



Code of Conduct

A Compliance Guide for the Children's of Alabama Community



Children's
of Alabama®

7th Edition

To the Children's of Alabama Community

Children's of Alabama is committed to comply with applicable laws, regulations, policies, and ethical guidelines.

The Code of Conduct is our compliance guidebook and includes our compliance philosophy, expectations, and Conduct Commitments that everyone associated with Children's of Alabama must follow. The Children's community includes employees, Board of Trustees, medical staff, contractors, providers, vendors, agents, representatives, consultants, temporary employees, volunteers, students, associated educational institutions, and other business partners.

We must hold ourselves and each other to the highest standards of integrity, character, and professionalism. It is your duty to report a suspected violation as soon as possible. We encourage you to discuss the issue with your supervisor. You may also contact the Corporate Compliance Officer or call the Compliance Hotline.

The Board of Trustees and Senior Administration join me in pledging to uphold the Code of Conduct and supporting the Corporate Compliance program. We expect supervisory staff to fulfill their responsibility of ensuring their team has sufficient information to comply with laws, regulations, and policies, as well as the resources needed to solve ethical dilemmas.

Thank you for your commitment to our children and their families. Your caring professionalism and individual integrity enhance our standing in the community, state, and region.

Very truly yours,



Tom Shufflebarger
President and CEO
Children's of Alabama



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Corporate Compliance Program



The purpose of the Corporate Compliance Program is to create and maintain an environment that encourages and assists the Children’s of Alabama (Children’s) Community in complying with healthcare laws and regulations and associated policies and procedures. All of these can be found in our document management system, Lucidoc, found on **The Red Wagon**.

The Corporate Compliance Officer and staff work to prevent, detect, and correct compliance violations by conducting audits, responding to reported possible compliance violations, conducting monthly exclusion verifications, monitoring possible conflicts of interest, and providing education and training to employees. Compliance works with various other departments concerning compliance-related matters.



ONLINE FORM

OR



PHONE

To file a suspected compliance violation **anonymously**,* please use the **“Hotline”** link in the right margin of **The Red Wagon** or call the toll-free Hotline number at **1.800.624.9775**

For details on Hotline reporting, refer to the *Reporting Potential Compliance Issues Policy*

**To protect your identity, reports are received by an outside agency—not Children’s employees.*

Important Contacts

Compliance Officer

cindy.rogers@childrensal.org
205.638.7134

HIPAA/Privacy Officer

kathleen.street@childrensal.org
205.638.5959

Employee Relations

michelle.galipeau@childrensal.org
205.638.6657

Risk Manager On-Call (RMOC)

Ask Operator to page RMOC.
(For government investigations, RMOC is available 24/7/365.)
205.638.9100

Joint Commission Contact

leesa.hatch@childrensal.org
205.638.3560

Compliance Coordinator

salena.stalker@childrensal.org
205.638.2370

Security

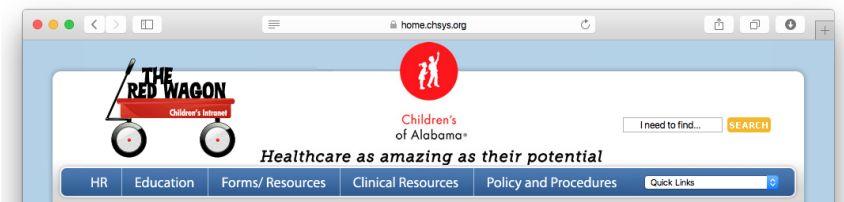
(Emergencies only)
205.638.4444



Commitment 1

Obey Laws, Policies & Procedures

We are committed to comply with all laws, regulations, The Joint Commission standards, policies, procedures, and the Code of Conduct governing Children’s of Alabama. Policies, procedures, and other resources to guide you are located in the blue bar of the home page of our employee Intranet, **The Red Wagon**.



Exclusions

When individuals or organizations are convicted of committing federal health care program fraud, such as billing for services not provided, they are not allowed to participate in Medicare or Medicaid programs. This is referred to as being “excluded” from those programs. Since the passage of the Patient Protection and Affordable Care Act, individuals who have defaulted on their healthcare-related student loans may also be excluded. The Office of Inspector General (OIG) publishes a monthly List of Excluded Individuals and Entities (LEIE). Fines for doing business with excluded providers can be as much as \$10,000 for each item or service furnished.

Children’s cannot employ or do business with anyone on the exclusion list. The Compliance Department verifies on a monthly basis that our employees, physicians, volunteers, vendors and trustees are not excluded.

Q&A

Where would I find the Code of Conduct?

The Code of Conduct can be found
1) in the COA Resources folder,
2) on the **The Red Wagon**, under Policies and Procedures,
3) in Lucidoc, or,
4) in the Corporate Compliance and Internal Audit site in the left margin of **The Red Wagon**.

What should I do if I think someone isn’t complying with the Code of Conduct, regulatory requirements, a law, policy, or procedure?

Report your concern immediately to your supervisor or the Compliance Hotline (in right margin of **The Red Wagon** or call 800.624.9775). As an employee, it is your responsibility to report any potential violations.

How would I know if I have been placed on an OIG exclusion list?

The OIG mails the individual or organization a Notice of Intent to Exclude. Employees of Children’s are responsible for notifying the Compliance Officer if they receive this notice.

What are some examples of a compliance issue?

A few examples include HIPAA violations, falsification of records, and political activities on campus. For more information, please refer to the *Reporting Potential Compliance Issues Policy* in Lucidoc.



Commitment 2

Provide Quality Care

Children's is committed to provide the finest quality health care for any child regardless of race, color, national origin, sex, gender identity, gender expression, age, disability, or any other factor protected by law.

Information related to financial assistance is available to patients and caregivers upon request and in Policies and Procedures on **The Red Wagon**.

Patient Rights

Every patient at Children's is treated with respect and courtesy. We recognize that each patient is a unique individual with different cultural, social, and spiritual backgrounds. Our patients, parents and legal guardians have the right to reasonable and informed participation in their healthcare decisions.

At Children's, all aspects of patient care are important to us. Employees are to obtain appropriate informed consent of patients, parents, or legal guardians and to honor advanced directives. When necessary, patients, parents and legal guardians have a legal right to discuss their concerns with a representative of Children's and to remain informed of our findings, as prescribed by law.

Admission, Discharge, and Transfer

At Children's of Alabama, we abide by the Emergency Medical Treatment and Active Labor Act (EMTALA). All patients are assessed for their physical, psychological, and social needs. Anyone who comes to Children's with an emergency medical condition will be screened and treated based on medical necessity.

Research

It is our duty to promote and safeguard the health, well-being and rights of patients, including those who are involved in medical research. To fulfill this duty, Children's participation in medical research is performed in accordance with approved research protocols, Institutional Research Board procedures, and hospital policy.

Q&A

Do patients with insurance receive better care at Children's?

No. If you believe that you have witnessed compromised care based on lack of insurance or ability to pay, please immediately contact a department team manager or a supervisor in that area. If you continue to have concerns, contact the Compliance Officer or call the Hotline.

Are we required to see patients with non-emergent issues in the Emergency Department (ED)?

To abide by EMTALA laws, we must provide all patients who seek treatment in the ED with appropriate medical screening and care, regardless of insurance requirements and/or their ability to pay.



Commitment 3

Maintain a Safe Environment

Patient Safety

Children's is committed to patient safety. We work together to prevent and report medical errors by emphasizing the risk management process and performance improvement. Each of us is responsible for observing universal precautions. Only approved drugs, devices, and procedures may be distributed or used by licensed employees or medical staff to treat patients. In the event of a medical error, or potential error, (medicine, treatment, equipment malfunction or procedure), employees are responsible for completing a Patient Safety Report (PSR), as described in the *PSR-Patient Safety Incident Reporting Policy*.

Occupational Safety

Universal safety precautions and OSHA standards are practiced at Children's. To further ensure a safe work environment and protect our patients, Children's prohibits the possession of weapons on hospital property. Also prohibited are the possession, distribution, sale or use of alcohol or illegal drugs on Children's property. Staff suspected to be under the influence of drugs or alcohol while at work are subject to alcohol/drug testing.

It is also important to know that it is now a FELONY to assault a healthcare worker in Alabama. (Alabama Law Code: 13A-6-21)

If you experience a work-related injury or illness, report it to your supervisor and/or Employee Health (205.638.2928) within 5 days of the occurrence and complete a PSR prior to the end of the shift.

Q&A

If I see an unidentified person or a situation that looks like it's about to become violent, what should I do?

Unless your supervisor has given you other specific departmental instructions, you should call hospital Security at 638.4444, or call 911 if off-campus.

I witnessed an employee taking medication intended for a patient but I am afraid to report it for fear of them knowing I reported the incident. What should I do?

This is a serious violation, whether it is a controlled substance or not, and must be reported immediately to your supervisor or page the House Supervisor. Children's does not tolerate this behavior, as it is illegal and may pose a serious risk to the care of our patients. Failure to report this will likely endanger our patients and employees. See the *Controlled Substance Policy* in Lucidoc.

What is the Heads Up 4 Safety initiative?

Distracted walking is cause for concern for our staff and patient families and is one of the nation's top job-related injuries. Heads Up 4 Safety is a reminder to be aware of our surroundings and to stop and prevent accidents and reduce injuries by 1) not using a mobile device while walking, 2) using pedestrian bridges rather than street crossings, when possible, and 3) safe use of stairs (three points of contact).



Commitment 4

Respect Privacy & Confidentiality

We are required by law to protect the confidentiality of certain types of patient and business information. Only authorized individuals can access, use, or disclose confidential patient and business information as needed to perform their jobs. We must never seek access to confidential information for curiosity, malicious purposes, or financial gain. Children's business information such as strategy, prices, costs, terms of contracts, finances, and similar matters is private and should not be discussed with unauthorized individuals.

Privacy Program

Children's complies with the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and has implemented and oversees a HIPAA compliance program. HIPAA regulations apply to verbal, written, and electronic patient information that reasonably could reveal a patient's identity. **If you believe there may be a breach of data or a HIPAA violation, you must report it within 24-48 hours to the Corporate Compliance Hotline (800.624.9775) or online form, the HIPAA Privacy Officer, and/or your Supervisor.** Children's has a Data Breach Response Plan and is committed to data breach prevention. We must comply with regulatory timelines and work together to protect the identity of the patients and families we serve and maintain their trust in Children's.

A summary of Children's employees' responsibilities can be found in the policy entitled *Confidentiality Guidelines* in Lucidoc.

Identity theft refers to fraud committed or attempted that involves stealing money or getting other benefits by using the identity of another person without authority. Children's has implemented strategies to assist in the prevention of identity theft by placing patient information that is no longer needed in secure document destruction bins. We must work together to protect the identity of patients, their families, and staff.

Q&A

If someone asks me about a child who is a patient at Children's, may I look it up and tell them the child's status?

No. Patient information, **including that of your own children**, is protected by HIPAA law. Even if you are in a position to access patient information, you should not do so out of curiosity or concern. The only acceptable reason to access patient information is when it is required (there is a job-related "need to know") to fulfill your job requirements. Access to patient records is audited and monitored.

I know employees are not supposed to post pictures of patients or their family members on social media but is it all right for me to take a picture of my patient? We have become very close and I would like to have something to remind me of her and her family.

No. The *Photography Consent* Policy states that no personal telephone or electronic devices may be used to take pictures or videos.

My Children's laptop was stolen. What do I do?

If the laptop contained patient information, immediately contact your supervisor, the HIPAA Privacy Officer or the Compliance Hotline (800.624.9775).

I am concerned about an email that I received at work. It looks suspicious to me. What should I do?

"Phishing" scams ultimately seek to find confidential information and can be used to gain access to patient files and hold them for ransom. These emails may try to create a sense of urgency (a time deadline if you do not respond or act immediately), offer a gift, or ask you to view an invoice or a shipping notice for something you have not ordered. Do not click on any links inside the body of a suspicious email. If you suspect an email is fraudulent, immediately report it by using the "Phishing Alert" button at the top of the Outlook screen, or forward the email to cybersecurity@childrensal.org.



Commitment 5

Promote a Positive Work Place

Children's is committed to maintaining an environment in which we treat each other with honesty, fairness, and respect. Employees must not be discriminated against or harassed on the basis of race, sex, sexual orientation, gender identity, gender expression, religion, color, national origin, age, disability, citizenship, status as a disabled veteran or member/veteran of the uniformed services or any other factor protected by law. Violence or bullying of any type is prohibited.

Unacceptable behaviors include, but are not limited to:

- ▶ Verbal outbursts, such as disrespectful, demeaning words or tone, personal attacks, threats, racist or sexist comments
- ▶ Documenting personal opinions or comments in the medical record that do not relate or add to patient safety or care, as families may request copies of these records
- ▶ Harassment. Examples include sexually suggestive comments or jokes; touching or gesturing that is deemed inappropriate in a professional environment or that has been disclosed or described as offensive to those involved
- ▶ Violent or aggressive behavior of any type including unwelcomed physical contact, non-contact intimidation, such as bullying, or using threatening body language
- ▶ Refusal to follow directions or complete job-related tasks assigned by leaders; refusal to participate as a vital member of a team; refusal to follow established policies, including those governing professional behavior
- ▶ Deliberately damaging personal property of others

It is the responsibility of all employees and staff members to report cases of inappropriate conduct. Children's will investigate complaints to determine if corrective action is required.

Q&A

What should I do if a physician or employee speaks in a disrespectful manner or verbally attacks staff members?

This is not acceptable behavior.

For physicians, the *Professional Physician Behavior Policy* in Lucidoc addresses this situation and outlines the steps to take. Concerns regarding COA employees can be directed to the Supervisor for further investigation. Employees can also contact Human Resources and/or the Compliance Hotline (800.624.9775), if needed.

Our internal customers (other employees) are as important as our external customers.

My co-workers sometimes have discussions at work, such as sexually based stories, that make me uncomfortable. What should I do?

You should not be subjected to any sexually based behavior that makes you uncomfortable or that you feel is inappropriate on the job. You should report the actions immediately to your supervisor or on the Hotline (online form in the right margin of **The Red Wagon** or call 800.624.9775).

I feel I am being threatened by a patient or patient family member. What do I do?

Immediately contact Security and file an incident report. There are now laws that make violence against a healthcare worker a felony.

BULLY-FREE ZONE!



Commitment 6

Avoid Conflicts of Interest

Conflicts of interest occur when our judgment to make a good business decision is influenced by potential financial or personal gain. We are prohibited from engaging in a conflict of interest and must avoid even the appearance of wrongdoing.

Gift Giving

- Employees should not give gifts to patients/family members.
- Gifts may be provided for special celebrations, like birthdays, by contacting Child Life and Education. Because of Federal limits on gift giving (\$15 per gift/\$75 annually per patient), all occasions like this must be coordinated through Children's.
- Providing personal funds or transportation to patients/families violates professional boundaries. For families in need, contact Social Services for possible resources.

Gift Receiving

- Employees should never request or accept cash gifts, gift cards, or other gratuities from patients and patient family members.
- Employees should never request or accept gifts from vendors or other business partners.
- Food gifts that can be shared among the department or floor staff and are of minimal value may be acceptable. If in doubt, contact the Compliance Department Staff for guidance.

Other Conflicts

- Employees may not solicit orders, sell products, or distribute catalogs or literature for sales of products or services for personal gain (i.e. cosmetics, household goods, candles, cleaning services, jewelry, etc.) during work hours on Children's campuses.
- Employees may not serve on Boards of, or work for, other organizations if it is likely to conflict with their responsibilities at Children's or give the appearance that a conflict of interest may exist.
- Employees must not offer preferential treatment for a family member of a public official who is admitted to Children's.

Political Activity

As a tax-exempt organization, Children's and its employees may not advocate or show support for any political candidates or parties on Children's campuses.

More examples and how to manage them can be found at childrensal.org/conflictofinterest, then click on the *Identifying and Managing Conflicts of Interest* hyperlink.

If you have a possible conflict of interest, you may be required to complete a *Conflict of Interest Disclosure Form*. Contact the Compliance Coordinator at 205.638.2370 for more information.

Q&A

What do I say if offered cash or a gift card by a patient/family member?

Employees cannot accept cash or gift cards. Politely ask them to make a tax-deductible donation in your honor at www.childrensal.org under the Giving/Donate Now tab. This provides a benefit for you and them!

Sometimes I encounter a situation at work and I cannot decide if it is a conflict of interest. How do I manage these situations?

There is a reference tool entitled *Identifying and Managing Conflicts of Interest* that can be used for the most common situations. It can be found at childrensal.org/conflictofinterest, or in Lucidoc. If you are still uncertain, please call the Compliance Department to ask for guidance.



Commitment 7

Use Children's Property Responsibly

We each have the responsibility to protect Children's assets. The following are some examples of Children's resources and assets. This is **not** an all-inclusive list.

- ▶ Office Supplies
- ▶ Financial Data
- ▶ Internet Access/Email
- ▶ Time on the Clock
- ▶ Computers
- ▶ Medical Supplies/Equipment
- ▶ Copy/Fax Machines
- ▶ Patient Names/Information
- ▶ Cash/Funds
- ▶ Company Purchasing Card

Children's assets are to be used for business purposes. These assets should not be used to support a personal business, taken for personal use, or used to promote personal gain. Minimal personal use of the Internet is tolerated, provided it does not interfere with productivity, is not used for personal gain, does not break the law, and the employee's actions or comments do not discredit Children's.

Children's has the right to monitor use of any Children's property. Misuse of these assets may result in disciplinary action, termination and/or prosecution. Also, see *Internet and Email Usage Policy* in Lucidoc.

Q&A

Can I use Children's medical equipment to check my glucose, blood pressure, or temperature?

Children's equipment cannot be used for personal medical testing. Employee health needs while at work should be referred to Employee Health, unless it is an emergency.

I sell a product (or service) that I think would be of interest to my co-workers and our patients. Can I provide them with information while I am at work?

This is not allowed because this poses a possible conflict of interest and is taking time away from your work responsibilities.

Is it okay to use the copy/fax machine, Internet or email to help with my school work or my second job outside of my employment with Children's?

No. Use of these is for Children's business only.

**If you see something,
SAY something!**



Commitment 8

Maintain Accurate Patient & Business Records

To meet our goal of providing quality patient care and following legal guidelines, we must completely, accurately and truthfully maintain patient and business records. We must check and double-check all entries on a patient's record or bill, as well as any business records submitted to Children's.

A few examples of each of these types of documents include:

PATIENT RECORDS

- ▶ Nursing Documentation
- ▶ Electronic Medication Records
- ▶ Clinic Charge Sheets
- ▶ Anesthesia/OR/PACU Records
- ▶ Laboratory Results

BUSINESS RECORDS

- ▶ Time and Attendance
- ▶ Expense/Travel Reimbursement Forms
- ▶ Tuition Reimbursement Applications
- ▶ Conflict of Interest Forms
- ▶ Job Applications & Resumes

Record Retention

We are required by law to keep certain records for specific periods of time. Patient care, environmental safety, tax, finance, human resources and risk management are a few of the areas where record retention is required. Check with your supervisor and Children's policies to see how long records in your department need to remain on file.

Record Destruction

Children's records contain confidential information and must be destroyed or discarded according to departmental or universal policies and procedures.

Q&A

My coworker is off work and cannot complete his Children's University curriculum requirements by the deadline. Can I complete some of that for him?

No. All work-related records, including education records, are considered legal documents. Falsifications of records is a punishable offense, per the *Infraction of Health System Rules Policy*.

I am attending a work-related conference out of town. My favorite hotel is nearby, but costs more than other hotels. May I stay there at company expense?

No. The *Employee Travel Policy* should be carefully reviewed before travel arrangements are made to ensure proper expense reimbursement.

Should I delete incorrect entries in the patient's EMR (Electronic Medical Record)?

No, because this can appear as concealing information. Please follow the guidelines specific to the EMR program in which the error occurred.

Commitment 9



Ensure Accurate Charging, Coding & Billing Practices

When in doubt,
point it OUT!

Q&A

Law

The False Claims Act prohibits knowingly (with actual knowledge, deliberate ignorance, or reckless disregard) submitting a false claim (charge) to government agencies, such as Medicare, Medicaid, or Tricare, or causing others to do so. A copy of the *False Claims Act* Policy is available on **The Red Wagon** in Lucidoc.

We must do the right thing and exercise care to ensure that the charges we process are accurate. Doing the right thing means that we obey the law and submit charges only for the services we provide and for those that are needed and covered. We must be careful to charge only once for the same service. We must also ensure that the services we charge for are medically necessary and that they are appropriately ordered, delivered and documented.

Consequences

Mistakes in coding and billing, intentional or unintentional, can have serious consequences for Children's. Financial penalties for violating the False Claims Act can total three times the amount of the claim plus fines of approximately \$11,000 to \$22,000 per claim.

Whistleblower

A whistleblower is someone who reports an organization for misconduct. Under the False Claims Act, a whistleblower has a right to file a lawsuit on behalf of the government. If the lawsuit is successful, the individual may be eligible to receive a portion of the money recovered by the government. Whistleblowers are protected by Children's policies and federal law from termination, demotion, or other negative actions for reporting a violation.

Reporting

If you suspect an action or practice is not correct, report it to your supervisor, the Corporate Compliance Officer (205.638.7134), the Compliance Hotline (800.624.9775), or by clicking on Hotline in the right margin of **The Red Wagon**.

Children's has over one hundred Pyxis drug and medical supply stations throughout our facility. What could produce an inaccurate charge?

Some examples include:

- ▶ Wrong patient selected while accessing Pyxis;
- ▶ Unused supplies used on different patient;
- ▶ Unused/unopened supplies returned to Pyxis under incorrect patient name.

I suspect we are using inaccurate charging procedures in my department. Should I report this?

Federal and state laws prohibit the submission of false information to obtain payment, even if it is unintentional. If you suspect that charging procedures or coding diagnoses are improper, you should promptly report this to your supervisor or the Hotline so that this can be reviewed and corrected, if needed.



Commitment 10

Practice Good Ethics

Children's defines ethics as making choices that follow the highest standards of integrity and professionalism.

Relationships with Patients

We must maintain professional boundaries. Professional boundaries are "invisible lines" that guide professional behavior and promote a safe and emotionally healthy relationship with a patient and their family. Setting professional boundaries helps limit emotion-driven involvement that would be natural considering the caregiver's position and access to intimate knowledge about the patient or family.

Relationships with Business Partners

Children's is committed to fair and honest relationships with our business partners. All Children's business partners must abide by the Code of Conduct and relevant policies.

ANTI-KICKBACK RULES

A "kickback" is defined as money, or anything of value, that is given in return for buying products or services or referring patients. As a Children's employee, we are prohibited from taking or offering kickbacks. The Anti-Kickback statute inflicts severe criminal, civil and monetary penalties.

REFERRALS

Patients may be referred for services outside of Children's of Alabama. The federal **Stark Law** may forbid the referral if the referring physician (or a member of his or her immediate family) owns the referred business. Children's medical staff should not refer a patient for services that would be in violation of the **Stark Law**.

Intellectual Property

As a pediatric research facility, Children's routinely develops new treatments, tests, protocols, and patient care strategies. The details and outcomes of these projects are considered intellectual property and are owned by Children's. Therefore, the Children's community must not disclose, under any circumstances, this type of information without proper authorization from Children's Administration.

Q&A

Can I help a family in need by providing personal transportation to their medical appointments?

No. The ethical thing to do is help them contact their Social Worker for possible help.

Can Dr. Smith refer his patients to the physical therapy practice owned by his wife?

This would most likely result in a Stark Law violation or could appear to be a conflict of interest. When faced with these circumstances, please contact the Compliance Department for a review of the situation.

Should I "friend" or "follow" Children's patients/family members on social media?

It is best to avoid this, as it may create circumstances that violate professional boundaries or HIPAA/ Privacy laws. Review the *Social Media, Networking and Professional Boundaries Policies* for more information.

One of the vendors who presented a new product to my department offered to give me a gift card to an expensive restaurant. Can I accept this offer?

No employee of Children's should take money or anything of value from a vendor. This can be viewed as a kickback. Please refer to Commitment 6 regarding avoiding Conflicts of Interest for more information.



Commitment 11

Conduct External Relations Appropriately

Corporate Communications

If a Children’s employee is contacted by the media regarding a patient, medical program, or hospital activity, they must refer the media to the Corporate Communications staff immediately. Corporate Communications staff will interact directly with the media and provide appropriate information.

Employees and other staff working on Children’s campus are required to follow the Social Media, Networking Policy. You are required to report violations of the policy to your supervisor, the HIPAA Officer, Risk Manager On Call, or by calling the Compliance Hotline. Violations of the policy are serious and have disciplinary consequences up to immediate termination of employment. Please remember—you are not a spokesperson for the hospital, you cannot take photos with your personal device on campus for any reason, you cannot post photos of patients on social media, and no photos should be taken by parents during a procedure on a patient.



You may share information on your personal social media outlets AFTER it has been shared on Children’s official social media.

Fundraising

As a not-for-profit organization, Children’s relies heavily on contributions from donors and grantors to support many of its activities. Fundraising activities must be coordinated through the Children’s Hospital Foundation (Foundation).

The Foundation is committed to honest and ethical conduct and to safeguard the organization’s fundraising reputation and integrity in the community.

Q&A

While caring for a patient injured during a tornado, I received a call from a reporter. Is it okay for me to give information about the patient?

No. It is never okay to talk to the media directly. Refer all media requests for information to the Corporate Communications Department.

I am an employee and I want to hold a fundraiser to raise money for Children’s. Is there anything I need to know?

While we appreciate your efforts, please contact the Foundation prior to holding any fundraising events, per the *Administrative Fundraising Policy*.

I have been asked to give outside interviews, provide white papers, or presentations in my field of expertise based on my experience at Children’s. May I do this?

Employees should never appear to represent or speak on behalf of Children’s without first contacting and receiving approval from Corporate Communications. Additionally, disclaimers may need to be used on documents such as white papers. Seek guidance from Risk Management.



Commitment 12

Cooperate with Government Agencies

Government and agency investigations or inquiries may be presented in letters, faxes, telephone calls or personal visits (announced or unannounced). In some cases, employees may even be contacted outside of work. These agencies may include, but are not limited to, Centers for Medicare and Medicaid Services (CMS), the Federal Bureau of Investigation (FBI), the Food and Drug Administration (FDA), the Office for Civil Rights (OCR), and the Office of Inspector General (OIG).

Onsite Investigations or Inquiries

- ▶ Call 205.638.9100 to **page the Risk Manager On Call (RMOC)**. Politely explain to the agent that the RMOC must discuss the issue with the agent and coordinate their request.
- ▶ ALWAYS request the agent's identification for the RMOC to verify.
- ▶ DO NOT SIGN any documents or consent to a search. Page the RMOC.

Outside Interviews

- ▶ Call 205.638.9100 to page the RMOC if a government agent contacts you outside of COA property.
- ▶ The RMOC or legal counsel should be present during any interview. Children's has a right to determine the time and place of the investigation.
- ▶ The RMOC will talk to and handle the request with the investigator.

Inquiries by Letter, Fax or Phone

- ▶ Audit notice or "demand" letters should **immediately** be forwarded to the Corporate Compliance Officer.
- ▶ Correspondence or calls from attorneys, government or law enforcement agencies regarding patient information should promptly be forwarded to the Privacy Officer.
- ▶ Do not offer confidential information over the phone, as the caller's identity cannot be verified. Ask for the caller's contact information and report this to the RMOC or the Compliance Officer.

For details, see the Compliance Policy on *Responding to External Investigations* in Lucidoc.

Q&A

If I receive a work-related letter from a government agency, what should I do?

Please immediately call the Risk Manager on Call (RMOC) at 205.638.9100 and they will work in conjunction with the Compliance Officer. These notices are usually time-sensitive and a delayed response could compromise Children's position in the matter.

What do I do if an FBI agent comes to my home after normal work hours and asks to talk to me about the activities of my department?

ALWAYS request identification from the agent. Page the Risk Manager on Call immediately, so the RMOC may talk to and appropriately handle the request from the government agent. The RMOC is available any time of day, 365 days a year. A Children's Risk Manager must be present during any interview.



Reporting Suspected Compliance Violations

Reporting does NOT have to follow the chain of command



CONTACT

or

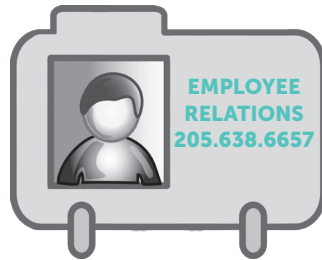
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Q&A

Who can use the Hotline?

All staff, vendors, physicians and employees (both on and off-campus) can use the Hotline reporting system for compliance concerns.

Do I have to use the telephone to report a compliance concern?

There is an online form that may be completed instead of calling the toll-free Hotline number (800.624.9775). The online form can be found by clicking on the Hotline link in the right margin of **The Red Wagon**.



Disciplinary Action

Compliance requirements are strictly enforced. As part of performance evaluations, employees are evaluated on satisfying Compliance Program requirements. Violation of applicable law, policy, or the Code of Conduct may subject anyone in the Children's community to disciplinary action, loss of medical staff privileges, termination, civil fines, and/or criminal penalties.

Progressive discipline may apply when:

EMPLOYEES

- ▶ Violate or assist others in violating a law, regulation, or policy
- ▶ Know of a compliance violation and do not report it
- ▶ Tell others not to report a compliance violation
- ▶ Fail to follow the Code of Conduct

SUPERVISORS

- ▶ Do not supervise staff to ensure compliance
- ▶ Know of a compliance violation and do not report it
- ▶ Do not communicate compliance requirements to staff
- ▶ Attempt retaliation if staff reports compliance concerns

We expect our leaders to lead by example. Supervisory personnel must promote an environment of compliance and provide staff with appropriate information to meet compliance requirements. Supervisors who exhibit negative behaviors toward staff members as a result of a compliance violation report may be subject to disciplinary action per the HR Policy *Infraction of Health System Rules* in Lucidoc.

Q&A

How do I know for sure if something is a compliance concern?

If you are uncomfortable with certain behaviors or practices, speak with your supervisor or the Corporate Compliance Officer. Many compliance questions can be answered in the Q & A section of the Compliance web pages at <https://www.childrensal.org/compliance> or simply click on the compliance link in the left margin of **The Red Wagon**.

What if I report to my supervisor that something is wrong, but he/she tells me not to worry about it?

If you know something is wrong, report the situation to the Corporate Compliance Officer or the Compliance Hotline (800.624.9775).

Will I get in trouble if I report a situation, but my suspicion turns out to be wrong?

It is your right and responsibility to report suspected problems. If you have a concern and truthfully report it, our policy prohibits termination, demotion, or any type of retaliation for reporting.

What happens when I report a compliance concern?

Children's investigates suspected violations promptly, thoroughly, confidentially, and fairly. If it is determined a possible violation occurred, corrective action plans are promptly implemented as needed. When necessary, reports of the suspected violation are sent to appropriate authorities for further investigation.



Got Questions?

Answers to some additional commonly asked compliance questions can be found on the Compliance web pages. Simply click on the link in the left margin of **The Red Wagon**.

For more information about reporting a compliance violation, see the *Reporting Potential Compliance Issues Policy* in Lucidoc.

Special Thanks to the 2018-2019 Corporate Compliance Committee

Shana Arnold – Lab Administration
Lynn Brown – Pediatric Practice Solutions
Jaime Frederick – Human Resources
Lauren Howard – PICU
Monica Jackson – Central Distribution
Tannis McCombs – Patient Registration
Matthew Payne – Corporate Compliance
Teresa Pearson – Children’s South
Cindy Rogers – Corporate Compliance

Robert Royston – Risk Management
Tracey Russell – Health Information Management
Shannon Shoemaker – Supply Chain Administration
Kathleen Street – Risk Management
Matthew Vinson – Pharmacy
Peggy Weiland – Corporate Compliance
Salena Whalen-Stalker – Corporate Compliance
Carolyn Ziemann – Internal Audit



Compliance Acknowledgement



Children's
of Alabama®

This is to acknowledge that I have received and reviewed Children's of Alabama (Children's) *Code of Conduct*. I understand that nothing contained in the *Code of Conduct* is creating a contract of employment or modifying the "employment at will" status.

I acknowledge that **I am responsible for**

- ▶ Knowing and complying with applicable laws, regulations, accreditation standards, policies and procedures, the *Code of Conduct*, and ethical standards governing Children's and relating to my services or employment;
- ▶ Reporting violations or suspected violations to my supervisor or the Compliance Officer and will not be subject to termination, demotion or other negative actions for reporting a violation;
- ▶ Compliance with the *Code of Conduct* and the Compliance Program as a condition of employment or association with Children's and that violations of these or any policies and procedures of Children's is grounds for disciplinary action, up to and including termination;
- ▶ Immediately notifying the Corporate Compliance Officer if I become listed by a government agency as debarred, sanctioned, excluded or otherwise ineligible for participation in government-funded healthcare programs.

I certify that I am currently not excluded or otherwise ineligible for participation in a government-funded healthcare program.

Printed Name

Signature

Department

Date

This document is available electronically at <https://www.childrensal.org/compliance> and on **The Red Wagon**.