

System – Administrative

TITLE:

Code of Conduct and Ethics

OUTCOME STATEMENT:

This policy, which is rooted in our mission and values and is based on the social teachings of the Catholic Church, the Ethical and Religious Directives for Catholic Health Care Services, SSM Health’s Corporate Responsibility Process, and relevant laws, regulations, and accreditation standards, outlines the Code of Conduct and Ethics (“Code”) for SSM Health (“SSM”) and all those who act on the organization’s behalf.

SCOPE:

Governing and Advisory Board members, executive management, administrators, employees, nurses, physicians, other clinicians, agents, and any other representative of SSM Health, including SSM hospitals*, SSM Medical Groups, Dean Health Plan, SSM operating entities, subsidiaries, and/or controlled affiliates shall be guided by this Code.

FILE MAINTENANCE INFORMATION:

Original Effective Date: 01/01/2011
 Revision Dates: 04/01/2014; 01/01/2017; 12/17/2020; 07/14/2021
 Review Dates:
 Author(s): System Vice President Corporate Responsibility
 Body or Person Last Approved: SSM Health Wisconsin and Dean Health Plan Board of Directors
 SSM Health Board of Directors
 SSM Health Policy Board

* As required by CMS Regulation §482.12 A-0043 Conditions of Participation: Governing Body, the following hospitals are included as SSM ministries:
Missouri: (1) SSM Health St. Mary’s Hospital – St. Louis and SSM Health Cardinal Glennon Children’s Hospital, (2) SSM Health DePaul Hospital – St. Louis, (3) SSM Health St. Clare Hospital – Fenton, (4) SSM Health St. Joseph Hospital – Lake St. Louis, (5) SSM Health St. Joseph Hospital – St. Charles and SSM Health St. Joseph Hospital – Wentzville, (6) SSM Health St. Mary’s Hospital – Jefferson City, (7) SSM Health St. Louis University Hospital
Oklahoma: (1) SSM Health St. Anthony Hospital and Bone & Joint Hospital at St. Anthony, (2) SSM Health St. Anthony Shawnee Hospital, (3) SSM Health St. Anthony’s Hospital- Midwest City (4/1/2021),
Wisconsin: (1) SSM Health St. Mary’s Hospital – Madison, (2) SSM Health St. Clare Hospital – Baraboo, (3) SSM Health St. Mary’s Hospital – Janesville, (4) The Monroe Clinic, (5) Ripon Medical Center, (6) Waupun Memorial Hospital, (7) St. Agnes Hospital,
Illinois: (1) SSM Health St. Mary’s Hospital – Centralia and (2) SSM Health Good Samaritan Hospital – Mt. Vernon

DEFINITIONS

- I. **Code of Conduct:** A set of rules outlining the social norms, rules and responsibilities of, or proper practice for, an individual, party or organization.
- II. **Ethics:** Moral principles that govern a person or group's behavior.
- III. **The Ethical and Religious Directives (ERDs) for Catholic Health Care:** Theological principles promulgated by the United States Conference of Catholic Bishops to reaffirm the ethical standards of behavior in health care that flow from the Church's teaching about the dignity of the human person; and, to provide authoritative guidance on certain moral issues that face Catholic health care today.
- IV. **Fraud:** Intentionally deceptive actions that are known, or should have been known, to be inappropriate, including any attempt to obtain by false or fraudulent representations any money or property owned by any health care program, including Medicare and Medicaid.
- V. **Waste:** Overutilization of services or other practices that, directly or indirectly, result in unnecessary costs to the health care program, including the Medicare and Medicaid programs. It is generally considered to be not caused by criminally negligent actions, but by the misuse of resources.
- VI. **Abuse:** Unintentional or intentional actions, including those that result in unnecessary costs, improper payment, or services that do not meet acceptable standards of care.
- VII. **False Claims Act:** A federal law that imposes liability on persons and companies who defraud governmental programs. The False Claims Act provides that any person who knowingly makes, uses, or causes to be made or used, a false record or statement to get a false or fraudulent claim paid by the Government is liable for a civil penalty under the law.
- VIII. **HIPAA:** Health Insurance Portability and Accountability Act. A U.S. law designed to provide privacy standards to protect patients' medical records and other health information provided to health plans, doctors, hospitals and other health care providers.
- IX. **PHI:** Protected Health Information, specifically any information about health status, provision of health care, or payment for health care that is created or collected by a "Covered Entity" (or a Business Associate of a Covered Entity) and can be linked to a specific individual.
- X. **First Tier, Downstream and Related Entities (FDRs):** A term used by the Centers for Medicare and Medicaid Services to describe vendors who are contracted by a health plan sponsor to carry out some of the administrative and health care services required for that plan sponsor to administer Medicare benefits to Medicare beneficiaries.

PROCESS

- I. SSM Health is committed to conducting our business according to the highest ethical and legal standards, including complying with all applicable Federal and State laws and regulations. The Code of Conduct and Ethics ("Code") explains these standards and provides guidelines for your decision-making and behavior. If you ever feel like you need additional guidance, ask questions or refer to relevant policies and procedures. All employees, contractors and first tier, downstream and related entities (FDRs), (hereafter collectively referred to as "employees") are responsible for adhering to the Code. All violations of the Code or policies and procedures, including failure to report a possible violation, will be taken seriously and may result in Corrective Action.
- II. **Business and Religious Ethics**
 - A. Employees must not represent SSM Health in a maliciously false manner and must not engage in any activity intended to defraud anyone of money, property, services or care.
 - B. Employees must pay careful attention to business transactions with suppliers, contractors and other third parties. Offers that would result in personal benefit from vendors should not be accepted. This includes gifts, favors and other incentives to perform work in a way that benefits

outside parties. Only trivial items like pens and pencils are acceptable from vendors, in accordance with the SSM Interactions between Vendors and Employees of SSM Health policy.

- C. Employees will only seek to further SSM Health's interests through honest and legal means, competing solely based on merit and the superiority of our products and services. SSM Health will not make maliciously false or misleading statements about any of our services or products or our competitors' services or products.
- D. SSM will comply with all laws that regulate competition. SSM employees will never discuss or exchange competitively sensitive information with a competitor or potential competitor. Competitively sensitive information includes prices of services, marketing activity and development plans.
- E. SSM employees will record and report information accurately and honestly, including information about time worked, business expenses incurred and other business-related activities.
- F. SSM employees will maintain records that accurately reflect SSM Health assets, liabilities, revenues and expenses. All of SSM Health's audit and financial records will be maintained in accordance with generally accepted accounting principles (GAAP), as well as with all applicable federal, state and local laws.
- G. All employees must adhere to the then current ERDs as a condition of employment and, for both employed and nonemployee physicians and other practitioners, as a condition of medical staff privileges.
- H. All employees must respect and uphold the religious mission of SSM and adhere to the ERDs. You must maintain professional standards and promote SSM's commitment to human dignity and the common good.

III. Conflicts of Interest

- A. SSM Health is committed to avoiding any perceived or actual conflicts of interest. A conflict of interest is any situation where you have a financial, business, or personal interest that might be in conflict with the financial or business interests of SSM Health or that may interfere with decisions made as part of employment with SSM Health.
- B. If a potential conflict of interest exists, make your supervisor aware of it, as well as the impact it could have on our patients and their families or on the organization. Your supervisor, senior-ranking manager, local Corporate Responsibility or Compliance Leader, or the System Vice President of Corporate Responsibility is available to assist you in determining whether a true conflict exists. In all cases of potential conflicts of interest, the SSM Conflict of Interest policy must be followed.

IV. Legal Compliance

- A. SSM Health is committed to conducting all of its activities in compliance with applicable federal, state and local laws. These laws pertain to human resource activities, fraud, waste and abuse in the Medicare and Medicaid programs, lobbying and political activity, health insurance, employer group benefit plans, and many other areas.
- B. Preventing Fraud, Waste & Abuse ("FWA") mitigates risk that SSM resources are improperly utilized. All employees will receive training (upon hire and annually thereafter) on how to detect, correct and prevent FWA.

V. Confidentiality: Privacy and security of information

- A. All SSM employees must comply with all applicable privacy and security laws. Protected health information ("PHI") should only be accessed, used or disclosed to the minimum extent necessary to accomplish assigned job duties. In general, authorization must be obtained to

disclose PHI unless the disclosure is necessary for treatment, payment or health care operations in accordance with SSM policies.

- B. Improper use or disclosure of PHI must be reported to the entity's HIPAA Privacy Specialist, or designee. The HIPAA Privacy Specialist is responsible for reviewing all privacy incidents and overseeing any related investigations and notifications. Use or disclosure of confidential information in an unauthorized way may result in disciplinary action, up to and including termination, fines and penalties.
 - C. SSM employees have the responsibility to uphold privacy and avoid discriminatory or harassing behaviors with the use of social media even if the use occurs off premises. Social media must not be used to unlawfully harass or discriminate against a colleague based on a colleague's face, color, sex, religion, age, disability, veteran status, sexual orientation, gender, identity or any other status or characteristic protected by law.
- VI. Commitment to Patients, Families, and Employees:
- A. Diversity and Equal Opportunity: SSM Health believes that the fair and equitable treatment of employees, patients and other persons is critical to fulfilling its mission and goals. SSM Health makes all employment decisions without regard to any personal characteristic or factor protected by applicable local, state or federal law, including: race, color, national origin, religion, gender, sexual orientation, physical or mental disability, medical condition, age, or veteran status. SSM Health does not tolerate discrimination on the basis of any classification protected by law.
 - B. Harassment: SSM Health is committed to creating and maintaining a work environment that is based upon respect for all individuals. Employees, patients, and members of the communities we serve have the right to be treated with dignity in an environment free from unlawful harassment based on race, color, sex, religion, age, disability, veteran status, sexual orientation, gender identity or any other status or characteristic protected under the law. Harassment includes both physical actions and verbal remarks. Conduct may be considered harassment even if there was no intent to harass. Harassment will not be tolerated regardless of whether you are on SSM Health premises or engaged in off-hours or off-site business-related functions.
 - C. Reporting Discrimination or Harassment: Anyone observing, learning of or subject to discrimination or harassment, should report it to a supervisor, Human Resources or the entity's Corporate Responsibility or Compliance Leader. As with any other report of potential code violations, reporters in good faith will not be subject to retaliation. Each report will be fully investigated.
- VII. Reporting Misconduct
- A. You must report anything you think may have violated the code, a policy and procedure, or the law, including potential fraud or misconduct related to our Medicare plans. It is important to report violations because it helps SSM Health address issues quickly and thoroughly.
 - B. Employees are protected from retaliation and intimidation with respect to good faith participation in the Corporate Responsibility Process which includes: reporting potential issues, investigating issues, and conducting self-evaluations, audits and remedial actions. Anyone who retaliates against, threatens to retaliate, or intimidates another employee for reporting a potential issue may be subject to disciplinary action.
 - C. SSM Health (non- Dean Health Plan) employees, including employed physicians, may report potential violations to their immediate supervisor, senior-ranking manager, local Corporate Responsibility or Compliance Leader, or to the System Vice President of Corporate Responsibility. Employees may also file an anonymous and confidential report using the CRP HelpLine.

D. Dean Health Plan (DHP) employees may report potential violations to the Special Investigations Unit (SIU) or the Confidential Hotline, the employee's Director or Manager, or to DHP's Compliance Officer.

DOCUMENTATION

None.

ATTACHMENTS

The following Attachments are summaries of the Code of Conduct used by SSM Health Care Delivery only and do not apply to Dean Health Service Company:

SSM Health Standards of Ethical Conduct & Relevant Policies – Contingent Workers

SSM Health Standards of Ethical Conduct & Relevant Policies – Employees

SSM Health Standards of Ethical Conduct & Relevant Policies – Medical Staff

SSM Health Standards of Ethical Conduct & Relevant Policies – Vendors

REFERENCES

None.