



**CODE OF CONDUCT  
MANUAL**

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## A LETTER FROM OUR PRESIDENT & CEO

Each day we have many choices to do the right thing. We have a commitment to our University Medical Center of El Paso's C.A.R.E.S. values. Our Associates are comprised of more than 3,400 professionals in many career fields, all working to better the lives of residents in our community, while practicing and believing in our C.A.R.E.S. values.

These values include exceptional Customer service, Accountability, Respect and dignity for our patients, Excellence, and Safety – in all we do. These values are the foundation of our Code of Conduct and Compliance Program.

My expectation of all our Associates, whether they are new to our hospital or have been here for more than 20 years, is to know and follow our Code of Conduct and our Compliance Program. You are expected to carry out your assigned work and care for those we serve, with integrity and in full compliance with the law.

Our Code of Conduct defines us. Integrity has been defined as doing the right thing when no one is watching. There have been and will always be times when you are trusted to do the right thing without someone telling you to do it. I know and expect that you will rely on our Code of Conduct and our values to guide you.

Part of our Compliance Program's responsibility is to ensure that we maintain an organization that complies with the many laws, rules, and regulations that affect healthcare. To assist us in that endeavor, we have developed the El Paso County Hospital District Compliance Program. The Hospitals District's Code of Conduct is a critical component of the Compliance Program. This Code explains many of the basic rules that apply to our hospital, health plan, and clinics and the personal responsibility that each of us have to speak up if we ever see something that doesn't seem right.

Read the Code carefully. I know and have faith that you will always do the right thing but if you ever get into a situation when things simply are not clear to you – refer to our Code or call our Compliance Program office. You may also access the hospital's web-based training on the Code of Conduct.

Our commitment to integrity must always come first. The Code defines how we serve our patients and each other, providing better care and always treating everyone with respect. Your hire at our hospital demonstrates that we believe you are someone who fits our Code. I trust that you will always do the right thing, helping us improve our care for our community for years to come.

Sincerely,  
R. Jacob Cintron  
President & Chief Executive Officer

# EL PASO COUNTY HOSPITAL DISTRICT

**THIS *CODE OF CONDUCT* HAS BEEN ADOPTED BY THE EL PASO COUNTY HOSPITAL DISTRICT WHICH INCLUDES UNIVERSITY MEDICAL CENTER OF EL PASO, UNIVERSITY MEDICAL CENTER FOUNDATION, NEIGHBORHOOD HEALTH CENTERS, THE DISTRICT’S PROVIDER-BASED CLINICS, AND BY EL PASO HEALTH PLANS, THE DISTRICT’S INSURANCE COMPANY. ANY REFERENCES TO THE HOSPITAL DISTRICT, ITS POLICIES AND PROCEDURES, OR ITS ASSOCIATES INCLUDE THOSE OF ALL ENTITIES.**

- The *Code of Conduct* applies to all Associates of the El Paso County Hospital District (Hospital District), Contract Personnel, Affiliated Students, Volunteers, Medical Staff, Residents, and the Board of Managers.
- The code applies to everyone that has a business relationship with the Hospital District.
- The *Code of Conduct* addresses conduct that is not acceptable at the Hospital District.
- It is your job as an Associate to report an incident if you feel the code has been violated.
- We will not allow retaliation against any Associate for good faith reporting.

➤ **MISSION** – To heal, to serve and to educate.

➤ **VISION** – To be the first choice for healthcare in the southwest.

➤ **VALUES** – Our values are our guide to how we will always act as we carry out our day-to-day responsibilities. Our values spell out C.A.R.E.S., which is what we do:

## **C**OMMUNITY

– Pursue access to healthcare for all members of our community.

## **A**CCOUNTABILITY

– Embrace responsibility for the outcomes resulting from our choices and actions.

## **R**ESPECT & DIGNITY

– Treat everyone with dignity and compassion.

## **E**XCELLENCE

– Provide the highest quality of care.

## **S**ERVICE

– Exceed customer’s expectations every time.

Please refer to these other useful resources on the Hospital District Intranet:

- Associate Handbook
- Procurement Policy and Procedure Manual
- Infection Control Policy and Procedure Manual
- Board of Managers Bylaws
- Human Resources Policy and Procedure Manual
- Compliance Policy and Procedure Manual
- Medical Staff Bylaws
- Safety/Environment of Care Policy and Procedure Manual
- Hospital District Administrative and Patient Services Policy and Procedure Manual

## COMMITMENT FROM LEADERSHIP

### **R. Jacob Cintron**

President & CEO  
El Paso County Hospital District

### **Michael L. Nuñez**

District Chief Financial Officer  
El Paso County Hospital District

### **Maria M. Zampini**

Chief Operating Officer  
El Paso County Hospital District

### **Catherine L. Gibson**

Chief Compliance Officer  
El Paso County Hospital District

### **Lorena Navedo**

Chief Administrative Officer  
El Paso County Hospital District

### **Omar Villa**

Chief Legal Officer  
El Paso County Hospital District

### **Joel Hendryx, D.O.**

Chief Medical Officer  
El Paso County Hospital District

### **Amy Daher**

Chief Nursing Officer  
El Paso County Hospital District

### **Eric Johansen**

Chief Quality Officer, Interim  
El Paso County Hospital District

### **Leticia Flores**

Chief Financial Officer  
El Paso County Hospital District

### **Ray Davis**

Chief Information Officer  
El Paso County Hospital District

### **Jon Law**

Chief Strategic Officer  
El Paso County Hospital District

### **Carol Smallwood**

President & CEO  
El Paso First Health Plans, Inc.

### **Janel Lujan**

CEO of Medicaid  
El Paso First Health Plans, Inc.

**As your leadership we are committed to exemplify our *Code of Conduct* model by committing to the following:**

- We are committed to providing high quality care and skilled, compassionate, reliable service to our patients and to our community in a safe and healing environment.
- We are committed to protecting each patient's right to privacy in accordance with the applicable laws and regulations; and the privacy of all of our Associates.
- We are committed to treating all patients and their family members with warmth, respect and dignity while providing necessary, appropriate, high quality, and affordable care in a manner that protects the privacy of our patients and the confidentiality of their health information.
- We recognize that the greatest strength of our organization lies in the efforts and talents of our Associates. We are committed to treating each other with respect, dignity and courtesy.
- We will follow all applicable laws and regulations, conduct our business ethically and honestly, and act in a manner that improves the Hospital District's standing in the community.
- We will ensure that documentation, charging, coding and billing functions are performed accurately. We will also ensure that there is documentation to support the services performed and the amounts charged. Communication among the Hospital District's clinicians, coders, billers, and claims staff is necessary to ensure accurate and correct information, billing and reimbursement.
- We will avoid business relationships and actions that could interfere with or be perceived to interfere with our business or clinical decisions.
- We will protect the property, equipment and other resources of the Hospital District against loss, theft or misuse.
- We will consider the safety and security of patients, visitors and Associates in all of our activities.
- We will provide sufficient resources to comply with laws, regulations and policies to resolve ethical matters.

# ETHICAL DECISION MAKING

Making good decisions is essential to the success of our organization. Every day we all make decisions for the organization. We may not realize it at the time, but decisions impact our reputation and standing in the community and our relationships with business associates.

Always consider these questions when you make a decision for the organization:

- 1. Is it legal?**
- 2. Is it consistent with company policy?**
- 3. Is it consistent with our C.A.R.E.S. values?**
- 4. Would I be comfortable if it were made public?**

If you answer **yes to all** of these questions, you are following the *Code of Conduct* and making good decisions for the organization.

If you see or become aware of conduct that appears **unethical or illegal**, it is your responsibility to report the behavior or situation.

Who should you contact?

- Supervisor / Manager / Director

or

- Human Resources

or

- Compliance Office / Anonymous Hotline

**1 (888) 310-3434**

# EL PASO COUNTY HOSPITAL DISTRICT BOARD OF MANAGERS' PLEDGE

On September 11, 2007, the Board of Managers of the El Paso County Hospital District duly executed this pledge in keeping with the *Code of Conduct*.

I, \_\_\_\_\_, recognizing the important responsibility I am undertaking as a member of the Board of Managers of the El Paso County Hospital District, hereby personally pledge to carry out in a trustworthy and diligent manner, all the duties and obligations inherent in my role as a board member.

**My Role:**

I acknowledge that my primary role as a board member is to contribute to the promotion of the El Paso County Hospital District's mission and to carry out the functions of the Office of Board Member and/or Officer as described in the Bylaws of the Board of Managers of the El Paso County Hospital District.

**My Commitment:**

I will exercise the duties and responsibilities of this office with integrity, professionalism, collegiality and due care.

**Pledge:**

I will represent the El Paso County Hospital District in a positive and supportive manner at all times and in all places unless there is an issue that may compromise the well-being of our community residents, in which case I may speak as an individual Board member or concerned citizen.

I will exercise my right to voice my opinions and recommendations regarding Hospital District matters and will respect the rights of other Board Members to voice their opinions and recommendations.

I will always act for the good of the community.

I will be prepared to discuss the issues and business addressed at scheduled meetings having read the agenda and all background material relevant to the topics at hand.

I will support in a positive manner all actions taken by the Board of Managers provided that I reserve the right to voice a dissenting point of view without fear of retribution.

I will observe the parliamentary procedures to display courteous conduct at all Board and Committee meetings.

I agree not to divulge or distribute any confidential information or records I may encounter during the performance of my duties with the El Paso County Hospital District. I agree that any discussions, records and information that I have access to in connection with these activities will not be disclosed to any unauthorized person.

I agree not to speak on behalf of the El Paso County Hospital District without the authorization of the Board of Managers. I may speak as an individual board member or a concerned citizen.

I am committed to acting honestly in accordance with the letter and spirit of all applicable laws and regulations, as well as internal policies governing the affairs of the Hospital District.

I agree that if I am absent from all regularly scheduled Board and Committee meetings that I am eligible to attend during a 90-day time period or if I am absent from more than half of the regularly scheduled Board and Committee meetings that I am eligible to attend during a 12 month period, I will be considered to have resigned from the Board.

I agree that I will be considered to have resigned from the Board if I fail to pay local taxes including an ad valorem tax when due.

I agree that I will be considered to have resigned from the Board if I become employed by the El Paso County or by the El Paso County Hospital District.

I agree that I will be considered to have resigned from the Board if anyone related to me within the third degree of consanguinity or affinity is a member of the El Paso County Commissioners Court or becomes employed by the El Paso County or El Paso County Hospital District.

I will voluntarily refrain from entering into any business relationships with University Medical Center or any of its affiliated entities during my term as a board member of the Board of Managers. I will not solicit any business from University Medical Center or offer services through any company in which I or any family member has an ownership interest in or by which I or any family member is employed.

I agree to resign from the Board of Managers in the event of the revocation of any professional license which I may hold for either professional misconduct or fraud.

I agree to uphold the Bylaws of the El Paso County Hospital District.

I affirm that I have been provided a copy of the El Paso County Code of Ethics and the Hospital District Code of Conduct and that I have read these documents and that I pledge to comply with the ethical standards set forth therein.

I affirm that I have read and understood this pledge and promise to comply and faithfully discharge the duties, responsibilities and obligations set forth herein.

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Board Member:** \_\_\_\_\_



## PATIENTS' RIGHTS

We make no distinction in the admission, transfer or discharge of patients or in the care we provide. We are committed to provide care based on applicable federal civil rights laws and do not discriminate based on age, gender, disability, race, color, ancestry, citizenship, religion, pregnancy, sexual orientation, gender identity or expression, national origin, medical condition, marital status, veteran status, payment source or ability, or any other basis prohibited by federal, state or local law. We make every effort to educate, equip and train our caregivers to respect and provide for our patients' particular needs. The hospital respects the patient's right to and need for effective communication. We will respect the dignity, comfort, and privacy of each patient and will treat each with consideration, courtesy and respect.

Each patient is provided the Patient Rights and Responsibilities pamphlet and the Notice of Privacy Practices. These documents include the right of a patient to make decisions regarding medical care, the right to refuse or accept treatment, the right to informed decision-making, and the rights related to the patient health information maintained by the facility.

Patients have the right to request transfer to another facility. In such cases, we will give the patient an explanation of the benefits, risks, and alternatives.

We understand that everyone needs to plan for healthcare in the future. We will inform patients of their right to make advance directives. These are the documents used to help a person express his or her wishes about medical care in case the person cannot speak for him or herself in the future. We will honor patient advance directives according to all applicable laws.

Each patient can expect to receive appropriate protection involving confidentiality, privacy, and security or protective measures. Appropriate pastoral or spiritual care will be provided. We provide the opportunity for resolution of complaints from patients and their families.

## EMERGENCY TREATMENT

We will follow the Emergency Medical Treatment and Active Labor Act ("EMTALA") in providing emergency medical treatment to all patients, regardless of their ability to pay. Provided we have the capacity and capability, anyone with an emergency medical condition is treated and admitted based on medical necessity. In an emergency situation or if the patient is in labor, financial and demographic information will be obtained only after an appropriate medical screening examination and necessary stabilizing treatment (including treatment for an unborn child). We do not admit, discharge or transfer patients based simply on their ability or inability to pay. Patients will be transferred from the Hospital District only in accordance with the Hospital Transfer Policy or as otherwise allowed by law.

## USE AND DISCLOSURE OF INFORMATION

Confidential Information refers to the proprietary information about our organization's plans and operations as well as confidential patient information. The improper use or disclosure of confidential information can violate legal and ethical standards.

- We collect information about a patient's medical condition, history, medication, and family illnesses to provide quality care.
- We will take reasonable precautions to ensure the confidentiality of patient information.
- We will only release information to third parties if the individual has consented or if permitted by law.
- We will follow the appropriate procedures for obtaining patient consent when using the patient's information for research purposes.
- We will not discuss or review confidential patient information or associate information in public areas.
- No Associate, affiliated physician, or other healthcare partner has a right to any patient information other than that necessary to perform his or her job.

## INFORMATION SECURITY /ELECTRONIC MEDIA

Communications systems including but not limited to computers, electronic mail, Intranet, Internet access, company-provided telephones, and voice mail are the property of the EPCHD District and are used for business purposes in accordance with the IM policies and standards. Users of computer and telephonic systems should presume no privacy as the organization reserves the right to monitor and/or access communication with content owned in accordance with the districts policies and procedures.

- We will ensure proper security of the information stored and transmitted on our computer systems.
- We will limit access to information to those Associates who need it to perform their jobs.
- We will implement systems to monitor inappropriate access to information stored on our computer systems.
- We will ensure that Associates and providers are informed about our confidentiality and data security policies and guidelines.
- We will report confidentiality violations to those who can properly assess and resolve the issues. We will follow the appropriate disciplinary action when a violation occurs.
- We will monitor inappropriate use of the Internet or Social Media to view, post, store, transmit, download or distribute any malicious or criminal offence that violate any laws.

## QUALITY OF CARE AND IMPROVEMENT REPORTING

- We promote quality improvement activities throughout the hospital to ensure that high quality care is delivered.
- We will work as a team to meet the physical, psychosocial and cultural needs of our patients.
- We will protect the integrity of clinical decision-making without regard to financial matters.
- We will provide patients with the information they need to make knowledgeable decisions.
- We will treat patients in a manner that preserves their dignity, autonomy, self-esteem and civil rights, and that promotes involvement in their own care.
- We will inform patients about the Hospital District's charges and services.
- We expect all Associates to maintain integrity and quality in their job performance.

## STANDARDS OF CARE

- We will provide patient care that meets or exceeds acceptable clinical, patient care and safety standards.
- We will maintain complete records of patient information to ensure continuity of care and to meet the requirements stated in policies, regulatory standards and applicable laws and regulations.
- We will monitor the quality of care provided to ensure that clinical standards are being met and policies and procedures are being followed.
- We expect all Associates to report problems (deficiencies or errors) to those who can properly assess and resolve the issues.

## **NEIGHBORHOOD HEALTH CENTERS (Provider Based Clinics)**

Neighborhood Health Centers and its staff, under the direction and governance of the El Paso County Hospital District, serve as the medical home for patients in need of healthcare services in a comprehensive primary care clinic setting. Our goal is to provide the highest level of care and patient education, while keeping emergency room visits to a minimum through patient care management. The physicians, office staff and clinical staff are employed by the Hospital District, and follow all district ethical standards, policies and procedures, and Medical Staff Bylaws, including this *Code of Conduct*.

## **UNIVERSITY MEDICAL CENTER EL PASO HEALTHCARE, INC. ("501A Clinics")**

University Medical Center of El Paso (UMC) Healthcare, Inc. is a nonprofit corporation certified by the Texas Medical Board as a Nonprofit Healthcare Organization. We collaborate with local practices and physicians to meet the medical needs of El Paso County, Texas and the surrounding areas. UMC El Paso Healthcare, Inc. is comprised of multiple specialties that include Vascular Surgery, OMFS, Pediatrics, OBGYN, Primary Care, and many others in development. From practice purchases to developing new service lines, it is our goal to increase access to high quality healthcare within our own communities. The physicians, office staff and clinical staff are employed by the Hospital District, and follow all district ethical standards, UMC El Paso Healthcare, Inc. and Hospital Medical Staff Bylaws, including this *Code of Conduct*.

## **AMBULATORY SURGICAL CENTER (ASC):**

University Medical Center of El Paso (UMC) Surgical Center West is a state-of-the-art facility that provides the highest level of care with advanced equipment and highly qualified surgeons. The 24,000 square-foot facility provides patients the opportunity to get necessary outpatient surgical procedures. UMC Surgical Center West is located at 4642 N. Mesa. Outpatient procedures include endoscopy, neurosurgery, outpatient orthopedics, gynecology, and spine operations to provide pain management treatments for patients.

## **UNIVERSITY MEDICAL CENTER FOUNDATION / EL PASO CHILDREN'S HOSPITAL FOUNDATION**

Because the hospital as a whole impacts a large number of people in many ways at different times throughout their lives, we sometimes have individuals and organizations offer a donation to assist in the mission of the El Paso County Hospital District. The University Medical Center Foundation and El Paso Children's Hospital Foundation exists for charitable causes and we feel is the most effective choice for donations, bequests, and endowments from potential donors in the community.

## **EL PASO HEALTH HEALTHPLANS**

El Paso Health Healthplans, Inc., ("EPHH") is committed to ethical business practices and operating in accordance with all applicable federal, state, and local laws, rules, and policies relating to the operations of a health maintenance organization and the delivery of health care services. EPHH has adopted a Compliance Plan to set forth these ethical standards and to provide all contracted providers and staff with a framework for ethical and legal business practices and employment expectations, and to establish mechanisms to aid in the identification and correction of any actual or perceived violations of any applicable laws, rules, regulations, and EPHH's policies and procedures. In order to achieve this purpose, the Plan imposes a duty upon all staff and contracted providers to report, as provided in the Plan, any actual or perceived violation of any applicable laws, rules, regulations, or any policy or procedure of EPHH. EPHH staff and contracted providers who fail to comply with this Plan may face disciplinary actions. All EPHH officers, directors, managers, and employees must know and understand the provisions of this Plan. EPHH will modify this Plan if necessary to comply with the requirements of the Model Compliance Plan for HMOs when such a model plan is issued to the U.S. Department of Health and Human Services, and/or the Office of the Inspector General. EPHH will designate executive and other personnel to attend mandatory training in fraud and abuse detection, prosecution, and reporting.

# RELATIONSHIPS WITH OUR HEALTHCARE PARTNERS

## AFFILIATED PHYSICIANS

The Hospital District's Medical Staff includes physicians who are employed or affiliated with Texas Tech University Health Sciences Center ("TTUHSC") as well as community physicians. We encourage our Medical Staff to continue respectful and supportive interaction with our workforce in a manner that follows the **Code of Conduct**. There are many aspects of this **Code of Conduct** that pertain to ethical or legal obligations of physicians in hospitals. An expectation to abide by the ethical guide for physicians, i.e. Hippocratic Oath, is inherent in the medical profession. All physicians practicing in this institution will prescribe regimen for the good of the patients according to one's professional ability and judgement and never do harm to anyone.

There are two Federal and State laws that are of particular interest to hospitals doing business with physicians: The Stark Law and the Anti-Kickback Statute. In order to satisfy ethical and legal standards regarding referrals and admissions, these laws are summarized below:

1. We will not pay for referrals. We will accept patient referrals and admissions based solely on the patient's clinical needs and our ability to render the needed services. We will not pay or offer to pay anyone -- colleagues, physicians, or other persons -- for referral of patients. Violation of this policy may have grave consequences for the organization and the individuals involved, including civil and criminal penalties, and possible exclusion from participation in federally funded healthcare programs.
2. We will not accept payments for referrals we make. No Hospital District Associate, nor any other person acting on behalf of the organization, is permitted to solicit or receive anything of value, directly or indirectly, in exchange for the referral of patients. Similarly, when making patient referrals to another healthcare provider, we will not take into account the volume or value of referrals that the provider has made (or may make) to us.

The Hospital District evaluates all physician and referral source contracts for fair market value prior to performance of services under the contract. Along those same lines, proper documentation is required prior to payment for physician services.

## BUSINESS PARTNER AGREEMENTS

- We expect our business partners to maintain strong confidentiality protections and limit the use of the information we provide them as prescribed by law and regulation.
- We ask our business partners to comply with our confidentiality agreement during and after the partnership.
- We protect the confidentiality of the information provided to us by our business partners to the extent permitted by law.

## BUSINESS ASSOCIATES

- The Hospital District has many business associates. In the normal course of providing quality care for our patients, it is necessary to share our patients' protected health information (PHI) with some of our business associates. As discussed in the Confidentiality section below, The Hospital District will enter into Business Associate Agreements and expects our business associates to protect our patient's protected health information in compliance with the HIPAA Privacy Regulations and all other applicable laws, rules, and regulations.

## INFORMATION CONFIDENTIALITY AND SECURITY AGREEMENTS

- All El Paso County Hospital District (EPCHD) Associates, Contractors, Medical Staff, Residents, Allied Health Professionals (AHP's), referring and other Physicians, Volunteers, working on EPCHD premises or accessing the information systems remotely via a virtual private network (VPN) connection who are accessing EPCHD's sensitive and/or patient information must sign an *Information Confidentiality and Security Agreement* prior to any access being granted.

### HOSPITAL LEADER CONFLICTS OF INTEREST

- The Hospital District has a fiduciary and ethical responsibility to local taxpayers to maintain an environment of transparency. One of the ways this duty is fulfilled is by ensuring financial conflicts of interest are handled appropriately.
- The Hospital District has an annual disclosure process that is designed to identify and address potential, actual, and apparent Conflicts of Interest with Hospital District leaders and vendors or others who may do business with the Hospital District.

### VENDOR CONFLICTS OF INTEREST

- In accordance with Chapter 176 of the Texas Local Government Code, vendors seeking a business relationship with the Hospital District must attest to any Conflicts of Interest with EPCHD's local government officers.

### GIFTS, GRATUITIES, FAVORS, DISCOUNTS

- EPCHD Leaders and Associates shall not accept anything with a retail value exceeding \$50.00, including donation of goods or services, from any supplier, vendor or organization doing or seeking to do business with the Hospital District.
- Our EPCHD Associates and Leaders do not solicit, obtain, or retain any item or service of personal benefit from a vendor, patient, or any organization doing or seeking business with EPCHD that could influence or be perceived to influence the Associate's performance or decision-making.
- Our EPCHD Associates and Leaders do not accept cash gifts of any amount from a supplier, vendor, patient, or any organization doing or seeking business with EPCHD.

### CONTRACTING PROCESS

- We will strictly adhere to the rules established in the Procurement Manual of the El Paso County Hospital District (EPCHD) with respect to the procurement of supply items and services.
- The procurement activities of EPCHD are to be conducted with integrity and in a professional manner that complies with the spirit and intent of the mission of EPCHD, with the principles of sound business practice, with all applicable laws and regulations, and otherwise in accordance with the Procurement Manual.

### RESEARCH ACTIVITIES

- We will ensure that all research activities are approved through the Institutional Review Board (IRB) process and that all investigators have formally completed the investigator training prior to commencement of any study at the Hospital District.
- We will audit the accounts of all research study patients to ensure proper billing practices.

## LEGAL AND REGULATORY AUTHORITY

- We are committed to an environment in which compliance with rules, regulations, and sound business practices is woven into the corporate culture. We accept the responsibility to aggressively self-govern and monitor adherence to the requirements of law and to our *Code of Conduct*.
- The Hospital District provides varied healthcare services in the state of Texas. The services are provided pursuant to applicable federal, state, and local government laws. The laws, regulations, Conditions of Participation may include, but are not limited to, licenses, permits, accreditation, access to treatment, consent to treatment, medical record keeping, access to medical records, confidentiality, patient rights, clinical research, advance directives, medical staff credentialing, and Medicare and Medicaid program requirements. There is a range of expertise within the organization that can be consulted for advice concerning legal, regulatory, human resources requirements.
- We will issue and maintain financial and cost reports, accounting records, research reports, expense accounts, time sheets and other documents that accurately and clearly reflect the Hospital District's transactions and financial performance.
- Anyone aware of conduct that appears illegal should report the behavior or situation to their supervisor or manager, department director, Human Resources, the Compliance Officer, or the Anonymous Hotline, 1 (888) 310-3434.
- All Associates, Contractors, Medical Staff, or Agents of the EPCHD are expected to be familiar with and comply with federal and state laws, including laws specific to healthcare fraud.
- Willful non-compliance will expose Associates to disciplinary action up to and including termination. In the case of criminal behavior, we will notify the proper authorities.



- We will ensure that documentation, charging, coding and billing are performed accurately. We will also ensure that there is documentation to support the services performed and the amounts billed. Communication among University Medical Center of El Paso clinicians, coders and billers is necessary to ensure accurate and correct information, billing and reimbursement.
- We are committed to dealing with our third party payers in a way that demonstrates our commitment to contractual obligations and reflects our shared concern for quality healthcare and bringing efficiency and cost effectiveness to healthcare. We will take great care to assure all billings to government payers, commercial insurance payers and patients are true and accurate and conform to all pertinent federal and state laws and regulations. We will not tolerate any Associate or agent of the Hospital District knowingly presenting or causing to be presented claims for payment or approval that are false, fictitious, or fraudulent.
- We are committed to following the practices outlined in the Centers for Medicare and Medicaid Services (CMS), Medicare, Medicaid, and Intermediary provider manuals to ensure both accurate billing and submission of claims only for services that are actually rendered and medically necessary.
- We will maintain an accurate and updated Charge Master following correct coding and billing requirements for CMS and other third-party payors.
- We will maintain appropriate documentation to support coding and billing. We will bill for services according to the medical necessity guidelines provided by the various payers. We will only bill for eligible services that are rendered and documented.
- We will promptly investigate and correct problems if errors in claims or billings are found. We will identify errors, report them to our managers or the appropriate individual, and correct them in a timely and appropriate manner.
- We will document all services that are performed and we will not bill for services that are not documented appropriately.
- Our coders will have proper credentials and education in order to perform the duties of coding for services performed in the Hospital District.

## GOVERNMENT RELATIONS AND POLITICAL ACTIVITIES

- The Hospital District does not make contributions to candidates for any elective office, nor to any political organization. Furthermore, you, as an Associate, may not make contributions, whether in cash or otherwise, on behalf of the Hospital.
- All Associates are encouraged, but not required, to support the legislative process through personal contributions or by volunteering their personal time to the candidate or organization of their choice.
- With respect to an Associate holding public office, whether elective or appointive, the potential for conflict or interest, or the appearance of a conflict, must be seriously considered.
- If you have any questions regarding political activities, please contact the Hospital's Legal Department or Management.

## ACCREDITATION AND SURVEYS

The Hospital District will deal with all accrediting bodies in a direct, open and honest manner. We will not take any action in relationships with accrediting bodies that would mislead the accreditor or its survey teams, either directly or indirectly.

We are committed to being in full compliance with the standards established by the The Joint Commission (TJC). To that end, this Code addresses our marketing, admission, transfer and discharge policies, as well as billing practices. The Code also addresses the relationship of the hospital and its Associates to other healthcare providers, educational institutions and payers. Furthermore this Code emphasizes our policy to preserve and protect the integrity of clinical decision making regardless of how the hospital compensates or shares the financial risk with its leaders, managers, clinical staff, and licensed independent practitioners

The mission of the The Joint Commission (TJC) is to continuously improve the safety and quality of care provided to the public through the provision of healthcare accreditation and related services that support performance improvement in healthcare organizations.

TJC evaluates the quality and safety of care for more than 15,000 U.S. healthcare organizations, including University Medical Center of El Paso. We intend to maintain this accreditation on an annual basis.

If you have questions about how to file a complaint, you may contact The Joint Commission at (800) 994-6610, 8:30 to 5 p.m., Central Time, weekdays.

# HOSPITAL DISTRICT ENVIRONMENT

## PROTECTION OF PROPERTY AND ASSETS

- We will protect the property, equipment and other resources of the Hospital District against loss, theft or misuse.
- We will use the Hospital District's funds to purchase property, equipment, supplies and other assets that will help us to achieve our mission of providing high quality, low-cost healthcare.
- We will dispose of property that is no longer used or needed in accordance with our asset retirement procedures. The practice of selling, trading, transferring or scrapping of property without the appropriate approval is considered a misuse of assets.
- We accept responsibility for the safeguarding of the Hospital District's property, equipment, supplies, services and other assets. We will maintain internal controls within our areas of responsibility to ensure that these items are protected from theft or misuse.
- We will not install, share, or copy software programs or perform any other acts that would be in violation of the vendor's software license agreements.
- We proactively protect our assets against theft through processes and procedures that provide for deterrence, detection, prevention, and prosecution of theft.
- The Texas Local Government Records Act provides that each local government must establish an active and continuing records management program. The Hospital District has a comprehensive records management process that was approved by the Texas State Library and Archives Commission. All Associates must follow the rules established by the Hospital District for the creation, maintenance, retention, and disposal of our records. The EPCHD may not destroy medical records that relate to any matter that is involved in litigation if the hospital knows the litigation has not been finally resolved.

## SAFE AND HEALTHY WORK ENVIRONMENT

- University Medical Center of El Paso is committed to providing a healthy and smoke free atmosphere for its Associates, patients, visitors, etc. Smoking on our campus is strictly prohibited and will not be tolerated.
- The Hospital District employs qualified, reliable, honest, trustworthy and non-violent individuals. Prior to extending any offers for employment or business relationships, background screening must be performed and in accordance with our rules for disqualifying offenses under Hospital District policy.
- The Hospital District is committed to providing an environment that is free from alcohol and illegal drugs, and to taking reasonable measures to ensure that alcohol and drug use does not jeopardize the safety and health of our patients, visitors, Associates, contract personnel, volunteers, affiliated students or the public.

## WORKPLACE CONDUCT

- We recognize that the greatest strength of our organization lies in the efforts and talents of our Associates. We are committed to treating each other with respect, dignity and courtesy.
- We will provide equal employment and advancement opportunities to all applicants and Associates.
- We will not discriminate in any of our employment practices on the basis of race, color, religion, gender, age, national origin, disability or veteran status.

## HOSPITAL DISTRICT ENVIRONMENT *continued*

- We will not tolerate any type of unlawful workplace harassment.
- Violent acts or threats of violence are strictly prohibited by Hospital District Associates. We model a ZERO tolerance for workplace violence.
- Committing or allowing retaliation for good faith reporting of a perceived or suspected *Code of Conduct* violation, or for participation in an investigation of an alleged violation, will not be tolerated.
- We will set high standards of performance and conduct and hold Associates accountable for their actions.
- Do not misuse Hospital District equipment or property and take all necessary precautions to safeguard it.
- Do not use your position as an Associate to support political appointees or candidates for office or to receive a benefit.
- Promptly report any illegal activities or violations of Hospital District policies or the Code of Conduct to the appropriate entity

### MARKETING PRACTICES

- We may use marketing and advertising activities to educate the public, provide information to the community, increase awareness of our services, and to recruit colleagues. We will present only truthful, fully informative, and non-deceptive information in these materials and announcements.
- In preparation of bids and proposals related to marketing of the Hospital services to external customers, Hospital Associates are expected to disclose all current, accurate and complete pricing data based upon known facts in instances where facts exist, or upon sincere and honest judgment of the absence of facts. It is never acceptable to underestimate cost or overstate benefits in order to obtain business contracts. Finally, in the performance of a contract, it is Hospital policy that care be taken to prevent any non-approved deviation from the written contract specifications, and that all products or services meet written contractual agreements.
- We strive to fairly and accurately represent the Hospital and its capabilities, avoiding false and misleading, advertising and rejecting high pressure manipulation, or misleading marketing or sales tactics. It is Hospital policy that all marketing materials will reflect services and products available, the current level of licensure and accreditation, and compliance with applicable laws and regulation in advertising and non-discrimination. All verbal and written communications shall be true, fair and accurate.
- A momentary advantage gained through even slight misrepresentation or exaggeration can compromise and endanger the future success of the Hospital.

### PROCUREMENT OF GOODS AND SERVICES

- When considering the purchase of a product or services the Hospital will follow the hospital district's Procurement Manual. Associates must allow the Materials Management department to issue legal purchase orders.
- Bids and price quotes may be solicited by sending out Request for Proposal or via telephone calls, as per the Procurement Manual. The hospital district recognizes that obtaining bids and prices quotes may not always be practical: for example, a vendor (or physician) may be a sole source provider if services provided are so unique or specialized that such services are not readily available from another source.

The Hospital District has implemented a formal Compliance Program designed to prevent and detect violations of federal or State law in the conduct of the Hospital operations by Associate, physicians and agents. The effectiveness of the Compliance Program depends on each Associate's willingness to bring issues to the attention of his or her supervisor or the Compliance Officer. All actual or suspected compliance issues must be reported.

### KEY RESPONSIBILITIES FOR ALL ASSOCIATES

- Seek advice from your supervisor, manager, Human Resources or the Compliance Office if you have any questions regarding your responsibilities related to your job or this *Code of Conduct*.
- Display high ethical standards in all your clinical and business decisions.
- Represent the organization in a fair and honest manner.
- Do not misuse hospital district equipment or property and take all necessary precautions to safeguard it.
- Do not use your position as an Associate to support political appointees or candidates for office or to receive a benefit.
- Do not use the organization's funds for improper or illegal activities.
- Promote open lines of communication between clinicians, coders and billers to maintain correct billing and reimbursement for services provided.
- Do not conduct personal business while on the premises.
- Maintain a safe and healthy work environment.
- Do not accept cash or gifts from vendors.
- Take care to ensure the confidentiality of Patient and Associate information.
- Follow the *Code* and all policies and procedures.
- Follow federal, state, and local laws.
- Promptly report any illegal activities or violations of hospital district policies or *Code of Conduct* to the appropriate entity.

### ELEMENTS OF THE COMPLIANCE PROGRAM

- We have established compliance standards and procedures to be followed by Associates and Agents of the Hospital District
- The Compliance Officer of the Hospital District oversees all compliance activities
- We ensure that background checks are performed on all Associates and agents of the Hospital District and ensure that our healthcare providers have not been sanctioned by a federal payer.
- We educate and train our Associates on Compliance policies and procedures on an annual basis and as needed throughout the year.
- We have various monitoring and auditing programs in place to achieve compliance with standards under guidelines established by the federal government for effective compliance programs.
- Sometimes an investigation indicates a deficiency in a hospital process. Compliance strives to improve the process and prevent further similar deficiencies.

We encourage good faith reporting and understand that there are times when you may want to be anonymous. The Compliance Anonymous Hotline is available 24-hours-a day, 7-days-a week for phone calls.

**COMPLIANCE HOTLINE**

**1.888.310.3434**

**OR**

**Click on the UMC INTRANET SITE “24-hour Compliance” link or [www.umcelpaso.alertline.com/gcs/welcome](http://www.umcelpaso.alertline.com/gcs/welcome)**

Please consider the questions listed below when deciding whether to report a potential violation of the *Code of Conduct*.

- Do I have a reasonable understanding of the facts available to me?
- Do I believe the action is in violation of the standards as outlined in the *Code of Conduct*?
- Do I believe the action is in violation of any known law, rule, regulation, policy or procedure?

### **COMPLIANCE INVESTIGATION AND RESOLUTION**

The Compliance Office will ensure the prompt and thorough investigation of all suspected violations and will coordinate appropriate follow-up action and resolution as indicated. All investigations will be conducted following established procedures for confidentiality

### **STATEMENT OF NON-RETALIATION**

We feel very strongly about protecting your rights as an Associate reporting a potential violation of the *Code of Conduct*.

If we discover that you are being retaliated against for bringing a suspected violation to our attention or for participating in an investigation, we will take action as per hospital policy.

Any Associate who commits or allows any form of retaliation may be subject to disciplinary action, up to, and including termination.

If you suspect healthcare fraud is occurring and feel that the Compliance Hotline investigation is not satisfactory, or you do not feel comfortable with reporting the allegation through any internal method; you have the right to contact the Office of the Inspector General (OIG).

### **EXAMPLES OF HEALTHCARE FRAUD INCLUDE:**

- Billing for services not rendered or goods not provided
- Falsifying certificates of medical necessity and billing for services not medically necessary
- Billing separately for services that should be a single service
- Falsifying treatment plans or medical records to maximize payments.
- Failing to report overpayments or credit balances
- Duplicate billing
- Unlawfully giving healthcare providers, such as physicians, inducements in exchange for referrals for service.
- Physician billing for services provided by interns, residents, and fellows in a teaching hospital.

### **Process to Notify the Federal or State Government Regarding Reporting Fraudulent Activity:**

**OIG Hotline Reporting**

**1.800.436.6184**

**[www.hhs.state.tx.us/OIG](http://www.hhs.state.tx.us/OIG)**

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**CODE OF CONDUCT  
MANUAL**



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## **Strengthening Our Culture**

**I,**

\_\_\_\_\_

PRINT NAME

**Attest I have received the El Paso County Hospital District Code of Conduct and understand that I must read and agree to abide by the mandatory standards set forth by the policies and procedures.**

\_\_\_\_\_

SIGNATURE

\_\_\_\_\_

ASSOCIATE I.D. NUMBER

\_\_\_\_\_

DATE

**Rev. 04/2023**