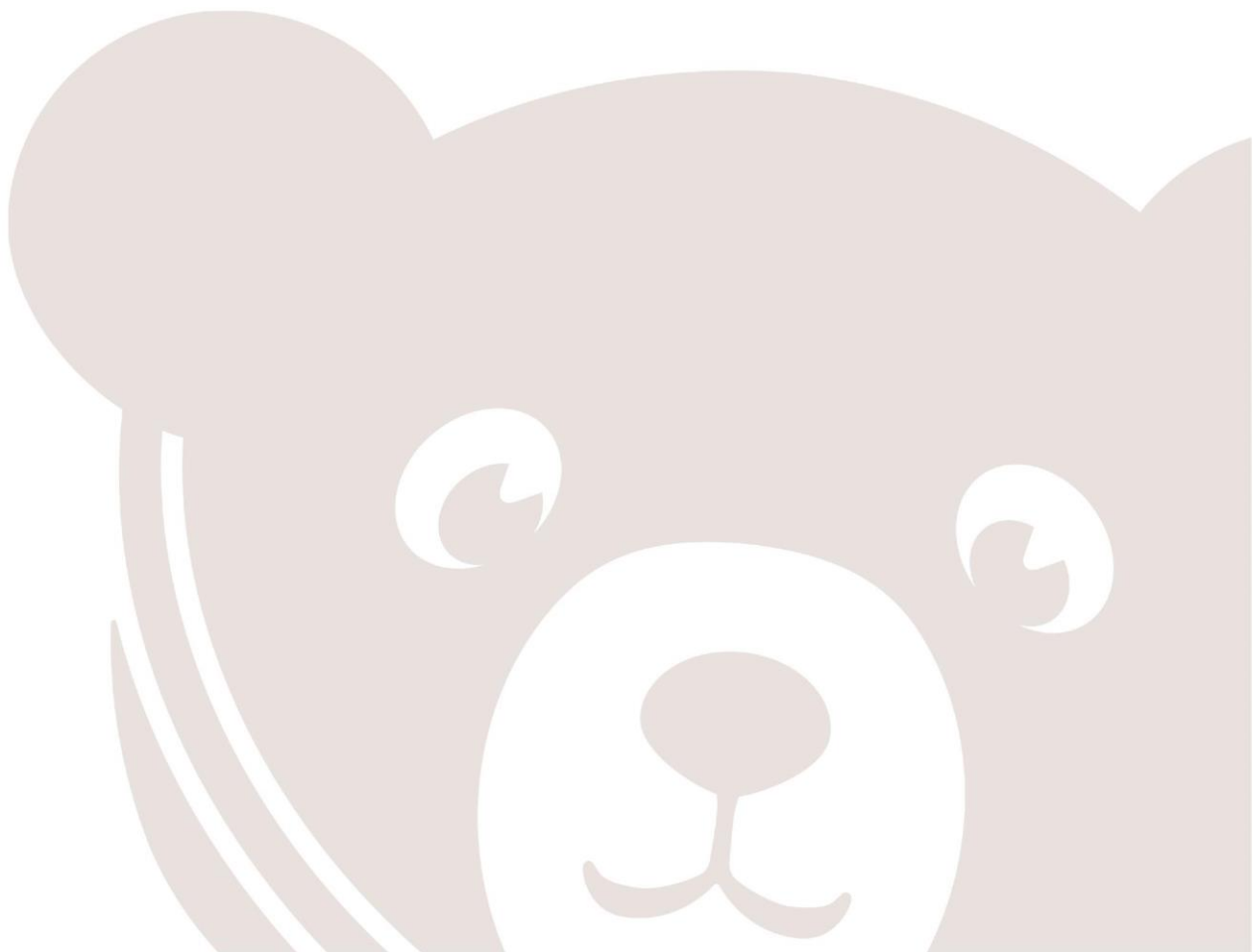




# Children's National Medical Center

## Code of Conduct:

*Our Commitment to our Community and Each Other*





## A Message from our President and Chief Executive Officer

At Children's National, we stand for children. We are champions of their health, advocates of their cause, and protectors of their future.

With a history of more than 140 years, we have earned the reputation as an organization dedicated to clinical excellence and integrity. Our world-class team of pediatric clinicians, research scientists, nurses, staff, and administrative personnel come to work with one goal in mind: to make children's lives healthier and happier. Our personnel deliver the highest quality care in ways that put every child at the center.

The Code of Conduct sets forth the values and principles we should use in every aspect of our business. This includes our interactions with patients, families, community members, industry parties, regulators, and importantly, each other.

The Code will not address every question or concern you have. No code of conduct can. But, in those situations where you do not find the answer here or in our policies and procedures, I ask you to make a commitment to Children's National – ask. Ask your manager. Ask Human Resources. Ask the Compliance Department. Ask me.



*Kurt Newman*

Kurt D. Newman, M.D.  
President and Chief Executive Officer

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## Our Mission and Vision

As the nation's children's hospital, Children's National aims to excel in clinical care, advocacy, research, and education. We provide a quality healthcare experience for our patients and their families. We also improve health outcomes for children and lead in the creation of innovative solutions to pediatric health challenges.

The vision of Children's National is to set the standards of excellence for the care of children:

- To lead the nation in advancing the health and well-being of all children.
- To be a premier pediatric health system, with leadership in advocacy, research, education, and clinical care.
- To set the standard in delivering the highest quality care in ways that put the child at the center.

## Our Code of Conduct

### Expectations

We are proud of our reputation as an organization dedicated to clinical excellence and integrity. Our tradition is one that spans more than 140 years, one that has grown from a 12-bed hospital to the organization we are today with more than 6,500 team members.

With a diverse workforce dedicated to pursuing our mission, through many different endeavors, we need a common code to guide us on our journey. This Code provides that guidance. It applies to each of us who works for (or acts on behalf of) Children's National – every employee, staff member, resident, student, volunteer, Board member, and contractor. As a condition of our employment or affiliation with Children's National, each of us is required to:

- Follow the letter and spirit of legal requirements and our written standards, including our policies, procedures, and this Code;
- Seek guidance when there are questions about compliance with legal requirements or written standards;
- Adhere to our ethical standards in all business activities and behave in a manner that seeks to enhance our standing in the community;
- Disclose all suspected illegal or unethical conduct to the appropriate person; and

- Refrain from any behavior that could be viewed as retaliation against a person who has raised a compliance concern.

In some circumstances, our Code contains expectations that are more exacting than those required by law. Such standards, which reflect our commitment to operate with integrity, are binding on all of us.

We have attempted to mitigate against potential conflicts between our Code and those of other institutions to which our faculty members belong. To the extent conflicts or ambiguities arise, faculty are encouraged to contact the Compliance Department for further assistance or, at a minimum, follow the more conservative of the two.

## **For our Leaders**

We expect our managers to lead by example and manage consistent with our values. Each must create an environment that fosters ideas and discussions about integrity and compliance.

## **For our Community-Based Practitioners, Vendors, and Suppliers**

We encourage non-employed members of the healthcare community who are credentialed or authorized to work at or for Children's National to be familiar with this Code. There are many portions of this Code that pertain to ethical or legal obligations of physicians and other healthcare professionals who practice in our facilities, as well as vendors and suppliers that provide items and services in support of our operations. This document will serve as a resource. Questions about any of the standards referenced in this document can be directed to the referenced department or the Compliance Department. See "How to Get Help" for contact information.

## **Personal Obligation to Raise Suspected Violations**

We are better able to serve as champions and advocates for children when we come together to uphold our standards. Each of us has an obligation to our patients, our community, and each other to raise suspected ethical or legal violations to the appropriate person. Managers are the first line of communication although the Compliance Department is always available. To foster disclosures, Children's National provides methods for confidential and anonymous reports. See "How to Get Help" for the various avenues of reporting.



## Retaliation-Free Workplace

Children's National prohibits retaliation against individuals who report concerns about potentially illegal, unethical, or improper conduct. Disciplinary action, up to and including termination of employment or affiliation, will be taken against anyone who threatens or engages in retaliation or harassment of any person who has reported, or is considering reporting, a compliance concern in good faith. For more information on our non-retaliation policy, please review the *Non-Retaliation in Reporting Problems or Misconduct / Whistleblower Policy and Procedure* (CH:A:39 and CH:A:39P).

## Investigations

Children's National takes alleged violations of legal requirements and our written standards seriously. Complaints regarding alleged misconduct will be investigated in a timely manner consistent with our legal obligations, internal standards, and advice from legal counsel. Each of us has an obligation to cooperate fully and honestly with such investigations.

## Accountability for Violations

Confirmed violations of legal requirements and/or our written standards, including those set forth in this Code, will result in appropriate disciplinary action, up to and including termination of employment or affiliation. In some circumstances, civil and criminal charges and penalties may apply. This policy also applies to managers who ignore violations or fail to assist Children's National with the detection and correction of violations.

## Seek Guidance

No Code of Conduct can address every ethical or legal situation we face. If a situation or course of action does not seem "right," we must each remember the "wrong" course of action is not seeking help. For information about available resources, see "How to Get Help."

## Our Compliance and Ethics Program

We have recently reorganized our Compliance and Ethics Program to leverage skills and expertise from across our organization. The program now operates under the supervision of the Compliance Management Committee, which includes executives and leaders from all departments in our organization. The Committee has numerous teams working daily to ensure that we use industry-leading practices to identify, prevent, mitigate, and respond to risks that face our organization. For more information about the structure and operations of

our Compliance and Ethics Program, or to identify someone to speak with, please visit the [Compliance Department](#) intranet page.

Children's National also offers education and training throughout the year to explain legal requirements, our standards, and emerging information. Where possible, we use real-case examples as a learning tool. Please visit the [Compliance Department](#) intranet page or contact your Human Resources Department [business partner](#) for more information about our education and training programs.

## Standards of Conduct

### Interactions with Patients

#### *Patient Care and Rights*


Children's National is committed to providing quality healthcare, respecting the rights of each patient and family, and recognizing each patient's personal dignity. We make services available and provide care without regard to age, gender, sexual orientation, disability, race, color, religion, or national origin. Working with patients and families, respecting language proficiency, we listen and communicate about every stage of care delivery, and support honest and open dialog between us and our patients and families. For more information, please contact the [Ombudsman Office](#) or [Language Services](#).

#### *Emergency Medical Screening and Stabilization*

Children's National adheres to the Emergency Medical Treatment and Active Labor Act ("EMTALA") by providing an emergency medical screening examination and necessary stabilization to all patients, regardless of ability to pay. EMTALA contains detailed requirements regarding when and how we treat a person who has an emergency medical condition, including when and how we provide stabilizing treatment and transfers. For details about our policies and procedures relating to EMTALA compliance, please review the *Interdisciplinary Assessment of Patients* [Policy](#) and [Procedure](#) (CHPC:AD:04 and CHPC:AD:04P) or contact the [Legal Department](#).

#### *Patient Privacy*

Patients and their families trust their healthcare providers with personal and sensitive information about their personal and medical history. They trust us to protect that information and we are committed to maintaining that trust. Consistent with federal (including HIPAA), state, and District of Columbia laws, we do not use, disclose, or discuss patient-specific information, including patient financial information, with others in any forum (including social media) unless necessary to serve the patient or required by law. For more



information about maintaining the privacy of protected information, please review the *Appropriate Use of Information Resources Policy and Procedure* (CH:IT:02 and CH:IT:02P) or contact the [Privacy Officer](#) or [IT Security Office](#).

### ***Charity Care and Medical Service Discounts***

Children’s National is committed to making healthcare available and affordable to pediatric patients in the greater Washington, DC metropolitan area. To do so in compliance with federal, state, and District of Columbia law, we provide financial assistance through our Charity Care and Financial Assistance Programs. Except as detailed in our financial assistance policies and procedures, Children’s National cannot reduce fees and charges, waive coinsurance amounts, or grant courtesy discounts to patients based on their relationship to Children’s National and our personnel. For more information about patient financial services, please review the *Financial Assistance Policy* (CH:FI:36) or contact the [Vice President of Revenue Cycle and Care Management](#).

## **Research**

### ***Research Involving Human Subjects***

We are committed to conducting human subject research to the highest ethical, medical, and scientific standards, and only with informed consent. We require Institutional Review Board (“IRB”) review and approval for all grant proposals. All research must conform to IRB standards, federal, state, and District of Columbia law, and Children’s National policies and procedures. For more information, please contact the [Human Research Protection Program](#) or Office of the [Chief Research Officer](#).


### ***Research Involving Animals***

Children’s National established the Institutional Animal Care and Use Committee (“IACUC”) to evaluate the use of animals in research studies to ensure compliance with federal law and our policies and procedures. The IACUC must review and approve all proposals for animal use. For more information, please review the *Reporting Animal Care and Use Concerns Policy and Procedure* (RA:IACUC:01 and RA:IACUC:01P) or contact the Office of the [Chief Research Officer](#).

### ***Research Integrity***

When conducting research, we must consistently be mindful of potential conflicts of interest in research, as well as implications for scientific misconduct. Research misconduct means fabrication, falsification, or plagiarism in proposing, performing, or reviewing research, or in reporting research results. Such behavior may lead to the imposition of penalties by the Office





of Research Integrity at the US Department of Health & Human Services. For more information, please contact the [Office of the Chief Research Officer](#).

## Operational Integrity

### ***Compliance with Legal Requirements and Standards***

Compliance with legal requirements and standards is a cornerstone of our Code. We must comply with all applicable laws, rules, and regulations in any jurisdiction in which operate. We have policies and procedures to address many of the regulatory requirements and accreditation, certification, and licensure standards that apply to our business operations. The absence of a policy or procedure, however, does not relieve us from complying with the legal requirements and standards that govern our operations.

Although each of us cannot be expected to know the details of every applicable law, it is imperative that we understand the rules applicable to our areas of responsibility. It is equally important that we know when to seek guidance when necessary or even when doubt or ambiguity exists within or across legal requirements and standards. For assistance with interpreting legal requirements or standards, please contact the [Legal Department](#).


### ***Accuracy, Retention, and Disposal of Documents and Records***

Each of us is responsible for the integrity and accuracy of our organization's documents and information, not only to comply with regulatory and legal requirements but also to ensure records are available to support our business operations. No one may alter or falsify information on any document, or destroy information inconsistent with our policies and procedures. For information regarding our document retention policies and procedures, please review the *Retention, Off-Site and Destruction of Documents Policy and Procedure* (CH:A:33 and CH:A:33P) and the *Storage and Retention of Research Data and Informed Consent Documents Policy and Procedure* (RA:HRPP:10.14) or contact the [Legal Department](#).

### ***Conflicts of Interest***

To perform our duties with integrity and care, we must ensure that we remain free of conflicts of interest when performing our job responsibilities at Children's National. A conflict of interest may exist if our personal interests or activities interfere (or appear to interfere) with the best interests of Children's National. Examples of conflicts of interest include serving as a consultant for a research grant sponsor or vendor, working for a competitor, and influencing the purchase of medical equipment and supplies from the employer of a family member.

We recognize that conflicts of interest will naturally arise in light of the size of our workforce and the diversity of our own personal interests. Accordingly, we are committed to identifying



and managing these conflicting relationships, restricting activities where necessary or adding additional oversight safeguards, to preserve transparency, independent decision-making, protection of patients and research subjects, and integrity in our business operations.

Each of us is expected to disclose any actual or potential conflicts of interest and adhere to the management of these relationships in accordance with our policies and procedures. Due to the unique responsibilities some of us have, including but not limited to Board members, executive leadership, physicians, and researchers, Children's National requires annual disclosures from role-specific individuals relating to their personal interests that may pose conflicts. For more information, please review the *Organizational Conflicts of Interest Policy and Procedure* (C-19 and C-19 P) and *Conflicts of Interest Policy and Procedure* (C-14 and C-14P) or contact the [Compliance Department](#).

### ***Corporate Resources and Opportunities***

Children's National is committed to preserving our resources and opportunities to further our mission. In this context, "resources" includes funds, medical and office equipment, office supplies, medical or research supplies, medical or research data, intellectual property, the time and effort of our personnel (including students, volunteers, and vendors), business strategies, and goodwill. None of us may use or divert the resources or opportunities of Children's National for personal gain or use, except in a manner that is *de minimus* and reasonable in light of the individual's duties. For more information, please review the *Organizational Conflicts of Interest Policy and Procedure* (C-19 and C-19 P) or contact the [Compliance Department](#).

### ***Confidentiality***

Unless authorized by an appropriate Children's National officer or required to do so by law, we may not disclose confidential information that has been entrusted to us. Confidential information includes all non-public information that might be of use to competitors or other third parties or harmful to Children's National or our patients, employees, and stakeholders if disclosed. The obligation to preserve confidential information continues even after employment or affiliation with Children's National ends. For more information, please review the *Release of Financial/Statistical Information Policy and Procedure* (CH:FI:07 and CH:FI:07P) or contact the [Compliance Department](#).

### ***Technology Safeguards***

Children's National expends considerable resources maintaining the security of our information systems. We each play a vital role in ensuring that these systems remain secure and free from exploitation. We must adhere to cyber-security best practices, which include not sharing passwords, not opening emails from unknown sources, and reporting potential intrusions immediately. For more information, please review the *Information System Security*

[Policy](#) (CH:IT:01) and *Appropriate Use of Electronic Mail Systems* [Procedure](#) (CH:IT:02P-3) or contact the [Chief Information Officer](#).

### ***Financial Controls***

We maintain a high standard of accuracy and completeness in documenting, maintaining, and reporting our financial information. This information serves as a basis for managing our business and is important in meeting our obligations to our patients, employees, research partners, regulators, suppliers, and others.

Critical principles that guide our financial transactions include:

- Our financial records must fairly and accurately represent actual business transactions and conform to generally accepted accounting principles or other applicable rules and regulations.
- We do not use any account for a disingenuous purpose or to conceal the existence or use of any corporate resource.
- Only authorized individuals are permitted to execute contracts in the name of Children’s National and our subsidiaries and affiliates.
- All payments and requests for payment require supporting documentation.
- We cooperate fully with internal and external auditors and any regulatory agencies that examine our books and records.

The Finance Department maintains policies and procedures that establish our financial practices, which we all must adhere to. For more information, please review the *Signature Authority* [Policy](#) and [Procedure](#) (CNMC:FI:02 and CNMC:FI:02P) and the [Accounting and Finance Department](#) intranet page or contact the [Finance Department](#).

### ***Tax-Exempt Status***

Most businesses within the Children’s National enterprise are exempt from taxation under federal and District of Columbia laws as charitable entities. In order to preserve this status, we must operate for the benefit of the community, not of any person or business associated with Children’s National. This includes charging fair market value for our services and property; prohibiting purchase of goods and services for personal use through the organization’s tax-exempt status; and using property in accordance with bond restrictions. For more information, please contact the [Controller](#).

### ***Gifts***

Providing and accepting entertainment, gifts, and hospitality are often part of business relationships or cultural practices. These gifts, however, are subject to federal, state, and District of Columbia regulatory oversight. Children’s National prohibits the offering or acceptance of any gift that is not aligned with our values, legal requirements, and our policies and procedures. For more information, please review the *Employee Gifts and Gift Card* [Policy](#)



and [Procedure](#) (CH:FI:19 and CH:FI:19P), *Vendor Management and Solicitation* [Policy and Procedure](#) (CH:FI:18 and CH:FI:18P), and *Interaction with Pharmaceutical, Biotechnology, and Device Industry* [Policy and Procedure](#) (C-20 and C-20P) or contact the [Compliance Department](#).

### ***Claims Processing and Reimbursement Principles***

Children's National has implemented policies and procedures to ensure we accurately bill government and commercial payers and our patients for our services. All claims and supporting documentation for reimbursement must be accurate, complete, and reflect reasonable and necessary services ordered by the appropriate licensed healthcare provider. Each of us who perform billing functions (or provides technical or clerical support with coding, preparing, and submitting claims) must be knowledgeable about the relevant requirements and use our best efforts to prevent errors. For more information, please contact the [Vice President of Revenue Cycle](#).

### ***Referrals***


Children's National is committed to complying with all legal requirements governing the relationship between healthcare entities and persons who may refer patients to our facilities. Referrals and admissions are based solely on the medical needs of the patients. Each of us is prohibited from paying or offering to pay anyone for referrals. Similarly, we are each prohibited from accepting or agreeing to accept payment for referrals.

Those of us who have responsibilities for overseeing or developing any arrangement with a potential referral source must ensure the arrangement is negotiated, documented, and implemented in compliance with legal requirements and our policies and procedures. For more information, please contact the [Legal Department](#) or contact the [Vice President of Revenue Cycle](#).

### ***Competitive Marketplaces***

We support open competition in healthcare markets, which benefits consumers through cost efficiencies, improved quality, and innovation. Antitrust laws prohibit any agreement between two or more parties that unreasonably restrains trade. While this applies especially to competitors, it also concerns our relationships with suppliers, physicians, managed care companies, trade associations, and others.

We are prohibited from entering into any agreement not otherwise authorized by law with a competing healthcare provider concerning the price of services, the cost of labor or other inputs; terms of sale, such as discounts; the geographic areas each will serve; or the circumstances in which they will do or refuse to do business with suppliers, patients, physicians, insurers, and payers. Only expressly authorized individuals, who act in consultation



with the Legal Department, are permitted to assess which arrangements are legally authorized. For more information, please contact the [Legal Department](#).

### ***Certificates of Need, Licenses, and Permits***

Children’s National is committed to adhering to legal requirements that govern our operations, including certificates of needs, licenses, and permits. Purchases of major medical equipment, changes to the programs and services we provide, and significant capital expenditures typically implicate these authorities. Such activity must be done in consultation with the [Strategic Planning and Business Development Department](#) and the [Legal Department](#).

## **Sustaining Our Work**

### ***Fundraising***

As a charity, Children’s National is dependent on the generosity of our donors. Due to complex federal, state, and District of Columbia legal requirements, Children’s National coordinates all donation activities, regardless of donor or subject of donation, through the Children’s Hospital Foundation Development Department. For more information, please review the [Foundation Policies and Procedures](#) or contact the [Children's National Foundation](#).

### ***Solicitation***

Children’s National commends our personnel who are engaged in outside organizations and events in support of other worthy causes. We must not, however, allow those relationships to infringe upon our patients’ privacy and business operations. As a result, Children’s National has adopted strict guidelines prohibiting solicitations at all of our facilities. Solicitation includes:

- Offering items or services not affiliated with Children’s National for sale;
- Asking for donations;
- Collecting funds for a cause;
- Promoting, encouraging or discouraging participation in or support for any organization, activity, event or membership in any organization; and
- Distributing or delivering membership or applications for any organization.

Depending upon the circumstances, we permit limited exceptions with written approval from the Public Relations, Legal, or Compliance Departments. For more information, please review the *Vendor Management and Solicitation Policy and Procedure* (CH:FI:18 and CH:FI:18P) or contact the [Compliance Department](#).



### ***Use of Donated Funds, Items, and Services***

Children’s National is committed to supporting legitimate and worthy causes in the communities in which we operate, as well as promoting and supporting public health. We have policies and procedures that ensure all awards of grants and donations, in cash and in kind, are in line with our mission, ethical standards, and values. Through proper governance of grants and donations, we protect our reputation with internal and external stakeholders. For more information regarding the use of donated funds, items, and services, please review the Foundation *Fundraising Policy* (CNMC:FI:03B) or contact [Children’s National Foundation](#).

## **Government Relations and Political Activity**

### ***Lobbying and Advocacy Work***

Participation in the political process is a fundamental right in the United States. Children’s National encourages personnel to participate on a personal level consistent with our policies and procedures. Specifically, senior management is responsible for developing the organization’s position on relevant legislative and regulatory issues. Unless specifically requested to participate in this process, we must not use logos of Children’s National on any communication with government officials, nor may we post partisan political materials in our facilities. If our affiliation with Children’s National is relevant to a matter and disclosed, we must state that our statements are our personal beliefs. If any of us are contacted with a request for the position of Children’s National position on a public issue, we must refer the requester to the Government and External Affairs Department. For more information, please contact the [Government and External Affairs Department](#).

### ***Gifts to Government Officials***

In many of our daily interactions, we work or consult with government officials. To ensure the highest level of integrity in these business interactions, Children’s National prohibits the offering of gifts, meals, travel, or any other gratuity to government officials without prior written authorization. For more information, please review the *Foreign Corrupt Practices Act Compliance Policy and Procedure* (C-21B and C-21BP) or contact the [Legal Department](#).

### ***Employment of Former Government Officials***

Federal, state, and District of Columbia laws regulate potential conflicts of interest when a matter involves potential employment of former government employees. If, as part of routine job responsibilities, a former government employee is considered for employment, please contact the [Human Resources Department](#).

### ***Government Investigations and Inquiries***

Children's National operates in a heavily regulated industry. From time-to-time, government officials will have questions about our operations. While it is the policy of Children's National to cooperate in legally authorized inquiries, we have an obligation to protect the confidentiality of our patients, our research partners, and our business information. All requests by governmental agencies for information or documents must be coordinated through the [Legal Department](#).

## **Our Workplace**

### ***Equal Opportunity Employer***

Children's National is committed to complying with all applicable legal requirements that prohibit employment discrimination. Employment decisions (including recruitment, hiring, transfers, promotions, benefits, compensation, training, educational opportunities, and terminations) must not be based on sex, race, national origin, religion, marital status, gender, sexual orientation, or age. Children's National makes reasonable accommodations for individuals with disabilities. For more information, please review the [Hiring Policy and Procedure](#) (B-8 and B-8P) or contact the [Human Resources Department](#) or the Vice President of Human Resources.

### ***Workplace Diversity***

Children's National is committed to addressing the health needs of diverse populations by mirroring a workplace that embraces diversity. Each of us must demonstrate respect, sensitivity, and an appreciation for cultural and ethnic diversity by understanding and responding to individual differences, regardless of whether those are based on nationality, gender, race, religion, sexual orientation, or age. For more information, please review the [Cultural Diversity Policy and Procedure](#) (A-o8 and A-o8P) or contact your Human Resources Department [business partner](#).

### ***Collective Bargaining Agreements***

Children's National has collective bargaining agreements with a number of labor unions. Numerous laws regulate these relationships and the rights of employees to form, join, and support labor unions. We are committed to following these rules and the terms of each agreement. Each of us is prohibited from retaliating against anyone who exercises his or her rights under these laws and agreements. For more information, please review the [Human Resources Business Partner](#) intranet page or contact your Human Resources Department [business partner](#).



### ***Harassment and Workplace Violence***

Children's National values each person's right to work in an environment that is free of harassment and disruptive behavior. We respect and support one another and prohibit any type of harassment in the workplace, whether from managers, subordinates, or lateral coworkers. Each of us must avoid any conduct that is or could be considered a form of harassment. For more information, please review the *Harassment / Discrimination [Policy and Procedure](#)* (A-04 and A-04P) and *Violence Free Workplace [Policy and Procedure](#)* (A-06 and A-06P) or contact your Human Resources Department [business partner](#).

### ***Emergencies and Unusual Events***

During periods of national emergency, weather related disasters, or other unforeseen circumstances, Children's National is committed to helping our community. While we cannot anticipate all possibilities, we must function and manage activities in a professional manner and according to written policies and procedures. We may be called upon to work extra shifts, provide reasonable services outside our usual scope of work, or provide support in other ways in direct response to the emergency. For more information about emergency preparedness, please review the *Weather & Emergency Staffing Preparedness [Policy and Procedure](#)* (C-07 and C-07P) and *[Emergency Operating Plan](#)* (EOP:CH:DIS:00) or contact the [Safety and Emergency Management Department](#).

### ***Drug-Free Workplace***

For the protection of our patients and personnel, Children's National is a drug-free workplace. Performing job responsibilities for or on behalf of Children's National while being under the influence of illegal drugs, abused prescription drugs, and marijuana is prohibited. For more information, please review the *Drug Free Workplace [Policy and Procedure](#)* (A-05 and A-05P) or contact your Human Resources Department [business partner](#).

### ***Pharmaceuticals, Prescription Drugs, Controlled Substances***

Many of us at Children's National are entrusted with the responsibility to safely administer or store prescription drugs, controlled substances, hypodermic needles, drug samples, and regulated pharmaceuticals. We must exercise this responsibility with care. Federal, state, and District of Columbia laws prohibit the diversion of prescription drugs and controlled substances, including drug samples. It is also a criminal offense to distribute damaged, misbranded, mislabeled, expired, or diverted pharmaceuticals. Improper diversion or distribution of pharmaceuticals is prohibited. For more information, please review the *Drug Free Workplace [Procedure](#)* (A-05P) and *[Pharmacy Department's Policies and Procedures](#)* intranet page or contact the [Chief of Pharmacy](#).



### ***Environmental Health and Safety***

Among our highest priorities are the safety and health of our patients, personnel, and visitors. Our operations involve handling and disposing of hazardous materials, non-DEA controlled hazardous medications, and infectious waste. We are committed to handling and disposing of these materials in accordance with all applicable laws to protect our patients, our community, and each other. If there are questions about selecting, handling, storing, transporting, using, and disposing of hazardous materials and infectious waste, please contact the [Environmental Services Department](#).

Injuries and accidents involving personnel must be reported immediately to Occupational Health, and any unsafe conditions should be brought to the attention of an appropriate member of management.

## **How to Get Help**

We provide several avenues to help navigate compliance and ethical concerns.

**Questions about Code Sections, Policies, and Procedures:** We have identified subject-matter experts within our departments who are available to assist with questions. Please contact the referenced department directly. If you prefer confidentiality in your inquiry or do not receive a response, please contact the Compliance Department.

**Compliance Questions Generally:** Please contact the Compliance Department in person or by phone at (202) 476-4860.

**Suspected Violations:** Several options are available depending upon your comfort level. First, we encourage discussions with manager, who is often the most knowledgeable about the particular operations at issue. In situations where that is not appropriate, comfortable, or productive, we encourage you to contact the Compliance Department in person or by phone at (202) 476-4860. You may also report compliance concerns through our external compliance hotline: 844-TEL-A-BEAR or (844) 835-2232. Anyone, including employees, families, and vendors, can make a report through these two avenues. We make all reasonable efforts to preserve confidentiality and, do not (unless required by law), disclose your identity without informing you in advance.

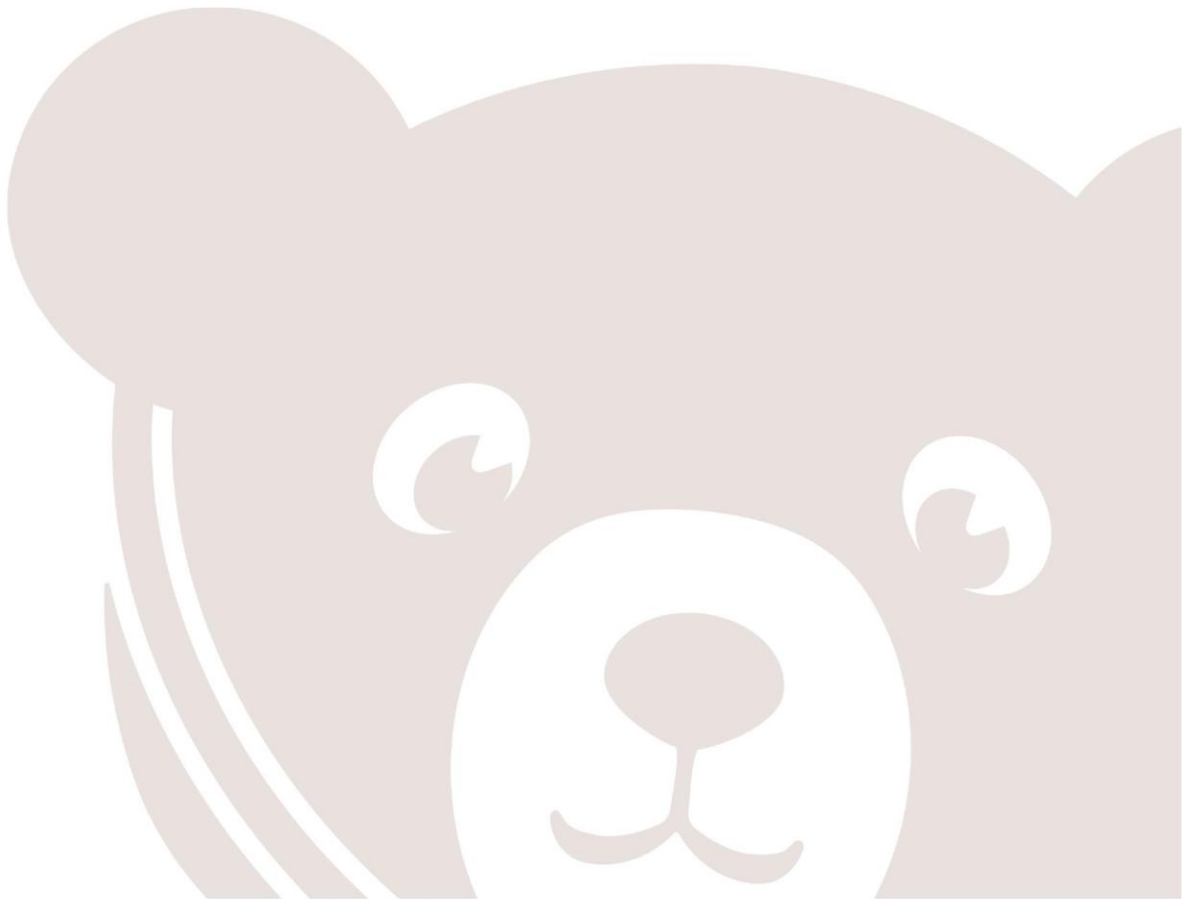
You may also report suspected illegal or unethical conduct through our online compliance reporting tool, available online via [RL Solutions](#). Please follow online instructions to submit reports anonymously. You may upload relevant documents through the reporting utility.



Finally, you may mail or drop off confidential written messages, addressed as follows:  
Attention: Compliance Department, Children’s National Medical Center, 111 Michigan  
Avenue, NW, Washington, DC 20010.

**Clinical Events:** As a reminder, medical staff have an obligation to report clinical issues and, in particular, Adverse Events to the Risk Management and Legal Departments. Please contact (202) 471-4860. Investigations will be kept confidential whenever possible and will focus on the continued effort for an improved, safe environment for patients. Contact the [Chief Risk Counsel](#).

Version: 02/2016



# Code of Conduct Attestation

By signing below (or acknowledging acceptance electronically), you are certifying to the following statements:

- I agree to comply with the Code of Conduct, and all of the policies and procedures that relate to my work at Children’s National.
- If I am unsure whether an action is permitted, I will review the Code, policies, and procedures, ask my manager, or contact the Compliance Department (202-476-4860) or the Legal Department (202-471-4860) for guidance.
- I am aware of the resources available to me, including the Code of Conduct and our policies and procedures.
- I will perform my duties with integrity.
- I understand that noncompliance with legal requirements and our written standards, include the Code and our policies and procedures may subject me to corrective or disciplinary action, up to and including dismissal and termination.
- I understand that my noncompliance with federal, state, and local laws may result in criminal and civil actions against not only my employer but also me.
- I agree to immediately report suspected noncompliance to my manager, the Compliance Department (202-476-4860), or anonymously through the online compliance reporting tool.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Employee ID Number

Version: 02/2016



# Addendum: Select Fraud and Abuse Statutes

There are five main Federal fraud and abuse laws that regulate our activities with government payers, vendors, and other providers that you should be aware of.

## False Claims Act

This statute makes it illegal to submit false or fraudulent claims to the Federal government. It can include claims submitted to Medicare or Medicaid, or claims submitted to federal grant agencies. Claims may be false if the service is not actually rendered as described, provided but already covered under another claim, not supported by the medical record or grant documents, and other reasons.

**EXAMPLE 1:** A cardiologist was prosecuted under the False Claims Act for submitting claims for evaluation and management services even though he had already received payment for the same services under previously billed stress test claims. He paid the Government \$435,000 and entered into a 5-year Integrity Agreement.

**EXAMPLE 2:** University settled for over \$9 million for allegedly, among other actions, failing to use a suitable means of verifying whether the salary and wage charges applied to specific federal grants were based on an employee's actual effort for that grant.

You do not have to intend to defraud the Government to violate the False Claims Act. You can be punished if you act with deliberate ignorance or reckless disregard of the truth. This means you cannot hide your head in the sand and avoid liability.

For False Claims Act violations, you can be fined up to three times the amount paid, plus \$11,000 per claim. The False Claims Act also provides a strong financial incentive to whistleblowers to report fraud. Whistleblowers can receive up to 30 percent of any False Claims Act recovery. Often whistleblowers turn out to be former business partners, hospital or office staff, competitors, or even patients.

Many states from which our patients come also have their own version of the False Claims Act, complete with qui tam provisions and whistleblower protection provisions. These include the District of Columbia, Virginia, and Maryland.

## Anti-Kickback Statute

In some industries, it is acceptable to reward those who refer business to you. However, asking for or receiving any remuneration in exchange for your referrals of Federal health care program business is a crime under the Anti-Kickback Statute. The Anti-Kickback Statute applies to both payers and recipients of kickbacks. Just asking for or offering a kickback could violate the law.

“Remuneration” is basically anything of value. The law prohibits obvious kickbacks, like cash for referrals, as well as more subtle kickbacks, like free rent, below fair market value rent, free clerical staff, or excessive compensation for medical directorships.

Kickbacks are illegal because they harm the Federal health care programs and program beneficiaries. They can lead to: overutilization of items or services, increased program costs, corruption of medical decision-making, patient steering, and unfair competition.


The statute can also be implicated when remuneration is offered to patients to select us as a provider. In this case, routine or advertised waiver of co-insurance obligations, free transportation, gifts, and promotional items can raise concerns. There are rules that permit some gifts but you must consult the Legal Department before initiating the practice.

Violating Anti-Kickback Statute carries stiff penalties. Violators can be found liable under the False Claims Act as well. Violations can result in prison sentences, fines, and penalties of up to \$50,000 per kickback plus three times the amount of the remuneration. Additionally, persons who violate the statute can be excluded from participation in the Federal health care programs.

## Physician Self-Referral Statute

The Physician Self-Referral Statute, or Stark Law as it is sometimes called, prohibits a physician from referring Medicare or Medicaid patients for designated health services to entities with which she has a financial relationship, unless an exception applies. Financial relationships covered by this law include ownership/investment interests, as well as compensation relationships. (This law applies to the physician’s financial relationships and those of her immediate family members.)

Designated health services include inpatient hospital services, outpatient hospital services, clinical laboratory services, physical therapy, and home health services, among others. For example, unless an exception applies, a physician may not refer patients to an imaging center for designated health services if she has a financial investment in that center.



The Physician Self-Referral Statute is a strict liability law, which means proof of specific intent to violate the law is not required. The entity submitting improper claims is subject to repayment of all amounts received from Medicare and Medicaid that are connected with the improper relationship and may be subject to additional penalties. Physicians who violate the law may be subject to monetary penalties, as well as exclusion from participation in the Federal health care programs.

## Exclusion Authority

Under its federal exclusion authority, the Office of Inspector General for the Department of Health and Human Services HHS-OIG may exclude providers from participation in the Federal health care programs. There are two categories of exclusions: mandatory exclusions, which are imposed on the basis of certain criminal convictions, and permissive exclusions, which are based on sanctions by other agencies, such as a state medical board suspending or revoking a medical license, or other misconduct including defaulting on health education loans or providing unnecessary or substandard care.

The effect of exclusion is very serious. Excluded persons may not bill for treating Medicare and Medicaid patients, nor may their services be billed indirectly through Children's National or group practice. Because of this prohibition, some refer to exclusion as a "financial death sentence" for any healthcare provider.

The District of Columbia has a similar exclusion authority specific to the Medicaid program.

## Civil Monetary Penalty Law

The government may also seek civil monetary penalties for a wide variety of abusive conduct, including presenting a claim that is false or fraudulent because it is for a medically unnecessary procedure. Penalties range from \$10,000 to \$50,000 per violation.

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