect and promote organization-wide integrity and to enhance Wyoming Medical Center’s ability to achieve the organization’s mission. This Code of Conduct shall be applied in conjunction with Wyoming Medical Center’s Organizational Ethics Policy, and the related policies referred to therein, the Principles of Partnership, and the Service Excellence Standards.

POLICY: The Code of Conduct contains Principles articulating the policy of the organization and Standards, which provide additional guidance. The Principles set forth in this Code of Conduct shall be distributed annually to all Board members, Medical Staff members, and employees. All Board members, Medical Staff members, contractors, volunteers, and employees are responsible to ensure that their behavior and activity is consistent with the Code of Conduct.

DEFINITIONS: As used in this Code of Conduct, the term “Wyoming Medical Center” means Wyoming Medical Center and each of its departments and operating or business units, including Wyoming Health Medical Group. The term employees refers to “board members,” “officers,” “directors,” “employees” (any person who is employed for wages or salary by Wyoming Medical Center), “medical staff,” “contractors,” and “volunteer” including any person who fills such a role or provides services on behalf of Wyoming Medical Center or any of its departments, operating, or business units.

MATERIALS and EQUIPMENT: N.A.



Wyoming
Medical Center

Code of Conduct and Ethical Standards

Wyoming Medical Center
Doing the right things for the right
reason

**CORPORATE COMPLIANCE
CODE OF CONDUCT**



Dear Wyoming Medical Center Employee,

This Code of Conduct is an integral component of the Wyoming Medical Center Compliance Program. The intent of this Code is not only to document Wyoming Medical Center's legal and ethical compliance requirements, but also to encourage each of us to think regularly about our actions and the consequences of our behavior in the workplace. We choose this commitment to reflect not only our pledge to the patients we serve, but also to the manner in which we conduct our business, in an open door manner and in accordance with applicable laws and ethical standards. For an individual or a corporation, there is no greater asset than a sterling reputation.

Our Code of Conduct provides every employee of Wyoming Medical Center a clear understanding of what is expected from each of us with respect to the Compliance Program. The Code of Conduct has been approved by the Wyoming Medical Center Compliance Committee and the Board of Directors, and it represents an affirmation of our commitment to high quality service and to compliance with applicable laws and ethical business practices. Every Wyoming Medical Center employee has an obligation to become familiar with this Code of Conduct and Ethical Standards, and then to abide by them

Wyoming Medical Center is committed to maintaining an open door policy and to providing "open lines of communication" with respect to compliance. If you ever have a concern that a law or ethical standard is being violated or is about to be violated, you have a job and ethical responsibility to raise your concern using the reporting process described in the Code of Conduct. It is Wyoming Medical Center's policy that no one will be penalized for raising an issue or concern in good faith. You will find the Code of Conduct includes a simple procedure for raising any concern you may have.

We at Wyoming Medical Center are committed to providing the highest level of patient care services. Adherence to the policies and principles set forth in the Code will help us achieve this goal.

Sincerely,

A handwritten signature in blue ink that reads "Michele".

Michele Chulick
President and CEO

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Expectations and Purposes

Wyoming Medical Center (WMC) expects and requires all employees of WMC to follow federal, state, and local laws, including all federal health care program requirements and WMC's policies and procedures. WMC intends for its Compliance Program to assist in preventing illegal conduct from occurring in WMC facilities/programs ("facilities") and within its employee health plans. The Compliance Program also demonstrates WMC's commitment to compliance with applicable laws. All WMC employees have an obligation to adhere to the tenets of the Compliance Program. In addition, WMC expects those who perform management services at WMC facilities and who administer its employee health plan to endorse and promote the Compliance Program. The Compliance Program is designed to:

- Maintain a Chief Compliance Officer who is responsible for leading the Compliance effort, and who is assisted by WMC's: Management, Board of Directors, employees, and the Compliance Committee;
- Advise WMC employees of applicable laws and to provide guidance in complying with those laws;
- Ensure that the Compliance Program is taken seriously by all WMC employees;
- Utilize a system of monitoring and oversight of business activity to ensure adherence to applicable laws; and
- Provide a means for reporting suspected unethical conduct and a mechanism for investigating such reports.

Fundamental Obligations

There are certain obligations that are fundamental to WMC's operations. We all have a responsibility to the organization, to our peers, and to the patients that we serve.

Responsibility to the Organization – Obey the Law

Every WMC employee is expected to be familiar with the basic legal requirements relevant to his or her duties. The following sections provide guidance to employees and management to assist them in their obligation to comply with applicable laws. These standards are neither exclusive nor complete. Employees are required to comply with all applicable laws, whether or not specifically addressed in these policies. All WMC employees are expected to report any suspected violations of Federal Health Care Programs, or of any of WMC's Policies and Procedures to the Chief Compliance Officer. If questions regarding the existence of, interpretation or application of any law arise, please direct questions to the Chief Compliance Officer.

Antitrust

All employees must comply with applicable antitrust and similar laws, which regulate competition. Examples of conduct prohibited by the laws include: (1) agreements to fix prices, bid rigging, collusion (including price sharing) with competitors; (2) boycotts, certain exclusive dealing and price discrimination agreements; and (3) unfair trade practices including bribery, misappropriation of trade secrets, deception, intimidation, and similar unfair practices. Employees are expected to seek advice from the WMC Chief Compliance Officer when confronted with business decisions that involve risking a violation of the antitrust laws.

Tax

As a nonprofit entity, WMC has a legal and ethical obligation to act in compliance with applicable laws, to engage in activities in furtherance of its charitable purpose, and to ensure that its resources are used in a manner that furthers the public good rather than private or personal interests of any individual. Consequently, WMC and its employees will avoid compensation arrangements in excess of fair market value, will accurately report payments to appropriate taxing authorities, and will file all tax and information returns in a manner consistent with applicable laws.

Fraud and Abuse

WMC expects its employees to refrain from conduct which may violate fraud and abuse laws. These laws prohibit: (1) direct, indirect or disguised payments in exchange for the referral of patients; (2) the submission of false, fraudulent or misleading claims to any government entity or third party payor, including: claims for services not rendered, claims which characterize the service differently than the service actually rendered, or claims which do not otherwise comply with applicable program or contractual requirements; and (3) making false representations to any person or entity in order to gain or retain participation in a program or to obtain payment for any service.

Lobbying/Political Activity

WMC expects its employees to refrain from representing WMC when engaging in activities such as lobbying and political activities that may jeopardize the tax-exempt status of the organization.

1. No individual may make any agreement to contribute any money, property, or services of any officer or employee at WMC's expense to any political candidate, party, organization, committee, or individual in violation of any applicable law. Employees may personally participate in and contribute to political organizations or campaigns, but they must do so as individuals, not as representatives of WMC, and they must use their own funds.
2. Authorized officers of WMC may publicly offer recommendations concerning proposed

legislation or regulations when the legislation or regulations relate to the operations of WMC.

3. All WMC contacts and transactions with governmental bodies and officials shall be conducted in an honest and ethical manner. Any attempt to influence the decision-making process of governmental bodies or officials by an improper offer of any benefit is prohibited. Any requests or demands by any governmental representative for any improper benefit should be immediately reported to the WMC Chief Compliance Officer.

Environmental

It is the policy of WMC to manage and operate in a manner, which respects our environment and conserves natural resources. WMC employees will strive to utilize resources appropriately and efficiently, recycle and otherwise dispose of all waste in accordance with applicable laws and regulations. In addition, employees will work with appropriate authorities to remedy any environmental contamination for which WMC may be responsible.

Responsibility to our Peers

Non-Discrimination

WMC believes that the fair and equitable treatment of: employees, patients and other persons is critical to fulfilling its vision and goals. It is a policy of WMC to treat patients and recruit, hire, train, promote, assign, transfer, layoff, recall, and terminate employees without regard to the race, color, religion, sex, sexual orientation, gender identity, gender expression, ethnic origin, age, disability of such person, or any other classification prohibited by law.

No form of harassment or discrimination on the basis: of sex, sexual orientation, gender identity, gender expression, race, color, disability, age, religion or ethnic origin or disability or any other classification prohibited by law will be permitted. Each allegation of harassment or discrimination will be promptly investigated in accordance with applicable human resource policies.

Business Ethics

In furtherance of WMC's commitment to the highest standards of business ethics and integrity, employees will accurately and honestly represent WMC and will not engage in any activity or scheme intended to defraud anyone of money, property, or honest services. Every WMC employee is expected to conduct business with honesty and integrity. All communications within WMC and to outside agencies must be truthful. Every WMC employee must avoid using his or her position illegally or unethically for personal gain and must avoid conflicts of interest.

Honest Communication

WMC requires candor and honesty from individuals in the performance of their responsibilities and in communication with our attorneys and auditors. No employees shall make false or misleading statements to any patient, persons, or entities doing business with WMC about other patients, persons, or entities doing business or competing with WMC, or about the products or services of WMC.

Misappropriation of Proprietary Information

WMC employees shall not misappropriate confidential or proprietary information belonging to another person or entity, nor utilize any publication, document, computer program, information or product in violation of a third party's interest in such product. All WMC employees are responsible to ensure they do not improperly copy for their own use documents or computer programs in violation of applicable copyright laws or licensing agreements. Employees shall not utilize confidential business information obtained from competitors, including: customer lists, price lists, contracts, or other information in violation of a covenant not to compete, prior employment agreements, or in any other manner likely to provide an unfair competitive advantage to WMC.

Information, ideas, and intellectual property assets of WMC are important to organizational success. Information pertaining to WMC's competitive position or business strategies, payment and reimbursement information, and information relating to negotiations with employees or third parties should be protected and shared only with employees who have a need to know such information in order to perform their job responsibilities.

Confidentiality

WMC employees shall strive to maintain the confidentiality of patients and other confidential information in accordance with applicable legal and ethical standards.

WMC and its employees are in possession of and have access to a broad variety of confidential, sensitive, and proprietary information, the inappropriate release of which could be injurious to individuals, WMC's business partners and WMC itself. Every employee has an obligation to actively protect and safeguard confidential, sensitive and proprietary information to prevent unauthorized disclosure of information, and to fully comply with WMC's confidentiality policies and HIPAA requirements. If questions arise regarding an obligation to maintain the confidentiality of information or the appropriateness of releasing information, employees should seek guidance from the Privacy Officer.

Conflicts of Interest

Employees owe a duty of undivided and unqualified loyalty to the organization. This loyalty does not prevent medical staff from referring their patients to the most appropriate service provider. Persons holding such positions may not use their positions to profit personally or to assist others in profiting in any way at the expense of the organization. (Please refer to the WMC's Conflict of Interest Policy for further guidance.)

Participation on Boards of Directors/Trustees

1. Employees must obtain approval from the Chief Compliance Officer prior to serving as a member of the Board of Directors/Trustees of any organization whose interests may conflict with those of WMC. Non-employed medical staff who do not hold business decision making positions within WMC may serve as a member of the Board of Directors/Trustees of other institutions without WMC approval so long as they do not take with them proprietary or confidential WMC information.
2. Any such person who is asked, or seeks to serve on the Board of Directors/Trustees of any organization whose interest would not impact WMC (for example, civic [non-governmental], charitable, fraternal and so forth) will not be required to obtain such approval.
3. All fees/compensation (other than reimbursement for expenses arising from Board participation) that is received from Board services provided during normal work time shall be paid directly to WMC.
4. Such persons must disclose all Board of Directors/Trustees activities in the annual Conflict of Interest disclosure statement, or within 30 days of notice of appointment, whichever occurs first.
5. WMC retains the right to prohibit membership on any Board of Directors/Trustees where such membership might conflict with best interest of WMC, except for non-employed medical staff.
6. Questions regarding whether or not Board participation might present a conflict of interest should be discussed with such persons, including the: Chief Compliance Officer, CEO, or Board of Directors, as appropriate.

Honoraria

Employees are, with the permission of their supervisor, encouraged to participate as faculty and speakers at educational programs and functions. With supervisor approval, employees may also

participate in other activities where the employee receives compensation, honoraria, or stipend. However, any compensation in excess of Fifty Dollars (\$50.00) shall be turned over to WMC unless the employee used paid time off to attend the program or that portion of the program for which the honoraria is paid.

Drug Diversion

Many WMC employees have access, through their job responsibilities, to prescription medications and controlled substances. Employees authorized to distribute medications should do so only with an appropriate provider order and must follow facility policies regarding the documentation of dispensing and wasting of such. If you suspect an individual to be diverting medications, it is your responsibility to report this activity to human resources, the compliance officer, or the compliance hotline.

Business Relationships

Business transactions with vendors, contractors, and other third parties shall be transacted free from offers or solicitation of gifts and favors or other improper inducements in exchange for influence or assistance in a transaction.

The standards set forth below are intended to guide employees in determining the appropriateness of the listed activities or behaviors within the context of WMC's business relationships, including relationships with vendors, providers, contractors, third party payors, and government entities. It is the intent of WMC that this policy be construed broadly to avoid even the appearance of improper activity. If there is any doubt or concern about whether specific conduct or activities are ethical or otherwise appropriate, you should contact the Chief Compliance Officer.

Gifts and Gratuities

It is WMC's desire to preserve and protect its reputation and avoid the appearance of impropriety. Consequently,

1. **Gifts from Patients.** Employees are prohibited from soliciting monetary tips, personal gratuities, or gifts from patients, and are also prohibited from accepting monetary tips or gratuities. Employees and physician may accept gifts such as lunch or "treats" with a value less than \$25 per person.. If a patient or another individual wishes to present a monetary gift, he/she should be referred to the WMC Foundation.
2. **Gifts Influencing Decision-making.** Employees shall not accept gifts, favors, services, entertainment, or other things of value to the extent that decision-making or actions affecting WMC might be influenced. Similarly, the offer or giving of money, services, or other things of

value with the expectation of influencing the judgment or decision-making process of any purchaser, supplier, customer, government official, or other person by WMC is prohibited. Any such conduct must be reported immediately either to the Chief Compliance Officer or the Compliance Hotline.

3. **Gifts from Existing Vendors.** Employees may retain gifts from vendors, which have a nominal value. For purposes of this policy, “nominal value” is defined (\$100.00) or less annually. If an employee has any concern whether a gift should be accepted, the employee should consult with his/her supervisor or the Chief Compliance Officer. To the extent possible, these gifts should be shared with the employees’ co-workers. Employees shall not accept excessive gifts, meals, expensive entertainment, or other offers of goods or services, which have more than a nominal value without prior approval from the Chief Compliance Officer, nor may they solicit gifts from vendors, suppliers, contractors, or other persons.

4. **Vendor Sponsored Entertainment.** At a vendor’s invitation, an individual may accept meals or refreshments at the vendor’s expense, if the value of such meals or refreshments is nominal. In most circumstances, a regular business representative of the vendor should be in attendance with the employee.

5. **Soliciting Gifts for Charitable Giving.** From time-to-time, certain individual may seek approval from HR, Compliance, or the Foundation to solicit gifts as donations from sponsors or individual to action for charitable giving actives.

Nothing in this policy shall prohibit a department or supervisor from establishing stricter rules relating to the acceptance of gifts, gratuities or other things of value from vendors.

Contracting

Employees may not utilize “insider” information for any business activity conducted by or on behalf of WMC. All business relations with contractors must be conducted at arm’s length both in fact and in appearance, and must be within compliance of WMC’s policies and procedures. Employees who have personal relationships and/or conduct business activities with contractor personal must disclose these relationships, if these relationships could be construed by an impartial observer as influencing such person’s performance or duties. Employees have a responsibility to obtain clarification from management employees on questionable issues that may arise and to comply, where applicable, with the WMC’s Conflict of Interest Policy.

Business Inducements

Appropriate commissions, rebates, discounts, and allowances are customary and acceptable business inducements provided that they are approved by WMC management and that they do not

constitute illegal or unethical payments. Any such payments must be reasonable in value, competitively justified, properly documented, and made to the business entity to which the original agreement or invoice was made or issued. Such payments should not be made to individual employees or agents of business entities.

In addition, WMC may provide gifts, entertainment, and meals of nominal value to customers, current and prospective business partners and other persons when such activities have a legitimate business purpose.

WMC may extend business courtesies, as defined and described within Policy Number: CC-0008, to a potential referral source and his or her immediate family members provided the total value of such business courtesies does not exceed \$407 per calendar year.

WMC may provide approved, as defined and described within Policy Number: CC-00013, gifts to a patient or a patient's family with a value of less than \$15.00 per gift with an annual cap of \$75.00.

Protection of Assets

All employees will strive to preserve and protect the corporation's assets by making prudent and effective use of WMC resources, as well as properly and accurately reporting the financial condition.

The Standards set forth below are intended to guide employees by articulating WMC's expectations as they relate to activities or behaviors which may influence WMC's financial health or which reflect a reasonable and appropriate use of the assets of a nonprofit entity.

Internal Control

WMC has established control standards and procedures to ensure that assets are protected and properly used and that financial records and reports are accurate and reliable. All employees of WMC share the responsibility of maintaining and complying with required internal controls.

Financial Reporting

All financial reports, accounting records, research reports, expense accounts, time sheets, and other documents must accurately and clearly represent the relevant facts or the true nature of a transaction. Improper or fraudulent accounting, documentation, or financial reporting is contrary to the policy of WMC and may be in violation of applicable laws.

Personal Use of Corporate Assets

All employees are expected to refrain from converting assets of the organization to personal use. All property and business of the organization shall be conducted in the manner designed to further WMC's interest rather than the personal interest of an individual employee. Employees are prohibited from the unauthorized use or taking of WMC's equipment, supplies, materials, or services. Prior to engaging in any activity on company time which will result in remuneration to the employee or the use of WMC's equipment, supplies, materials or services for personal or non-work related purposes, employees shall obtain the approval of the appropriate business unit or other management.

Reporting Violations

Every employee is expected to utilize WMC's Compliance and Reporting Process (see details below) to ask about or report any activity he or she reasonably believes is a suspected violation of the law, including federal health care program requirements, or any of WMC's policies and procedures. One need not be certain that a violation has occurred or will occur in order to ask about it or to report it. Inquiring and reporting enables WMC to investigate potential problems quickly and to take prompt action to resolve them. Inquiries and reports may be made without fear of retribution or retaliation.

Q. How do I know if I am on ethical "thin ice?"

A. If you are worried about whether your actions will be discovered, if you feel a sense of uneasiness about what you are doing, or if you are rationalizing your activities on any basis (such as perhaps the belief that "everyone does it"), you are probably on ethical "thin ice." Stop, step back, consider what you are doing, get advice, and redirect your actions to where you know you are doing the right thing.

Q. My supervisor directed me to do something that I believe is against WMC's policy and, perhaps, the law. I don't want to do something improper, but I'm afraid if I don't do as I'm told, I may be retaliated against. What should I do?

A. Consider discussing the request with your supervisor to be sure you understand the facts and that he or she is aware of your concern. If you cannot comfortably discuss the situation with your supervisor or cannot resolve your concern at this level, approach a more senior manager. Other resources that may be used are: the Chief Compliance Officer, (Call 307-577-7201 or email compliance@wyomingmedicalcenter.org) and the Confidential Compliance Hotline (1-888-419-0597 or <https://WMC.alertline.com>). Do not risk your job or the organization's future by taking part in an improper activity. There are appropriate actions you can take. Retaliation

against employees who raise such concerns in good faith is strictly prohibited.

Q. If I suspect that a fellow employee is violating a WMC policy or the law, including federal health care program requirements, whom should I contact?

A. The ability of WMC to uphold its ethical standards depends on employees taking action if they believe a violation is occurring. Use the WMC Reporting Process. If possible, start with your supervisor and explain the issue to him or her. If you don't get the issue resolved at this level, contact a more senior manager or Chief Compliance Officer. Continue this process until you get an answer that makes sense to you. If you are uncomfortable discussing the issue with someone at your location, or wish to remain anonymous, you may call the Confidential Compliance Hotline at 1-888-419-0597 or <https://WMC.alertline.com>.

The WMC Inquiry and Reporting Process

Wyoming Medical provides a variety of services, and there are complex, ever-changing rules and regulations that govern the provision of and reimbursement of each type of service. WMC recognizes that this can create areas of uncertainty for employees carrying out their daily operations. Questions and concerns about the correct way to handle different situations may, and often do, arise. Employees should use the following process to find the answers they need.

- **If you are in doubt about an issue or you have a concern, ask!**

Keep asking until you get an answer that makes sense. Is the action legal? Is it consistent with policies and procedures? If you know it is wrong, don't do it.

- **Follow the WMC Inquiry and Reporting Process.**

Remember that it is always better to ask questions before taking an action that may be improper. It is WMC's policy to ensure that no employee is penalized for raising an issue or concern in good faith. Someone may be disciplined for reporting alleged misconduct if he or she knowingly and intentionally reports something that he or she knows to be false or misleading in order to harm another.

- Discuss the issue with your immediate supervisor. If you are not comfortable discussing the issue with your supervisor, go to the next step.
- Discuss the issue with a higher-level manager. If you are not comfortable taking this step, go to the next step.

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- Discuss the issue with another resource, such as the Chief Human Resource Officer or Chief Compliance Officer (Call 307-577-7201 or email compliance@wyomingmedicalcenter.org), or go to the next step.
- Contact the Confidential Compliance Hotline at 1-888-419-0597 or <https://WMC.alertline.com> (Compliance Hotline explained below).

Q. If I report something suspicious, will I get in trouble if my suspicion turns out to be wrong?

A. As long as you honestly have a concern, our policy prohibits you from being reprimanded or disciplined. As a WMC team member, **you have a responsibility to report suspected problems.** In fact, those bound by the WMC Compliance Program may be subject to discipline if they witness a potentially unethical or illegal activity but do not report it to the company. The only time someone will be disciplined for reporting misconduct is if he or she knowingly and intentionally reports something that he or she knows to be false or misleading in order to harm someone else.

WMC Confidential Compliance Hotline

Any individual may call the Confidential Compliance Hotline to ask questions concerning ethical or legal conduct or to report any potentially improper action.

Calls are not traced or recorded, and callers can report concerns confidentially, anonymously, and without fear of retribution or retaliation.

The Confidential Compliance Hotline provides an additional method of communicating when an employee is uncomfortable using other channels or needs additional assistance.

The Chief Compliance Officer will initiate an investigation of issues that cannot be otherwise resolved and will monitor the matter through to resolution. Callers will be given a personal identification number, “PIN,” so they can call for an update at a later date. (See compliance hotline policy for additional information.)

Wyoming Medical Center
Confidential Compliance Hotline

1-888-419-0597

<https://WMC.alertline.com>

Regulatory Compliance

WMC provides varied services. These services are provided only in compliance with Federal health care program requirements and appropriate federal, state, and

local laws. Such regulations may include subjects such as: fraud and abuse, conditions of participation, certificates of need, licenses, permits, accreditation, access to treatment, consent to treatment, medical record-keeping, access to medical records, confidentiality, patients' rights, medical staff membership, clinical privileges, company practice of medicine restrictions, and Medicare and Medicaid rules. Employees, including management, and any contractors or agents of affiliated

facilities are required to be aware of and adhere to all applicable laws, including Federal health care program requirements and company policies.

Federal False Claims Act — What is a Violation?

One way in which the federal government encourages compliance with healthcare laws is through the Federal False Claims Act. The Federal False Claims Act makes it a crime for any person or organization to knowingly make a false record or file a false claim with the government for payment. Examples of possible false claims include: knowingly billing for services not provided, falsifying records, double billing for items or services, submitting bills for services never performed or items never furnished, billing for services not ordered by a physician, failing to report overpayments or credit balances, billing for services that were provided at a substandard quality where the government would not pay, or failure to report fraud. There are severe monetary penalties for False Claims, including potential jail time.

Who Can Make a Claim for a Violation?

A person who knows of a false claim or fraudulent act can file a lawsuit in federal court on behalf of the government under a “*qui tam*” provision, commonly referred to as the “whistleblower” provision. The purpose of this *qui tam* suit is to recover the funds paid by the government because of the false claims. Sometimes the U.S. Government decides to join the *qui tam* suit. If the suit is ultimately successful, the person who initially brought the suit may be awarded a percentage of the funds recovered. The court may reduce the reporting person's share of the proceeds if the court finds that the reporting person planned and initiated the false claims violation. Further, if the reporting person is convicted of criminal conduct related to his/her role in the preparation or submission of the false claim(s), the reporting person will be not dismissed from the civil action without receiving any portion of the proceeds.

Retaliation Prohibited

The Federal False Claims Act further protects anyone who files a *qui tam* lawsuit from being fired, demoted, threatened or harassed by his or her employer in retaliation for filing the suit. If a court finds that the employer retaliated against the employee, the court can order the employer to reinstate the employee, and pay the employee back pay with any other compensation arising from the retaliatory conduct.

WMC Compliance

WMC is committed to preparing and submitting accurate claims consistent with all Federal health care program requirements. The compliance program supports compliance with fraud and abuse laws by:

- Monitoring and auditing to prevent or detect errors in coding and billing.
- Educating employees, management and contractors, that they are responsible for reporting any concerns about a possible false claim, and by providing reporting procedures.
- Investigating all reported concerns and correcting any billing errors discovered.
- Protecting our employees from adverse action when they do the right thing by reporting any genuine concern through the Confidential Compliance Hotline or to a member of management. WMC will investigate any allegation of retaliation against an employee for speaking up.

WMC encourages its employees to report concerns to their immediate supervisor. If the supervisor is not deemed to be the appropriate contact, or if the supervisor fails to respond quickly and appropriately to the concern, then the individual with the concern is encouraged to discuss the situation with the facility's human resources manager, the CEO, or another member of management. The employee can also call the Confidential Compliance Hotline at 1-888-419-0597, log on to <https://WMC.alertline.com>, or contact the Chief Compliance Officer at 307-577-7201 or email at compliance@wyomingmedicalcenter.org.

Relationships with Patients

Quality of care is a key component of the Compliance Program. This commitment requires each employee who is involved with direct care to abide by the following principles:

- Employees will not knowingly bring harm to any patient/resident/client/Individual (collectively, "patients"). Employees will protect patients from abuse or neglect at all times.
- Employees will not become involved in relationships with patients, former patients, or patients' family members whereby the relationship is used for personal gain or emotional need fulfillment at the expense of the patient's welfare.
- Employees will not become emotionally or physically involved with any patient in such a way as to transcend the bounds of the therapeutic relationship.

Education and Training

New employees must receive compliance training during orientation. In addition,

employees must participate in periodic compliance training annually.

Proper Documentation

Each member of the WMC team is responsible for the integrity and accuracy of the documents and records within their sphere of operation, to comply with Federal health care program requirements, and to also ensure that records will be available to support our business practices and actions. No one may alter or falsify information on any record or document, and company books and records may not contain false or misleading information.

All professional services must be accurately and properly documented in a manner consistent with federal health care program requirements prior to billing for those services. Omission of pertinent information compromises the integrity of a record. Claims may only be submitted when appropriate documentation supports the claim and only when such documentation is maintained and is available for audit and review. In order to facilitate such audit and review, all records and medical notes should be appropriately organized and in a legible form. Financial transactions should be recorded in accordance with generally accepted accounting principles and WMC policies and standards.

Q. I am an RN. A fellow RN called me from home after she completed her shift. She told me that she forgot to enter an order for a change in medication for a patient that had been phoned in at 9:00 a.m. by the patient's physician. The nurse asked me to log the change into the patient's chart at the appropriate time, 9:00 a.m., and to use her initials. She said charts are often updated in this way and no harm is done. Is this OK?

A. While the nurse did the right thing by calling to note the chart error, the error should be promptly reported to the shift supervisor. You should never record an order you did not hear and never sign someone else's signature or initials. Even if no harm occurred in this case, the error needs to be reported. If you fear retribution from other nurses, bring your concern to the attention of your supervisor. WMC does not tolerate retaliation against employees who promptly report errors or omissions.

Q. In preparation for an accreditation visit, my supervisor has asked me to review medical records and to fill in any missing signatures. May I do this?

A. No. It is wrong to sign another healthcare provider's name in the medical record. It is part of our basic integrity obligation to provide only complete and fully accurate information to accrediting groups. You should raise a concern with your supervisor or the compliance officer.

Billing for Services

WMC only bills for services actually rendered. Services rendered must be accurately and completely documented to ensure both proper billing and integrity of the medical database. Billing must comply with the requirements of state and federal payors and conform to all payor contracts and agreements.

Substantiating medical documentation must be provided for all services rendered. Always bill on the principle that if the appropriate documentation has not been provided, the service has not been rendered. Medical records may be amended to correct an error or complete documentation only in accordance with established medical records procedures -- and not for the purpose of covering up errors or obtaining any payment to which we are not entitled. Medical records may not be erased or altered. Billing data must be retained for periods described by law and by WMC policies.

When any payor agreement requires the collection of co-payments or deductible amounts, a good faith attempt must be made to collect these amounts to the full extent of the payor agreement. Co-payment or deductible waivers may be made only in accordance with the written policies of such payor and WMC policy.

Employees who suspect that improper billing or documentation is occurring should immediately alert their supervisor or a higher-level manager. The Chief Compliance Officer is also available for consultation. Additionally, any employee may call the Confidential Compliance Hotline if the issue remains of concern.

Q. The Chief Financial Officer issued a memorandum indicating that while it may be technically unlawful to bill for certain medical devices, he knows from a conversation with colleagues in neighboring facilities that everyone is ignoring the regulation. I feel uneasy with these instructions. What should I do?

A. Clarify with your supervisor any activity that you feel is "unlawful." If you are not satisfied with the supervisors explanation or you do not feel comfortable approaching him/her on this issue, contact the supervisor. Keep asking questions until you get an answer that makes sense to you. Many resources are available to you, including your Compliance Officer (Call 307-577-7201 or email compliance@wyomingmedicalcenter.org) and the Confidential Compliance Hotline (1-888-419-0597 or <https://WMC.alertline.com>).

Marketing and Advertising

WMC may use marketing and advertising activities to educate the public, provide information to the community, increase awareness of WMC services, and to recruit. Such marketing and advertising activities must present only truthful information.

Financial Relationships with Physicians

Any business arrangement with a physician or a physician's family member must be structured to ensure precise compliance with legal requirements. Such arrangements must be in writing and submitted for review in accordance with the Contract Approval policy, where the proposed arrangement will be analyzed in compliance with Federal and State Stark Laws, Anti-kickback provisions, and self-referral prohibitions. In order to ethically and legally meet all standards regarding referrals and admissions, WMC will adhere strictly to three rules:

1. **Do not pay for referrals.** WMC accepts patient referrals and admissions based solely on the patient's medical needs and our ability to render the needed services. We do not pay or offer to pay anyone -- colleagues, physicians, or other persons -- for referral of patients.
2. **Do not accept payments for referrals that we make.** No employee or any other person acting on behalf of the organization is permitted to solicit or receive anything of value, directly or indirectly, in exchange for the referral of patients. Similarly, when making patient referrals to another healthcare provider, we do not take into account the volume or value of referrals that the provider has made or may make to us.
3. **Adhere strictly to the terms of approved written business arrangements.** Violation of this policy may have grave consequences for the organization and the individuals involved, including civil and criminal penalties, and possible exclusion from participation in federally funded healthcare programs.

Q. What should I do if a physician asks me to provide payment or compensation in exchange for referrals to my facility?

A. Such a request is against WMC's principles and may be illegal. Discuss the situation with your supervisor, a higher-level manager, the Chief Compliance Officer, or another WMC resource such as the Confidential Compliance Hotline. Any supervisor or manager receiving this type of information should notify the Chief Compliance Officer.

Q. I work in the payroll/accounts payable department and every month I process a check for a medical director. Recently I learned from a friend that the physician never performs services as a medical director. What should I do?

A. When encountering questionable circumstances, such as this, bring the information to the attention of your supervisor, a higher-level manager or another resource such as the Chief Compliance Officer or the Confidential Compliance Hotline.

Q. I was recently asked to have a physician execute a lease for office space in our facility. I noticed that the monthly payment was only \$5, which I judged to be substantially below fair market value. What should I do?

A. When you discover what you think may be an unusual arrangement, bring this information to the attention of your supervisor, a higher-level manager, the Chief Compliance Officer or Confidential Compliance Hotline. Improper inducements can come in many forms including below-market rent.

Relationships with Vendors and Contractors

WMC and its affiliated entities must always employ the highest ethical standards of business practices in vendor and contractor selection, negotiation, determination of contract awards, and the administration of all purchasing activities. The selection of contractors, suppliers, and vendors must be made on the basis of objective criteria including quality, technical excellence, price, delivery, adherence to schedules, service, and maintenance of adequate sources of supply. Purchasing decisions must be made on the contractor or supplier's ability to meet WMC needs, and not on personal relationships and friendships.

WMC contractors who furnish Medicare or Medicaid health care items or services or are involved in the monitoring of health care provided by a WMC affiliate ("health care contractors") shall receive and adhere to the Code of Compliance and Ethical Standards, as well as be in compliance with all other tenets of the WMC Compliance Program. Such contractors include, but are not limited to, billers and coders, therapists, physicians, pharmacies, and medical supply vendors. Regardless of the type of contractor, however, WMC contractors, suppliers, and vendors should promptly report any compliance concerns to the Compliance Director or to the Confidential Compliance Hotline.

Credentialing and Excluded Provider Policy

Prior to employing, contracting with, or in any way utilizing the services of a person who is required to be licensed, registered, or certified in order to perform the functions he or she will perform, the licensure, registration, or certification of such person must be verified.

In addition, WMC may not contract, by employment or otherwise, with an individual or entity which has been excluded from participation in a federally funded healthcare financing program, for the provision of items or services for which payment may be made under such a program. Accordingly, prior to employing or contracting with any provider, appropriate steps must be taken to confirm that the provider has not been excluded from participation.

Those steps include checking the individual or entity's name prior to retention and monthly thereafter (at least annually) against the Office of Inspector General's (OIG's) List of Excluded Individuals/Entities (LEIE), which may be found at <http://exclusions.oig.hhs.gov/>, or at the System for Award Management found at www.sam.gov. If WMC learns that an individual or entity (either as an employer or as contractor) is excluded, WMC must not hire or use that individual or entity.

Working with Accreditation Bodies

WMC and employees must work with all accrediting bodies in a direct, open, and honest manner. No action should ever be taken in relationships with accrediting bodies that would mislead the accreditor or its survey teams, either directly or indirectly.

The scope of matters related to accreditation of various bodies is extremely significant and broader than the scope of this Code of Compliance and Ethical Standards.

Q. One of the Joint Commission surveyors is an old friend of mine from our days in the military. Later, I joined WMC, and my friend became a surveyor. During the survey of our facility, I invited my friend (the surveyor) to have dinner with me later that evening. We both avoided discussing the survey. Is this acceptable?

A. Our ethical standards require that we avoid even the appearance of impropriety. Explain the situation to your friend and avoid socializing with him or her until well after the survey has been completed and the survey recommendations have been submitted to the facility.

Government Investigations

Government investigations are common in today's healthcare environment and procedures for cooperating with these investigations may be complex. If you become aware of a subpoena, search warrant, investigation or other legal action, immediately inform the administrator and call the

Chief Compliance Officer, notifying the person taking the call that you are calling concerning a potential government investigation. The Chief Compliance Officer will assist in verifying the credentials of the investigator, determining the legitimacy of the investigation, and following proper procedures for cooperating with the investigation.

WMC employees must be forthright and courteous in dealing with any legitimate investigation. Requests for information must be answered with complete, factual, and accurate information. Employees must never destroy or alter any company document in anticipation of a request for the document by a governmental entity. In addition, employees must never lie or make false or misleading statements, or attempt to persuade any other person to provide false or misleading information, to any government investigator.

In some cases, government investigators, or persons presenting themselves as government investigators, may contact employees outside of the workplace, during non-work hours, or at home. Do not feel pressured to talk with the person under such circumstances without first contacting the administrator and the Chief Compliance Officer. You may also consult your personal attorney. It is the legal right of employees to contact legal counsel before responding to questions by an investigator.

Q. The local district attorney called and asked me to give a statement regarding our treatment of a particular patient. Should I respond?

A. We have a responsibility to protect patient confidentiality. Do not provide confidential patient information to the person who identifies himself or herself as a district attorney until you have spoken with the administrator on duty and the Chief Compliance Officer.

Q. What should I do if an FBI agent comes to my home and asks to talk to me about the activities of my department?

A. WMC cannot prohibit you from talking to a government investigator if you wish to do so. However, you may consult with the administrator on duty, the Compliance Office, or your personal attorney before answering any questions. Asking to speak with legal counsel before answering questions is your right and in no way indicates that you are not cooperating fully with an investigation.

Internal Investigations

WMC is committed to investigating all reported concerns promptly and confidentially to the

fullest extent possible. The Chief Compliance Officer will coordinate any findings from the investigations and immediately recommend corrective action or changes that need to be made. All employees are expected to cooperate with investigation efforts in an honest manner. Failure to cooperate can subject employees to disciplinary action, up to and including termination.

Corrective Action

Where an internal investigation substantiates a reported violation, it is WMC policy to initiate corrective action, including, as appropriate, making prompt restitution of any overpayment amounts, notifying the appropriate governmental agency, instituting whatever disciplinary action is necessary, and implementing systemic changes to prevent a similar violation from recurring in the future.

Evaluation of Adherence

All employees of WMC and its affiliated entities will be evaluated periodically to determine their level of adherence to the Compliance Program. Such adherence is a condition of employment.

All managers at WMC and its affiliated entities should:

1. Adhere to and instruct their supervised employees on the compliance policies and legal requirements applicable to their function,
2. Inform all supervised personnel that strict compliance with these policies and requirements is a condition of employment, and
3. Disclose to all supervised personnel that willfully or recklessly engaging in illegal activity or violating the Compliance Program may result in disciplinary action, including termination of employment.

Managers may be sanctioned for failing to instruct their subordinates adequately and for failing to detect noncompliance with applicable policies and legal requirements, where reasonable diligence on the part of the manager or supervisor would have led to the discovery of such noncompliance and would have given the organization the opportunity to correct them.

Consequences of Violations, Including Discipline

All violations of law, including failure to comply with federal and state health care program requirements, failure to comply with WMC policies and procedures, and failure to report any known violations will subject the employee(s) involved to disciplinary action. The precise discipline utilized will depend on the nature, severity, and frequency of the violation and may

result in disciplinary actions up to and including termination.

Violations could also result in criminal, civil, or administrative fines, penalties, or sanctions against WMC, its affiliates, or its employees. Furthermore, violations could lead to exclusion of WMC, its affiliates, or employees from participation in federal health care programs.

Acknowledgement Process

All WMC employees and health care contractors are required to sign an acknowledgment confirming they have received the Code of Conduct and that they understand it represents fundamental and mandatory policies of WMC; they must also be aware that they agree to comply with and adhere to this Code. New employees and contractors will be required to sign the acknowledgment as a condition of employment and contractors will be required to sign the acknowledgment or sign a contract containing an acknowledgment of receipt of a hard copy. All WMC workforce members and the public may also access an electronic copy via access to the WMC internet webpage: www.wyomingmedicalcenter.org.

Nothing in this Code of Conduct is intended to nor shall be construed as providing any additional employment or contract rights to employees or other persons.

***Special Notes:**

1. Exceptions to this policy are at the discretion of the Chief Compliance Officer or designee.
2. WMC reserves the right to eliminate or change this policy at any time.

RELATED DOCUMENTS: N.A.

KEY PROVIDERS: Chief Compliance Officer

KEY REVIEWER/OWNER: Chief Compliance Officer

STAKEHOLDERS: All WMC Employees, Volunteers, Physicians, Vendors, and Contractors

REVIEW DATE: 08/2018 07/2017, 06/2016, 07/2015, 08/2014, 08/2013, 08/2012, 04/2012, 01/2012, 06/2011, 11/2008