



Code of Ethical Conduct Training

Code of Ethical Conduct Training

- Please take time to read and familiarize yourself with this important information and use it to guide your work. We each have a responsibility to hold ourselves accountable to the MaineHealth Code of Ethical Conduct and the values it represents.
- At the end of this training, you will need to acknowledge that you have read and understand our Code of Ethical Conduct and that you agree to abide by its provisions.

1. PURPOSE

MaineHealth is committed to conducting operations in a legal, professional, and ethical manner. We accomplish this through our Corporate Compliance Program, which creates and reinforces a corporate culture that embraces compliance as a top priority. The purpose of the Corporate Compliance Program is to aid in the detection, prevention and correction of compliance issues. The Code of Ethical Conduct is an integral part of the Corporate Compliance Program and provides guidance in carrying out our daily activities within appropriate ethical and legal standards.

2. INTRODUCTION

A. Guidelines Apply to all Workforce

As used in this Code of Ethical Conduct, the term “Workforce” includes MaineHealth’s trustees, officers, employees, volunteers, students, members of the medical staff, clinical faculty, vendors, and independent contractors. Workforce members will be required to review and attest to abide by the Code of Ethical Conduct on an annual basis.

B. Use of Guidelines

The MaineHealth Board of Trustees adopted the Code of Ethical Conduct to protect and promote organization wide integrity, support our values and enhance MaineHealth’s ability to achieve its mission.

MaineHealth operates in a heavily regulated and rapidly changing environment. It is not the intention that the Code of Ethical Conduct covers every situation. MaineHealth workforce must comply with all applicable laws, regulations, and MaineHealth policies and procedures.

2. INTRODUCTION

C. Decision Making

The Code of Ethical Conduct helps us make ethical decisions. Ask yourself the following questions when you are unsure what decision you should make:

- Is it consistent with our mission and values?
- Is it illegal?
- Is it ethical?
- Could it harm patients?
- Could it harm government programs?
- Could it harm our financial health?
- Would it be uncomfortable if the Board of Trustees, leadership, or workforce heard about it on the news?
- Does it violate a MaineHealth policy?

2. INTRODUCTION

If you are still unsure what decision to make or what action to take, utilize the following confidential resources to assist with making the right decision:

- Report your concern to your immediate supervisor, manager, or director; someone in the Human Resources Department; or someone in the Corporate Compliance Department.
- Call the confidential Corporate Compliance HelpLine at 207-662-4646.
- Send an email to the confidential Corporate Compliance email: MaineHealthCorporateCompliance@MaineHealth.org.
- Enter an event into SafetyNet, the MaineHealth event reporting system, using the Compliance/Privacy icon.

3. ORGANIZATIONAL ETHICS

MaineHealth has developed ethical guideposts for making decisions that maintain our commitment to the health of our patients and to the community. Those standards represent the values that collectively describe our culture and shape our practices and decisions. The Code of Ethical Conducts supports MaineHealth’s values:



A. Executive Compliance Committee

MaineHealth has established an Executive Compliance Committee to oversee adherence to federal and state regulations and MaineHealth policies.

3. ORGANIZATIONAL ETHICS

B. Honest Communications

Workforce will not make false or misleading statements to any patient, person or entity conducting business with MaineHealth. MaineHealth requires candor and honesty from individuals in the performance of their responsibilities and in communication with attorneys, auditors, and federal or state government agencies.

C. Accurate Records

MaineHealth payments and other transactions are to be accurate and completely recorded in accordance with generally accepted accounting principles, federal and state regulations and established MaineHealth policies.

3. ORGANIZATIONAL ETHICS

D. Proprietary Information

Workforce must not share MaineHealth proprietary information with outside persons, such as competitors, suppliers or outside contractors, unless specifically authorized to do so. Proprietary information includes, but is not limited to, business strategies, pricing information, financial data, research protocol, and intellectual property.

E. Scientific Integrity

MaineHealth may receive government funds or grants to conduct scientific research and must comply with regulations that prohibit misconduct in science. Misconduct in science includes, but is not limited to, fabrication, falsification or plagiarism in proposing, conducting or reporting research. If workforce members identify any inadvertent or intentional violation, they must report it to the Institutional Review Board (IRB) overseeing the research project or the appropriate compliance officer or manager.

3. ORGANIZATIONAL ETHICS

F. Conflicts of Interest

A conflict of interest involves any circumstance where your personal activities or interests advance at the expense of MaineHealth. These circumstances may be financial or involve some other type of personal interest that conflicts with your professional responsibilities. Our patients and community expect us to make decisions not biased by personal interests, or by any actual or perceived conflict of interest that may compromise our ability to provide patient care, transact business or make purchasing decisions. Conflicts of interest may also pose a risk to the operations and reputation of MaineHealth. Workforce members must avoid any actual or perceived conflict of interest.

3. ORGANIZATIONAL ETHICS

G. Gifts from Patients:

Workforce members must not solicit or accept tips, personal gratuities, or gifts from patients and/or family members. If a patient or another individual wishes to present a gift of money, refer them to the Philanthropy Department.

3. ORGANIZATIONAL ETHICS

H. Business and Vendor Relationships and Activities

Business transactions with vendors, contractors, providers, government entities, payers and others must be transacted free from offers or solicitation of gifts and favors or other improper inducements in exchange for influence or assistance in a transaction.

It is the policy of MaineHealth to protect the integrity of clinical decisions, health care education, research activities, and the purchasing or prescribing of medical devices and pharmaceuticals from real or perceived conflicts of interest. MaineHealth workforce members may not accept vendor-sponsored entertainment, theater or sporting event tickets or similar entertainment at a vendor's expense. MaineHealth prohibits vendor sponsorship for education conferences.

4. INSTITUTIONAL ASSETS

MaineHealth uses assets and resources for the purpose of our not-for-profit mission. MaineHealth prohibits the unauthorized use or taking of equipment, supplies, materials or services for personal benefit.

A. Use of Computer Assets

Access to MaineHealth computers is intended for legitimate business purposes. Any incidental personal use must be limited and consistent with all policies.

4. INSTITUTIONAL ASSETS

B. Use of the Internet

Access to the internet cannot be used for personal gain or activities sponsored by other organizations or businesses.

Social Media

Workforce members engaged in social networking shall be mindful that their postings could have an adverse effect on MaineHealth patients, employees and legitimate business interests. Applicable MaineHealth policies govern all communications.

5. LEGAL COMPLIANCE

A. Fraud, Waste and Abuse

Fraud is generally defined as knowingly and willfully executing, or attempting to execute, a scheme to defraud any health care benefit program. Waste is overutilization of services that directly or indirectly result in unnecessary costs to a health care program. Seeking payment for any activity that does not meet professionally recognized standards or provides patients with medically unnecessary services is considered abuse.

The state and Federal False Claims Act (FCA) and the Federal Deficit Reduction Act protect government programs such as Medicare, Medicaid and Tricare from fraud, waste and abuse. It is a violation of the FCA to knowingly submit or cause another person or entity to submit, false claims for payment of government funds. MaineHealth will bill only for services performed in patient care and documented in medical records. MaineHealth will refund overpayments within sixty (60) days of identification.

5. LEGAL COMPLIANCE

B. Anti-Kickback Statute

Federal and state Anti-Kickback Statutes prohibit MaineHealth workforce members from knowingly and willfully offering, paying, seeking or receiving money or any other benefit in return for referring patients for treatment.

C. Stark Law (Physician Self-Referral Law)

The Physician Self-Referral Law, commonly referred to as the Stark Law, prohibits physicians from referring patients for certain health services payable by Medicare and Medicaid when the physician or immediate family member has a financial relationship with that entity. MaineHealth will conduct all our business practices with physicians in conformity with the Stark Law.

5. LEGAL COMPLIANCE

D. Emergency Medical Treatment and Labor Act (EMTALA)

EMTALA was enacted to prevent the practice of “patient dumping.” MaineHealth will provide a medical screening examination and stabilizing treatment to all patients who come to our dedicated emergency departments regardless of their ability to pay. MaineHealth transfers emergency patients only when they request a transfer or when we lack the capability to provide appropriate treatment.

E. Excluded Individuals

MaineHealth does not employ individuals, engage volunteers, have board members or contract with, or bill for services rendered by individuals or organizations excluded from participating in any federal or state health care programs.

5. LEGAL COMPLIANCE

F. Not-for-Profit Tax-Exempt Status

MaineHealth is a tax-exempt entity because of its charitable mission. MaineHealth provides benefits that include health care services, medical training, education, research and community outreach activities. MaineHealth must use its resources in a manner that furthers the public good rather than the private or personal interest of any individual or entity.

G. Antitrust

Federal and state antitrust laws prohibit competitors from entering into agreements to fix prices, divide geographic markets or reduce competition. MaineHealth workforce members must adhere to these laws. Additionally, MaineHealth workforce should not engage in any conduct that may be perceived as a violation of federal or state antitrust laws. MaineHealth workforce members should not provide or receive nonpublic competitively sensitive business information to or from a company that competes with MaineHealth or discuss arrangements with such a company that would limit competition.

6. INTEGRITY IN THE WORKPLACE

A. Prohibition on Discrimination and Harassment

MaineHealth treats all individuals with respect and dignity. It is the policy of MaineHealth to ensure that all environments are free from discrimination and harassment. Refer to MaineHealth's Notice of Non-discrimination.

B. Drug-Free Workplace

MaineHealth provides a safe and healthy environment for its workforce, patients and the families it serves. MaineHealth ensures a work environment free from the effects of alcohol and drug use and complies with the requirements of the Federal Drug-Free Workplace Act.

6. INTEGRITY IN THE WORKPLACE

C. Workplace Violence

MaineHealth is committed to a work environment free from threats or acts of violence in the workplace. Workplace violence is defined as acts or threats occurring at the workplace that can include any of the following: verbal, nonverbal, written or physical aggression; threatening, intimidating, harassing, or humiliating words or actions; bullying; cyberbullying; sabotage; sexual harassment; physical assaults; or other behaviors of concern involving staff, licensed practitioners, patients or visitors. Workforce members who engage in physically abusive or violent behavior shall be subject to disciplinary action up to and including removal from the facility, separation of employment and referral to appropriate law enforcement agencies.

D. Hazardous Waste

MaineHealth has adopted policies to comply with federal and state laws governing the treatment, storage and disposal of MaineHealth's waste and hazardous materials, including medical waste, radioactive waste, reagents, municipal water, air emissions and asbestos.

6. INTEGRITY IN THE WORKPLACE

E. Political Activity

Outside of the workplace, MaineHealth workforce members may engage in political activities, participate in political campaigns, or support political candidates and causes of their choice. However, in doing so, MaineHealth workforce members may not represent that they are acting as an employee or on behalf of MaineHealth.

As a company, MaineHealth will not advocate for or against the election of any candidate for political office, nor will MaineHealth solicit funds or endorsements in support of political candidates. If a pending legislative or regulatory matter may directly affect MaineHealth's pursuit of its nonprofit mission, MaineHealth may determine to express its interests and concerns to the legislative, executive or administrative officials involved, and in its public pronouncements.

6. INTEGRITY IN THE WORKPLACE

F. Confidentiality

MaineHealth workforce members access a broad variety of confidential, sensitive and proprietary information. All workforce members must safeguard patients, employees and other confidential information in accordance with the requirements of employment and federal and state regulations and all applicable policies.

7. OBLIGATIONS OF WORKFORCE MEMBERS

Workforce members have an individual, non-delegable duty to report any violation of the Code of Ethical Conduct or any illegal activity. Workforce members must promptly report the alleged violation or illegal activity in the following ways:

- Contact their immediate supervisor, manager or director.
- Contact the Human Resources Department.
- Contact the Corporate Compliance Department by:
 - Calling the confidential Corporate Compliance Anonymous HelpLine at 207-662-4646.
 - Emailing Corporate Compliance at MaineHealthCorporateCompliance@MaineHealth.org.
 - Entering an event into SafetyNet, the MaineHealth event reporting system, using the Compliance/Privacy icon.

7. OBLIGATIONS OF WORKFORCE MEMBERS

A. Requests for Information Pursuant to an Audit, Investigation or Legal Proceeding

MaineHealth promptly responds to requests for information from a government agency or legal proceedings. Requests may come in the form of a subpoena, letter, or verbal request. If anyone asks the workforce to accept a legal document or to share information of any kind for any reason, immediately consult with your supervisor, the Corporate Compliance Department, or MaineHealth Legal Affairs.

B. Obligations of Subcontractors

MaineHealth expects subcontractors to provide items or services in connection with MaineHealth programs to comply with all MaineHealth policies.

7. OBLIGATIONS OF WORKFORCE MEMBERS

C. Contact with the Media

The MaineHealth Communications and Public Affairs department responds to any media inquiries or initiates contact with the media. Communications with media involving patient information must comply with federal and state privacy laws to fulfill our legal and ethical duty to protect patient privacy.

D. Enforcement

Violations of the Code of Ethical Conduct may have employment consequences for employees; sanctions for board and committee members; membership and privilege consequences for medical staff members; and business curtailment consequences for vendors and others.

8. DUTY TO REPORT

MaineHealth requires workforce members to notice and report any internal problem that violates our standards.

If a workforce member at MaineHealth is not following a law, policy or element of our Code of Ethical Conduct, it must be reported. If you are uncomfortable talking to your supervisor, voice your concern to the next supervisory level, up to and including the highest level of management. MaineHealth is committed to providing an environment that allows reporting in good faith without fear of retaliation. Failure to report perceived violations may result in disciplinary action, up to and including separation from employment.

8. DUTY TO REPORT

A. Non-retaliation

MaineHealth understands that individuals may be uncomfortable voicing their concerns due to fear of retaliation. Management action that would deter an individual from making a report may constitute retaliation. Whether obvious or subtle, MaineHealth will not tolerate retaliation taken against an individual who has raised a good-faith concern or cooperated in an investigation. Not only is it against MaineHealth values and policy to retaliate, but it is also illegal under both state and federal laws.

B. Cooperation with MaineHealth Corporate Compliance

MaineHealth requires that all workforce members cooperate with compliance investigations, auditing and monitoring activities, and requests for information.

8. DUTY TO REPORT

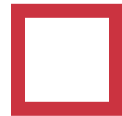
- MaineHealth Corporate Compliance HelpLine:
207-662-4646
- MaineHealth Corporate Compliance Email:
MaineHealthCorporateCompliance@mainehealth.org
- SafetyNet Event Reporting System:



CODE OF ETHICAL CONDUCT ATTESTATION

“As stated in our Code of Ethical Conduct, adherence to the law and the highest ethical standards of integrity is the foundation of everything we do. Meeting this standard and complying with all applicable laws and regulations does not just happen; it requires a commitment from each of us.

I acknowledge that I have read and understand our Code of Ethical Conduct and I agree to abide by its provisions.”



I agree



Thank you for completing the Code of Ethical Conduct Training.