



HEALTH CARE AGENCY

CODE OF CONDUCT

Excellence in Action

*Excellence
Integrity
Service*

Juliette A. Poulson, RN, MN, Agency Director

Jeffrey A. Nagel, PhD, Chief Compliance Officer



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Excellence in Action

Dear HCA Team Members:

The true foundation of HCA is our commitment to provide quality care and services to our patients, clients and the community. As part of this commitment, we strive to ensure an ethical and compassionate approach to service delivery and management while conducting our business in a manner that facilitates quality, efficiency, honesty, integrity, respect, and full compliance with all applicable laws and regulations.

While there is increasing emphasis on having an established compliance program within the healthcare industry, the Office of Compliance is part of the fabric of the Health Care Agency that supports the agency goals through the promotion of an organizational culture that encourages commitment to compliance with the law. The Code of Conduct as a part of HCA's Compliance Program is intended to assist in ensuring that our work is done in an ethical and legal manner. This 3rd edition of the Code of Conduct was revised with the assistance of a team of HCA employees representing all organizational levels, to ensure that it continues to meet the needs of, and reflect the values of our diverse agency.

Please take the time to read this document thoroughly. If you have questions regarding the Code of Conduct or encounter any situation that you believe violates provisions of this Code of Conduct, you should immediately consult your supervisor, another member of your management team, Human Resources or the Office of Compliance. You may also call the Employee Compliance Hotline at (866) 260-5636.

Thank you for your hard work and dedication.



Juliette A. Poulson, RN, MN
Director



Excellence in Action

OUR VISION

Working Together for a Healthier Tomorrow

MISSION

We are dedicated to protecting and promoting the optimal health of individuals, families, and our diverse communities through:

- Partnerships
- Community Leadership
- Assessment of Community Needs
- Planning and Policy Development
- Prevention and Education
- Quality Services

VALUES

Partnering with our clients and the community

We value

Excellence in all we do

Integrity in how we do it

Service with respect and dignity



GOALS

- Prevent disease and disability, and promote healthy lifestyles.
- Assure access to quality health care services.
- Reduce environmental threats to health
- Promote and ensure a healthful environment.
- Recommend and implement health policy and services based upon assessment of community health needs.

BUSINESS STRATEGIES

- Encourage excellence by ensuring a healthy work environment that values employees.
- Support the workforce through the effective use of technological and other resources.

■ INTRODUCTION TO THE CODE OF CONDUCT

As part of the Health Care Agency's (HCA) ongoing commitment to providing service with a focus on quality and creating a working environment that encourages excellence, this Code of Conduct was developed and is maintained with the participation of staff from all organizational levels throughout HCA.

The Code of Conduct is intended to:

- Communicate County and HCA expectations of ethical behavior;
- Communicate the commitment of HCA to its employees and to compliance with laws, regulations, contractual obligations and standards of care consistent with community standards; and
- Familiarize all staff with the basic legal principles and ethical standards of behavior expected throughout HCA.

The Code of Conduct is intended to complement, not replace, agency policies and procedures. Policies and procedures utilized by HCA include those issued by the County Executive Office, Auditor-Controller and HCA.

All regular and extra-help employees (including executive, administrative, and supervisory management), contract employees, contract providers, volunteers and other designated individuals engaged in our work environment or acting on behalf of HCA are expected to follow the Code of Conduct standards, as well as all applicable statutes, regulations, contractual obligations and HCA and County policies and procedures. If there is not an existing HCA or County policy on a particular subject matter, the general principles of this Code of Conduct shall be used as a guideline.

When seeking guidance and direction concerning a workplace issue or concern, employees are encouraged to refer to HCA's administrative, division or program policies and procedures or to contact their supervisor, manager or other management staff within their chain-of-command. Employees may also contact HCA/Human Resources (714) 834-3101 or the Office of Compliance (714) 568-5614. Issues can also be reported confidentially and anonymously to the Compliance Telephone Hotline at (866) 260-5636.

The Code of Conduct is a "living document" which will be updated periodically to keep pace with changes. At minimum, the Code of Conduct will be reviewed on an annual basis.




Questions regarding the Code of Conduct should be directed to Jeffrey Nagel, Chief Compliance Officer by telephone at (714) 834-4399, by e-mail at jnagel@ochca.com or to the Office of Compliance by telephone at (714) 568-5614, by e-mail officeofcompliance@ochca.com, or by fax (714) 834-6595.

■ QUALITY OF CARE & SERVICES

We are committed to providing high quality care and reliable services, which are skilled, consistent and compassionate, to our patients, constituents, clients and community.

We:

- Provide all services in accordance with applicable federal, state and local government laws and regulations. Where applicable, we are mindful of the recommendations of specialty organizations and the standards of practice in the community.
- Apply sound public health principles in our daily work activities.
- Treat all patients, constituents and clients with dignity, respect and courtesy.
- Strive to do our jobs so that no harm is caused to our patients, clients, the community, co-workers or ourselves.
- Provide appropriate care and service. Whenever possible, we individualize that service to address patient, constituent, client and community needs.
- Employ professionals with proper credentials. We are committed to all members of the care team having experience and expertise in the area(s) in which they provide service.
- Ensure that the quality of care or service we deliver within the scope of HCA programs shall not be affected by the source or amount of payment for patient, constituent or client services.
- Provide care or service without regard to race, gender, religion, creed, color, economic status, sexual orientation, age, source of payment, or any other discriminatory characteristic.
- Document all encounters in the HCA record in a manner that is accurate, complete, appropriate and timely.
- Provide patients, constituents and clients with the information they need to make fully informed decisions.

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- Treat all patients, constituents and clients in a manner respectful of their background, culture, religion, and heritage.
 - Participate in quality improvement activities that promote identification and correction of problems in the quality of care or services of patients, constituents and clients by bringing them to the attention of those who can properly assess and resolve the problem.

George Bernard Shaw

Better keep yourself clean and bright; you are the window through which you must see the world.

■ WORKPLACE CONDUCT

We recognize that our greatest strength lies in the talent of our workforce who foster our success and reputation. We treat our colleagues with respect, dignity, and courtesy.

We:

- Maintain a working environment free from all forms of harassment or intimidation, sexual or otherwise, showing respect and consideration for each other. Discriminatory treatment, abuse, violence or intimidation is not tolerated.
- Afford equal employment and advancement opportunities to all applicants and employees pursuant to HCA and County policies.
- Conform to the codes of ethics and standards of our respective professions and exercise sound judgment in the performance of duties.
- Comply with work and safety policies in accordance with County and HCA policies and procedures, including but not limited to, the mandated Non-Smoking Ordinance in County buildings and vehicles, and the County of Orange drug and alcohol policy prohibiting the use of alcohol or drugs in the workplace.
- Provide our employees with clear direction about what is expected of them.
- Keep current and renew prior to the expiration date, any license, waiver, certification and/or registration required for our position.
- Respect the privacy of our patients, constituents, clients and colleagues recognizing that we have access to the information of others on a "need to know" basis only.
- Do not discuss patient or client information in any public area, including elevators, hallways, rest rooms, lobbies or break rooms.
- Use work hours to accomplish County duties and assignments in a productive and professional manner.



Martin Luther King . The time is always right to do what is right.

ADHERING TO LAWS & REGULATIONS

We follow the letter and spirit of applicable laws and regulations and conduct our business in an ethical and honest manner that enhances HCA's standing in the community.

We:

- Comply with all applicable laws, rules, regulations, standards, and other requirements required by federal, state and county governments. We comply with all requirements of federal healthcare program statutes, regulations and guidelines.
- Do not engage in any practice that involves unethical or illegal activity.
- Do not enter into any joint venture, partnership or other risk sharing arrangement with any entity that is a potential or actual referral source to County programs unless the arrangement has been reviewed and meets any applicable requirements as approved and enacted by the Orange County Board of Supervisors. Questions regarding these arrangements are addressed through the chain-of-command and, if necessary, will be referred by authorized individuals to County Counsel.
- Take reasonable precaution to ensure that billing and/or coding of claims are prepared and submitted accurately, timely, and are consistent with federal, state and county laws and regulations and HCA's policies and procedures and/or agreements with third party payors. This includes federal healthcare program regulations and procedures or instructions otherwise communicated by regulatory agencies (e.g., the Centers for Medicare and Medicaid Services) or their agents.
- Ensure that no false, fraudulent, inaccurate or fictitious claims for payment or reimbursement of any kind are submitted.
- Bill only for eligible services actually rendered and fully documented. When the services must be coded, only billing codes that accurately describe the services provided will be used.
- Act promptly to investigate and correct problems if errors in claims or billings are discovered.

- Voluntarily disclose to third party law enforcement or regulatory agencies violations of law, regulations or standards where appropriate and legally required.
- Do not intimidate, threaten, coerce, discriminate against, nor take other retaliatory action against any patient, constituent, client or employee who exercises the right to file a complaint or who participates in an investigation or proceeding relative to a complaint.
- Do not reveal medical, clinical, or business information unless such release is supported by a legitimate clinical or business purpose, patient/client request, or court or agency order and is in compliance with applicable laws, rules, regulations, as well as our policies and procedures.
- Exercise care to ensure that confidential and proprietary information is carefully maintained and managed to protect its privacy and value.

J. C. Watts Character is doing what's right, when nobody's looking.

CONFLICTS OF INTEREST

We avoid conflicts of interest or the appearance of conflicts of interest between our own personal interests and the best interests of the County.

We:

- Avoid commitments or activities that hinder, distract or interfere with our ability to properly perform duties for HCA or conflict with the known interests of HCA, its patients, clients or its constituents. Examples include, but are not limited to:
 - 1) the solicitation of future employment with a company doing business with the County over which the employee has some control or influence in his/her official capacity;
 - 2) the use of County time, facilities, equipment, badge or uniform for private gain or advantage, or the private gain or advantage of another.
- Conduct ourselves in a manner appropriate to our standing as representatives of local government, representing the best interests of the County's citizens.
- Report any potential conflicts of interest to HCA in accordance with the HCA Conflict of Interest policy. Concerns or questions regarding potential conflicts of interest are brought to the attention of a supervisor, manager, Human Resources, or the Office of Compliance.
- Do not accept or provide benefits that create conflict between personal interests and HCA's interests. These benefits include, but are not limited to, accepting meals, gifts, refreshments, transportation, entertainment or any item of monetary value provided or received in connection with assigned duties as set forth for **designated employees** (employees required under the County's Conflict of Interest Code to file a "Statement of Economic Interests") in the County's Gift Ban Ordinance, enacted by the Orange County Board of Supervisors.
- Adhere to HCA's Conflict of Interest and Professional Conduct policies.

■ PROTECTING ASSETS

We protect the County's property and assets.

We:

- Are responsible and accountable for the proper expenditure of County funds and for the proper use of County assets and property which include time, material, supplies and information. We recognize that the County's assets and property are to be utilized for business-related purposes. We perform cash handling and receipting duties in accordance with County policies and procedures.
- Obtain appropriate authorization prior to accessing restricted/secure work areas or committing or spending HCA funds.
- Dispose of surplus, obsolete or junked property in accordance with County's procedures. Unauthorized disposal, including scrapping, selling or transferring of property without appropriate approval, is a misuse of assets.
- Safely store, secure, document, transport, relocate and inventory supplies and report missing supplies promptly to appropriate supervisors in accordance with County policy.
- Dispose of medical and/or county waste or other hazardous materials properly and lawfully.
- Use computer systems, networks, and software consistent with HCA's license(s) and/or rights, and store equipment, data files and software in a secure manner in accordance with HCA policies and procedures.
- Report any observed misuse of HCA property or funds to an appropriate supervisor or manager, Human Resources, the Office of Compliance, or the confidential Compliance Hotline. No disciplinary action or retaliation will be taken against an employee for reporting in good faith a perceived issue, problem, concern, or violation.

WORK RELATIONSHIPS

We are committed to establishing and maintaining ethical work relationships.

We:

- Seek positive and cooperative relationships within HCA as well as with other county agencies/departments, government programs, vendors, contractors, community groups and industry to enhance services and resources available to the public.
- Provide honest and forthright information to customers, vendors, payors, other employees or agents, and the community.
- Bring to the attention of supervisors and managers, information related to non-compliance or adherence to agency policies and procedures as well as required federal, state or local regulations.
- Disclose to our supervisor or manager involvement in relationships with other employees that may compromise objectivity, accountability or judgement, or give the appearance thereof.
- Cooperate in accomplishing HCA's commitment to maintaining a work culture that promotes the prevention, detection and resolution of instances of conduct that do not conform to ethical standards and our Code of Conduct.
- Ensure that no employee is required to compromise his or her appropriate professional integrity, standards, judgment or objectivity in the performance of his or her duties.
- Ensure that all reports or other information provided to any internal or external entities including federal, state, or local government agencies are accurate and submitted in a timely manner.
- Perform duties in a way that promotes the public trust and encourages participation and access to county programs and resources.

As a general rule, the most successful man in life is the man who has the best information.

■ RECORDS MAINTENANCE

We are committed to maintaining accurate and appropriate records in accordance with all federal, state and county laws and regulations and HCA policies and procedures.

We:

- Maintain complete, accurate, timely and thorough records.
- Ensure that **all** records in any medium are maintained in accordance with guidelines established by the Orange County Board of Supervisors and applicable government and civil codes, in an accurate and confidential manner in order to protect privacy and to provide factual information.
- Maintain documentation guidelines for record keeping according to the legal requirements for the records.
- Comply with all laws governing the confidentiality of information.
- Ensure that timesheets, mileage claims, reimbursement claims, and other cost records and reports are complete and reflect accurate information.

Questions regarding record maintenance guidelines may be referred to the HCA Custodian of Records Office at (714) 834-3536.



STATEMENT OF NON-RETALIATION

No disciplinary action or retaliation will be taken against an employee for reporting in good faith a perceived compliance issue, problem, concern, or violation. The phrase “in good faith” means that the employee honestly or truthfully believes or perceives the information reported to be true. Individuals who knowingly and intentionally report false or misleading information in order to harm or retaliate against another, may be subject to discipline. The value and dignity of each person and the right as an employee to be treated fairly and with respect shall be recognized by all HCA staff.

HCA CHIEF COMPLIANCE OFFICER

The HCA Chief Compliance Officer is responsible for the daily oversight of the Compliance Program. The primary responsibilities of the Chief Compliance Officer include:


- Receiving, investigating, and following up of concerns, questions, and issues raised by employees or others related to the compliance program, including potential violations of the Code of Conduct, policies and procedures, laws and regulations.
- Maintaining auditing and monitoring mechanisms to ensure compliance.
- Ensuring an ongoing compliance education program for all employees and other designated individuals.
- Monitoring the operation of the Compliance Hotline.
- Maintaining the Code of Conduct and compliance policies and procedures.

■ RESPONSIBILITIES OF EMPLOYEES

HCA Compliance Program can succeed only through the efforts of dedicated employees who conduct themselves with honesty and integrity, and in compliance with the letter and the spirit of all applicable laws and regulations. Although each individual is ultimately responsible for his or her own conduct, HCA is committed to maintaining a work environment that promotes these ideals and encourages our employees to demonstrate the highest ethical standards in performing their daily tasks.

With these goals in mind, HCA requires the active participation of all employees (including extra-help, contract, executive, administrative, and supervisory management employees) in the HCA Compliance Program. Highlights of employee responsibilities are as follows:

- Employees are responsible for reading, acknowledging and retaining a copy of the current Code of Conduct.
- Employees are expected to comply with the Code of Conduct, HCA policies and procedures, and contractual obligations, as well as laws and regulations. This includes statutes, regulations and guidelines applicable to state, county, and federal healthcare programs. Failure to comply with the above may potentially subject an employee to civil and criminal liability, sanctions, penalties or disciplinary action.
- All employees are responsible for helping to create a culture within HCA that promotes the highest standards of ethics and compliance and for promoting a positive image for HCA, its employees and its services.
- Supervisors and managers are responsible and accountable for:
 - 1) ensuring that those on their team have sufficient information to comply with law, regulation, and policy,
 - 2) providing appropriate and necessary training and,
 - 3) for responding in an appropriate and timely manner to issues or concerns brought to their attention by employees.

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- Employees are obligated to report and cooperate with the investigation of violations of the Code of Conduct, agency policies and procedures or laws and regulations. Depending on the circumstances, failure to comply in reporting a known or suspected violation could subject an employee to disciplinary action.
 - Employees are expected to comply with Office of Compliance and Administrative policies and procedures related to external investigations. Questions regarding responsibilities should be directed through the chain-of-command, to the Office of Compliance or to Human Resources.

Employees cannot exempt themselves from the consequences of their own misconduct by self-reporting, although self-reporting may be taken into account in determining the appropriate course of action.

When considering reporting what you believe to be a compliance violation, employees should ask themselves:

- Do I have all of the facts?
- What do I believe to be the violation of standards as outlined in the Code of Conduct?
- What do I believe to be the violation of any known law, rule, regulation, or policy and procedure?
- What opportunity has been given to my supervisor or manager to make them aware of and to address the issue (if appropriate)?

■ CONFIDENTIAL DISCLOSURE PROGRAM

HCA employees have an obligation to report in good faith known or suspected violations of any statute, regulation or guideline applicable to the federal healthcare programs, any law or regulation, the Code of Conduct or policies and procedures to their supervisor, manager or other management staff within their chain-of-command. Employees may also report their concerns to HCA/ Human Resources or the Office of Compliance.

If an employee is uncomfortable reporting a suspected violation to any of the above-referenced resources or if they believe that the issue has not been handled appropriately, he or she is encouraged to call HCA's toll-free Compliance Telephone Hotline. The Compliance Telephone Hotline (866) 260-5636 provides a confidential means to report compliance related concerns or violations. The Hotline is operated by an outside firm, specializing in compliance related issues. All calls will be treated as confidentially as practicable or allowed by law.

Employees are not required to identify themselves when reporting a concern. Callers who wish to remain anonymous will be assigned a private code that can be used for follow-up communication so that they may be advised on the process of investigating and resolving the reported concern.

Calls received by the Compliance Telephone Hotline will be referred to the Office of Compliance for internal investigation and resolution.

Committing or condoning retaliation for good faith reporting of a perceived or suspected Code of Conduct violation(s), or for participation in an investigation of an alleged violation, will not be tolerated. Any employee who commits or condones any form of retaliation may be subject to discipline up to, and including, termination.

County of Orange Health Care Agency
Office of Compliance
405 West 5th St., Suite 776
Santa Ana, CA 92701
(714) 568-5614

