

Our Lady of Lourdes Health Care Services, Inc. and Affiliates  
Administrative and General Policy

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**TITLE:** Corporate Compliance Code of Conduct and Conscientious  
Employee Protection Act Notification Statement

**ACCOUNTABILITY:**

President and Chief Executive Officer

**OBJECTIVES:**

**RELATION TO MISSION:**

Our Lady of Lourdes, a Catholic Health System – a member of Catholic Health East - dedicated to its Franciscan Tradition of serving all, will demonstrate the value of **Integrity** and **Stewardship** by fostering an ethical and moral environment where the behavior of associates is positively impacted by adherence to the Corporate Compliance Code of Conduct Statement and by setting forth a policy prohibiting any retaliatory action or reprisal against an associate who refuses to participate in unlawful or unethical activity and/or discloses unlawful activity to a supervisor or government agency.

**RELATION TO OPERATION:**

The Corporate Compliance Code of Conduct provides guidance to all of Our Lady of Lourdes Health Care Services, Inc.'s and Affiliates' (OLLHCS, Inc.'s), trustees, officers, managers, supervisors, associates, contractors, volunteers, students and others and assists us in carrying out our daily activities within appropriate ethical and legal standards. In the event that unethical or illegal events are observed, OLLHCS, Inc. protects its associates under the guidance of the Conscientious Employee Protection Act (CEPA) from any retribution for reporting any suspected violations of the Code of Ethics, Code of Conduct, policies and procedures or Federal and State laws and regulations.

**POLICY:**

*NOTE: ANY PRINTED COPY OF THIS POLICY IS ONLY AS CURRENT AS OF THE DATE IT WAS PRINTED; IT MAY NOT REFLECT SUBSEQUENT REVISIONS. REFER TO THE ON-LINE VERSION FOR THE MOST CURRENT POLICY. USE OF THIS DOCUMENT IS LIMITED TO LOURDES HEALTH SYSTEM STAFF ONLY. IT IS NOT TO BE COPIED OR DISTRIBUTED OUTSIDE THE INSTITUTION WITHOUT ADMINISTRATIVE PERMISSION.*

Deleted: 2/25/09

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- 1) The following policies specifically address the Corporate Compliance Code of Conduct. This policy is maintained in addition to other standard Codes of Conduct already in effect. In keeping with the mission and goals of OLLHCS, Inc.'s trustees, officers, managers, supervisors, associates, contractors, volunteers, students and others are expected to comply with the following guidelines. Instances of non-compliance are reported in a timely manner. Appropriate, corrective actions are to be taken in a timely manner. We will strive to:
  - a) Deal openly and honestly with fellow associates, customers, contractors, government entities and others.
  - b) Maintain high standards of business and ethical conduct in accordance with applicable Federal, state and local laws and regulations including fraud, waste and abuse.
  - c) Adhere to both the spirit and letter of applicable Federal, state and local laws and regulations.
  - d) Practice good faith in transactions occurring during the course of business.
  - e) Conduct business dealings in a manner such that OLLHCS, Inc. is the beneficiary of such dealings.
  - f) Preserve patient confidentiality unless there is written permission to divulge information, except as required by law.
  - g) Refuse offers, solicitations and payments to induce referrals of the people we serve for an item of service reimbursable by a third party.
  - h) Disclose financial interests/affiliations with outside entities to the Board of Trustees as required by the Conflict of Interest Statement. (See OLLHCS, Inc. Policy AS0045ADM)
  - i) Hold vendors to this same Code of Conduct as part of their dealings with OLLHCS, Inc.
  - j) Notify the Director of Compliance & Privacy Officer of instances of non-compliance.
  - k) Ensure compliance requirements regarding billing are monitored and enforced.
  - l) Use supplies and services in a manner that avoids waste.
  - m) Protect and retain records and documents as required by professional standards, governmental regulations and organizational policies.
  - n) Exercise discretion in the billing of services, regardless of payer source.
  
- 2) All trustees, officers, managers, supervisors, associates, contractors, volunteers, students and others are informed of this Code of Conduct and sign a Statement indicating their adherence to the Code of Conduct. (See Exhibit B) However, this Code of Conduct does not replace sound ethical and professional judgment.
  
- 3) An integral part of the execution of the compliance program is assuring that associates understand and are knowledgeable about compliance standards. OLLHCS, Inc.'s personnel are held responsible and accountable for adhering to compliance standards as delineated in the Corporate Compliance Plan.

The following steps are taken to assure plan adherence:

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- a) Officers, managers and supervisors inform associates of their job responsibilities including their responsibility to comply with laws, rules, regulations, and OLLHCS, Inc.'s policies.
  - b) Training and guidance regarding the compliance plan is publicized and required for continued employment.
  - c) Associates are informed that strict adherence is a condition of employment and that non-compliance may result in disciplinary actions.
  - d) Associates are informed that they have the responsibility to immediately disclose in writing to their supervisor any proposed or actual debarment, exclusion or other event that makes the individual ineligible to participate in Federal health care programs or Federal procurement or non-procurement programs. (See OLLHCS, Inc. Policy AS0036CCP - Prohibition Against Contracting with Sanctioned Individuals or Companies Policy)
  - e) Officers, managers and supervisors are held accountable in situations where the steps outlined above are not communicated, or corrective actions have not been initiated.
- 4) Trustees, officers, managers, supervisors, associates, contractors, volunteers, students and others have an ethical responsibility to report any violations or possible violations of Our Lady of Lourdes Health Care Services, Inc. and Affiliates (OLLHCS, Inc.'s), Code of Ethics, Code of Conduct, policies and procedures or Federal and State laws and regulations.
- 5) Associates reporting factual statements regarding instances of non-compliance with federal, state and local laws including fraud, waste and abuse are protected under CEPA, which makes it unlawful for an employer to take any retaliatory action or tolerate any reprisal, including demotion, suspension, termination or other retaliatory action, against an associate who refuses to participate in unlawful or unethical activity and/or discloses unlawful activity to a supervisor or government agency.
- 6) OLLHCS, Inc. is required to inform all associates of their protections and responsibilities under CEPA via a conspicuously displayed poster in both English and Spanish, as well as any other language spoken by the majority of associates. This poster must also display the name of OLLHCS, Inc.'s representative(s) to whom complaints should be directed. This individual is responsible for ensuring that all CEPA allegations are promptly investigated and that appropriate remedial action is taken where appropriate. The designated CEPA representative for OLLHCS, Inc. is the Director of Compliance & Privacy Officer.
- 7) OLLHCS, Inc., as an employer of more than 10 associates, is also required to annually distribute to their New Jersey associates, via written or electronic means, a notice of each

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associate's "protections, obligations, rights and procedures" under CEPA in both English and Spanish, as well as any other language spoken by the majority of associates. The Corporate Compliance Department will have the responsibility of ensuring that such notice is delivered to all associates of OLLHCS, Inc. on an annual basis. (See Appendix A for Associate Notification Form.)

- 8) Associates are required to sign affirmation statements as part of the annual review process indicating that they understand the compliance requirements and recognize their responsibility to remain knowledgeable about compliance standards as well as acknowledge receipt of a notice of each associate's "protections, obligations, rights and procedures" under CEPA.

**APPROVED BY:** \_\_\_\_\_  
Alexander J. Hatala, President and Chief Executive Officer

**ORIGINAL & REVISION DATE(s):** 03/22/000, 3/01/2003, 04/01/03, 02/22/06

**NEW EFFECTIVE DATE:** 02/23/09

**REQUIRES REAUTHORIZATION IN:** 02/28/2012

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**APPENDIX A  
CONSCIENTIOUS EMPLOYEE PROTECTION ACT (CEPA)  
ANNUAL ASSOCIATE NOTIFICATION**

The Conscientious Employee Protection Act (CEPA) makes it unlawful for an employer to take any retaliatory action or tolerate any reprisal, including demotion, suspension, termination or other retaliatory action, against an associate who refuses to participate in unlawful or unethical activity and/or discloses unlawful activity to a supervisor or government agency.

Specifically, the law prohibits retaliation against an associate based upon the following:

- a) The associate discloses or threatens to disclose to a supervisor or to a public body an activity, policy or practice that the associate reasonably believes is in violation of a law, a rule or regulation promulgated pursuant to law;
- b) The associate provides information to, or testifies before any public body conducting an investigation, hearing, an inquiry into any violation of law, or a rule or regulation promulgated pursuant to law; or
- c) The associate objects to, or refuses to participate in any activity, policy, or practice that the associate reasonably believes is a violation of a law, rule or regulation promulgated pursuant to law; is fraudulent or criminal; or is incompatible with a clear public policy mandate concerning the public health, safety, or welfare.

Associates are encouraged to make such complaints either via the

- Corporate Compliance Hotline at **1-877-215-5697** or

in writing or verbally to the:

- Director of Compliance & Privacy Officer or other designated CEPA contact person

Associates are encouraged to raise any issues or conduct they perceive to be improper. All complaints will be taken seriously and promptly investigated.

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**EXHIBIT B  
STATEMENT OF UNDERSTANDING OF  
AND COMPLIANCE WITH  
CORPORATE COMPLIANCE  
CODE OF CONDUCT**

I certify that I have read and understand the Corporate Compliance Code of Conduct and the Corporate Compliance Plan and agree to abide by it during the entire term of my employment. I acknowledge that I have a duty to report any alleged or suspected violation of the Corporate Compliance Code of Conduct or the Corporate Compliance Plan to the Director of Compliance & Privacy Officer. I acknowledge that I have the duty to immediately disclose in writing to my supervisor any proposed or actual debarment, exclusion or other event that makes me ineligible to participate in Federal health care programs or Federal procurement or non-procurement programs. Unless otherwise noted below, I am not aware of any possible violation of the Corporate Compliance Code of Conduct or the Corporate Compliance Plan.

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Further, I certify that I am not aware of any additional circumstances, other than those disclosed above, that could represent a potential violation of the Corporate Compliance Code of Conduct or the Corporate Compliance Plan. I will report any potential violation of which I become aware promptly to the Director of Compliance & Privacy Officer. I understand that any violation of the Corporate Compliance Code of Conduct or the Corporate Compliance Plan or any other corporate compliance policy or procedure is grounds for disciplinary action, up to and including discharge from employment.

Additionally, I certify that I have received the annual notification from OLLHCS, Inc. regarding my rights under the Conscientious Employee Protection Act and I understand that it is my responsibility to read such notification and raise any questions regarding it with the designated contact person.

\_\_\_\_\_  
Name (Print)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Position