



McKenzie County Healthcare Systems, Inc.

Compliance, Ethics and Fraud



McKenzie County Healthcare Systems, Inc. (MCHS) complies with applicable Federal civil rights laws and does not discriminate on the basis of race, color, national origin, age, disability, or sex. MCHS does not exclude people or treat them differently because of race, color, national origin, age, disability, or sex.

MCHS provides free aids and services to people with disabilities to communicate effectively with us and to those whose primary language is not English:

- Written information in other formats (e.g. large print)
- Provides free language services to people whose primary language is not English through qualified interpreters and information written in other languages

If you would like to utilize these services please contact the front desk at your location of care.

If you believe that MCHS has failed to provide these services or discriminated in another way on the basis of race, color, national origin, age, disability, or sex, you can file an internal grievance with McKenzie County Healthcare Systems, Inc., file a grievance with the North Dakota Department of Human Services, and/or a grievance to the U.S. Department of health and Human Services.

To file an internal grievance, please detail your situation and mail it to:

McKenzie County Healthcare Systems, Inc.
ATTN: Compliance Officer
709 4th Ave NE
Watford City, ND 58854

To file a grievance to North Dakota Department of Human Services, the complaint form is located at <https://apps.nd.gov/itd/recmgmt/rm/stFrm/eforms/Doc/sfn00143.pdf>contact. You may then mail the form in or contact the Civil Rights Officer by phone:

Program Civil Rights Office and ADA/Section 504 Coordinator
North Dakota Department of Human Services, Legal Advisory Unit
600 E. Boulevard Avenue, Department 325
Bismarck, ND 58505-0250
Phone: 701-328-2311
TTY: 1-800-366-6888

To file a grievance to the U.S. Department of Health and Human Services, Office for Civil Rights electronically, you may do so at: <https://ocrportal.hhs.gov/ocr/portal/lobby.jsf>. You may also fill our a complaint form located at <http://www.hhs.gov/ocr/office/file/index.html> and then mail the form in or contact this department by phone:

U.S. Department of Health and Human Services
200 Independence Avenue SW, Room 509F, HHH Building
Phone: 1-800-368-1019
TDD: 1-800-537-7697



Managed Sites General Nursing: Nursing:	CODE OF ETHICS
	APPROVED BY: Michael Curtis
DATE REVIEWED/REVISED: 06/10/2019	FORMULATED BY: Cheryl Faulkner



CODE OF ETHICS

OBJECTIVE:

The Hospital's code of ethics lists activities that our employees may and may not engage in while employed by the Hospital. They are provided as a means of defining integrity, honesty and legal behavior in the areas of marketing, admission, transfer, discharge, billing practices and relationships between McKenzie County Healthcare Systems and its staff to members of other health care providers, educational institutions, and payers.

All employees and Hospital personnel will accept the code of ethics and meet their requirements as a condition of employment.

To meet the needs of the clients and their families and/or significant others:

- To remain sensitive and to be appreciative of race, religion, gender, sexual orientation, ethnic origin and religious affiliations of clients and their significant others;
- To ascertain and honor the wishes, concerns, priorities, and values of the clients and their significant others;
- To support, affirm, and empower the significant others as care givers when it is in the best interest of the patient;
- To acknowledge and respond with sensitivity to the interruption of privacy that is necessitated by care;
- To respect and protect confidentiality of clients and significant others;

- To provide quality services in a timely manner to all who qualify, regardless of third party coverage or ability to pay;
- We will treat patients' assets and property with respect.

To act honest, truthfully, and fairly to all concerned:

- To fully disclose to clients and significant others information regarding rights and responsibilities, cost, services, discharge and complaint practices;
- To inform clients and significant others of the hospital grievance policy as a resource for the resolution of conflicts;
- To be truthful and accurate in public advertising and information dissemination;
- To make and except referrals in the best interest of the patients;
- To refrain from receiving inappropriate gifts of value or monetary compensation, i.e. "kickback" or "payoff", from any contractors, suppliers, providers or other health care entities who seek to do business with the Hospital.
- To aspire to be cost-effective while not affecting the quality or appropriate level of care for financial reasons.

To maintain the highest level of skill and expertise of the staff and volunteers in the delivery of care:

- To recruit, orient, educate, and evaluate each staff person and volunteer to assure competency based on identified job descriptions;
- To remain sensitive to and be appreciative of the race, gender, ethnic, cultural, religious and life-style diversity of staff and volunteers;
- To support, affirm, and empower the staff and volunteers in the delivery of care. * To recognize the stressors inherent in health care service and provide access to ongoing support mechanisms for all staff and volunteers;
- The Hospital will employ and associate with ethical qualified individuals.
- All books, records and documentation will be kept accurately and on a timely basis. Tills includes all documents including but not limited to patient medical charts, billing documents, and invoices;
- We seek to buy from suppliers and vendors at the lowest possible cost.
- We adhere to our charitable purpose of providing health care to our community (of a tax-exempt organization);
- We comply with the Emergency Medical Treatment and Active Labor Act: Patients who come to our emergency room needing emergency medical care of those in active labor are stabilized or appropriately transferred;
- When seeking reimbursement from any health care program or third-party payer, the Hospital shall honestly and accurately indicate the level or care provided:
- The Hospital will not provide or accept remuneration of any kind when providing or accepting referrals;
- The Hospital will not engage in conduct prohibited by the antitrust laws or price-fixing;

- If the Hospital violates federal or state law it will report the violation and take the necessary action to correct the harm caused by the violation.

herself in the practice of this profession so as to bring honor to ourselves, our associates, and to the medical record profession.

2. Preserve and protect the medical records in our custody and hold inviolate the privileged contents of the record and any other information of a confidential nature obtained in our official capacity, taking due account of applicable statutes and of regulations and policies of our employer.
3. Serve our employer loyally, honorably discharging the duties and responsibilities entrusted to us, and give due consideration to the nature of these responsibilities in giving our employer notice of intent to resign our positions.
4. Refuse to participate in or conceal unethical practices or procedures.
5. Report to the proper authorities but disclose to no one else any evidence of conduct or practice revealed in the medical records in our custody that indicates possible violation of established rules and regulations of the employer or of professional staff.
6. Preserve the confidential nature of professional determinations made by the staff committees which we serve.
7. Accept only those fees that are customary and lawful in the area for services rendered in our official capacity.
8. Avoid encroachment on the professional responsibilities of the medical and other paramedical professions, and under no circumstances assume or give the appearance of assuming the right to make determinations in professional areas outside the scope of our assigned responsibilities.
9. Strive to advance the knowledge and practice of medical record science, including continued self-improvement, in order to contribute to the best possible medical care.
10. Participate appropriately in developing and strengthening professional manpower and in representing the profession to the public.
11. Discharge honorably the responsibilities of any Medical Records Association post to which appointed or elected, and preserve the confidentiality of any privileged information made known to us in our official capacity.

- 12.State truthfully and accurately our credentials, professional education, and experience in any official transaction with the American Health Information Management Association and with any employer or prospective employer.



Approved by:

date	dept. mgr.

MCKENZIE COUNTY HEALTHCARE SYSTEMS

Title: **Code of Conduct (An ethical, honest workplace begins with you)**

Page 1 of 5

Effective Date: 1/14/2009 Filing Number:

Previous Date: Previous Number:

Applies to: **SYSTEMWIDE/GENERAL**

Call to report violations related to:

- ▶ Patient Rights
- ▶ Professional Standards of Practice
- ▶ Medicare Fraud/Abuse
- ▶ Professional and Business Ethics
- ▶ Bribes
- ▶ Kickbacks
- ▶ Confidentiality
- ▶ Conflicts of Interest

I. Introduction

This Code of Conduct has been created in order to express how McKenzie County Healthcare Systems, Inc. (MCHS) follows its own policies and procedures and state and federal laws. Today, a large number of complicated laws affect all of our jobs. Helping us to understand those laws is also an important reason why we created this Code of Conduct.

This Code of Conduct is a living document and will be updated periodically. MCHS is committed to do all things ethically and legally and for everyone with whom we come in contact: fellow employees, patients, families, guests, physicians and volunteers. This promise is consistent with our values of Respect, Responsiveness, Responsibility and Service to All.

II. Standards of Conduct

1. Confidentiality and Patient Relations

MCHS is committed to providing excellent care to our patients and their families. We treat patients with emergent conditions whether or not they can pay. We do not share confidential patient information with anyone who does not have a legal need to know it. We will not tolerate poor care or service. Examples of poor care are:

- ▶ Bad manners to a patient or their family.

- ▶ Something that places a patient in danger.
- ▶ Failure to provide the standard of care.*
- ▶ Stealing patient property.
- ▶ Not reporting a problem with medical equipment.
- ▶ Not providing a proper examination.

All of us should report poor care or service if we observe it or become aware of it.

**Standards for patient care are in various policies in the manuals of specific departments. You should be aware of the policies and laws that apply to your job.*

2. Open and Honest Communications

MCHS tries to create a workplace where you feel free to discuss concerns about any issue in a professional atmosphere. We should respect, support and respond to each other and be honest in our work with one another. If you need help regarding communication with your manager, please talk with the Human Resources Department at (701) 842-3000.

3. Dignity and Respect in the Workplace

MCHS is an "equal opportunity employer." We do not allow discrimination based on race, creed, color, religion, gender, national origin, age, disability, marital status(since we're updating it, I'd suggest adding "sexual orientation" or something thereabouts) or any other legal classification. MCHS prohibits sexual harassment. Sexual harassment is:

- a. Offensive comments, jokes, indirect suggestions and other sexually oriented statements.
- b. Unwanted sexual advances, requests for sexual favors and all other verbal or physical conduct of a sexual nature, especially where it

- ▶ Becomes a term or condition of employment.
- ▶ Is used to make decisions affecting someone's job.
- ▶ Creates an intimidating, hostile or offensive work environment.

Q: I know an employee who is occasionally offended by the language and inappropriate humor their supervisor uses when speaking with employees. What should I advise the employee to do?

A: Advise the employee to tell his or her supervisor that he or she finds the language and humor offensive. If the employee is not satisfied with the results or is uncomfortable speaking directly with the supervisor, then the employee should discuss the situation with the supervisor's manager or the Human Resources Department.

MCHS is dedicated to preventing discrimination and harassment of any kind. You are responsible for respecting the rights of your co-workers and reporting discrimination to your supervisor, to Human Resources at (701) 842-3000, or the Compliance Officer, Sam Perry, at (701) 842-3771.

4. Record Keeping

MCHS maintains many types of records (i.e., Department-Specific Manuals, Administrative Policies and Procedure Manual, etc.). It is not possible to list all the rules that apply to them. Learn the rules that specifically apply to documents with which you work. The general rules are:

- ▶ Do not falsify facts or make false records.
- ▶ Create only those records that are necessary to the performance of your function or job and those

required by law.

- ▶ Provide and access records per legal or course of business "need to know."
- ▶ Preserve patient confidentiality.
- ▶ Maintain records as long as the law requires.
- ▶ Follow policies on court orders, subpoenas and search warrants.

Q: I am a Registered Nurse at the hospital. 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 record at the appropriate time - 9:00 a.m., and to use her initials. She said records are often updated in this way. No harm is done. Is this okay?

A: While the nurse did the right thing by calling to note the record error, the error should be promptly reported to your 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, MCHS does not tolerate retaliation against employees who promptly report errors of omission or commission.

5. Use of MCHS Resources

Naturally, we all protect MCHS's property and may not borrow MCHS's property without permission. Work time, facilities or equipment cannot be used for unapproved purposes. Any member of management should be able to help you if you have questions concerning the appropriate use of property.

6. Workplace Safety and Health

We follow all health, safety and environmental laws and regulations. If you are unsure of the correct procedure to follow or you observe unsafe conditions, check with your manager or contact the MCHS Safety Officer, Paula Brown.

7. "Intellectual Property"

"Intellectual property" means copyrights, trademarks, patents and trade secrets. Some examples of potential problems in this area include:

- ▶ Installing computer software without the proper license.
- ▶ Copying printed materials for reasons other than limited internal distribution or education.
- ▶ Selling or giving away a new process or device developed by MCHS. (Sharing of protocols, policies and procedures, etc., with other healthcare organizations is acceptable.)

If you have questions about this subject, contact your supervisor or the Compliance Officer.

8. Drug-Free Workplace

MCHS maintains a drug-free workplace. The illegal or unauthorized use of drugs and/or the consumption of alcohol creates safety hazards and hinders our ability to function well and provide high quality care and services. For these reasons, you may not illegally have, distribute, sell or use drugs or alcohol at work (given we terminate individuals for flagging positive for drugs on a drug test that could have been used weeks prior, we might want to change the phrase "at work". I suggest the following verbiage: ... "you may not illegally have, distribute, sell or use drugs or alcohol at work, nor illegally have, distribute, sell or use drugs outside of work").

Each of us must maintain awareness that certain prescription drugs can also interfere with our ability to

perform our duties and responsibilities appropriately and safely.

9. Relationships with Competitors, Vendors, etc.

We choose vendors using objective measurements. We give all vendors who meet these standards an equal chance to present their products and services. We choose the product or service that best meets the needs of MCHS and the MCHS community.

Information about MCHS business such as strategy, prices, costs, finances and similar matters is private and should not be discussed with those who do not have a "need to know" to perform their jobs or those it does not concern. All contracts and contract discussions must be consistent with law.

10. Illegal or Questionable Gifts

We exercise good judgment and discretion in accepting gifts. We never accept gifts, favors, services, entertainment or other things of value to the extent that acceptance influences decision-making. We may accept gifts of nominal value from vendors, usually those under \$25.00. At a vendor's invitation, we may accept meals or refreshments at the vendor's expense. Occasional attendance at an entertainment event may also be accepted. To the extent possible, we should share gifts with our colleagues. We cannot accept expensive gifts other than those for charitable fund-raising activities. Vendor-sponsored trips may be acceptable with prior approval from the Corporate Compliance Officer or CEO.

11. Conflicts of Interest

MCHS follows standards regarding conflicts of interest. A "conflict of interest" happens when any outside work you perform or any outside financial interest you have influences your ability to put the interests of MCHS first. The following examples might be conflicts of interest:

- ▶ Accepting gifts or entertainment from another organization.
- ▶ Competing either directly or indirectly with the services, product or plans offered by MCHS.
- ▶ Holding a financial interest in a company with which MCHS does business.

Possible conflicts of interest should be reported to the Compliance Officer (Sam Perry) at (701) 842-3771 or sperry@mchsnd.org to help determine if a conflict of interest exists and can help take whatever action is necessary to solve the problem.

Q: I have an outside business selling products. Can I use the company bulletin boards or interoffice mail to advertise these products to other MCHS employees?

A: No. Products or services not offered by MCHS should not be promoted during working hours or on MCHS property. Neither should you use MCHS's name, its facilities, or resources (i.e., telephones or your work time) to sell these products or services. However, you are free to engage in an outside business that does not pose a conflict of interest with MCHS on your own time and off MCHS premises.

Note: This policy is not intended to prohibit support of activities (civic, community, school, etc.) such as girl scouts, little league, school classroom fund-raising events to support field trips, bake sales in support of charitable or worthwhile causes, etc., as long as there is no direct or indirect pressure to coerce participation and the activity is conducted in a manner that does not interfere in carrying out individual job responsibilities.

12. Fraud and Abuse

The law is strict in prohibiting healthcare fraud and abuse. For example, filing false or misleading claims

for reimbursement, using wrong billing codes, providing unnecessary services or paying for patient referrals may be fraud or abuse. MCHS is committed to taking all necessary steps to avoid activities like these. Therefore, we try to see that all services are necessary, that they are documented properly, and that billing and coding are accurate. We arrange all financial and business relationships properly. We involve legal counsel when necessary.

13. Political Activity and Lobbying

MCHS is exempt from paying taxes because of our community service, purpose and mission. This means we cannot give MCHS money, property or services (including employee work time) to political parties or individuals running for public office. You may, of course, give your own money to political candidates and participate in political campaign activity on your own time as a private individual.

14. General Laws

We must all comply with all laws and rules affecting our jobs, not just the laws and rules mentioned here. When in doubt, ask for clarification from your supervisor or the Compliance Officer.

15. A Condition of Employment

Abiding by the Code of Conduct is a condition of your employment with the McKenzie County Healthcare System, Inc.. Failure to meet the standards and principles defined in this code will be subject to discipline, up to and including terminations, based on the nature of severity and frequency of the violation. The disciplinary process is described in current Human Resources policies and procedures.

III. Conclusion

It is expected that each one of us will follow MCHS policies and the Code of Conduct and report violations when they occur.

If you know about conduct that may be illegal or unethical, you should report it to your supervisor, or to the **Confidential Message Line** (to the Compliance Officer) at (701) 444-8745. The **Confidential Message Line** is free. You do not have to give your name and you can remain anonymous. You will not be criticized or disciplined for calling the **Confidential Message Line**.

ATTACHMENTS:

DISTRIBUTION: System wide



Important!

Make sure to click the '**Mark Complete**' button on your learning transcript, next to the course title, to record your completion.

By clicking 'Mark Complete' you are verifying that you have read and understand the information in this course.