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# A Message From Our CEO

The Boards of Directors of the Kettering Health Network (KHN), Kettering Medical Center and Grandview Medical Center, have established the Corporate Integrity Program. The program's structure and implementation is contained in this handbook.

As a faith-based Network, we want our relationships with our patients, payors, vendors and each other to be handled with the utmost integrity. This cannot be done without you, our employees. It is your ethical behavior that earns the respect of our community and enables us to serve its health care needs. This handbook should help you understand what is expected of you as we ensure not only compliance but integrity in our Network.

Please read this handbook carefully and keep it on hand as a reference to address compliance and integrity questions that you may have. Because the success of our integrity program depends on your support and the support of the contractors we hire to help us, it is important for you to understand your role in strengthening this program. Should you have any integrity questions or concerns, please contact your department manager or the Corporate Integrity and Ethics Department.

As a part of our integrity and compliance program, we operate a "hotline" for you to report suspicious conduct, illegal actions, policy violations or significant information that you feel you cannot report to your supervisor. The hotline number is **(937) 293-3344**. Please remember that you are obligated to report any behavior that you believe violates state or federal laws, KHN policies or the Code of Conduct. Once you do report, we are obligated to investigate and address your concerns. We also assure you that if you report, our Network Non-Retaliation Policy will protect you.

Thank you for your commitment to making KHN an organization of the highest integrity.

Very sincerely yours,



Frank J. Perez, FACHE  
President and CEO

# Introduction

## The Corporate Integrity Program

Kettering Health Network has established a compliance program to meet its responsibility to provide patient care in a manner that conforms to the legal and ethical standards that govern the health care industry. It is important that each employee has a clear understanding of his or her responsibility and obligation to know and abide by the laws, rules, regulations, policies and procedures that have specific application to our job. Kettering Health Network's Department of Corporate Integrity and Ethics has been established to implement a compliance plan that provides reasonable assurance that Kettering Health Network provides patient care in full compliance with all federal, state, and local laws and regulations.

## Purpose of Code of Conduct

The Code of Conduct guides employees in understanding their responsibility to follow all laws and rules that apply to us and making the right decisions when encountering situations involving legal and ethical issues.

## Commitment to Integrity

All employees of the Network, including senior management, are committed to the elimination of fraud and abuse and are therefore committed to complying with all federal and state regulations that aid in that commitment. It is a role of the KHN Corporate Integrity Program to inform KHN employees and those associated with KHN of the appropriate conduct expected and the requirement to act in accordance with known legal duties to detect and prevent violation of the law not simply because of the legal consequences but because **it is the right thing to do.**

# OUR MISSION

## KHN MISSION STATEMENT

Kettering Health Network is committed to improving the quality of life of the people in the communities we serve through health care and education. We are dedicated to excellence and to providing each individual the most appropriate care in the most appropriate setting. In the spirit of Seventh-day Adventist health care ministry, we strive to be innovative and to convey God's love in a caring environment.

## KHN VISION STATEMENT

As a faith-based organization, our vision is to be the health care partner of choice, providing convenient access, focusing on whole person care while leading the way through innovation, technology, education, and research.

## KHN VALUES

- **Our Patients:** Our principle responsibility is to our patients. We are committed to providing effective and necessary services to patients, regardless of their race, religion, cultural background or ability to pay. We are committed to ensuring that our patients are cared for safely with consideration for their privacy, dignity and informed consent.
- **Our Employees:** We recognize our employees as diverse and valued staff partners. We will strive to provide every employee with a harmonious and supportive workplace. We will strive for an environment where employees are treated fairly and where employees are honest, trustworthy and reliable. We support, encourage, and reward excellence in our employees to achieve their maximum potential.
- **Our Physicians:** We partner with and empower our physicians to advance our mission through the design and implementation of safe, effective, clinical services. We pledge to protect the integrity of clinical decision making.

# The Corporate Integrity Program

The Department of Corporate Integrity and Ethics serves as the focal point for the Network's compliance activities. Its responsibilities include developing an effective compliance plan that assists all employees in their efforts to comply with all federal and state regulations. The success and effectiveness of the Integrity Program depends on the support and complete participation of all employees and individuals affiliated with Kettering Health Network. Everyone, regardless of job title, plays a part in maintaining the high ethical standard of "doing the right thing because it's the right thing to do."

All employees, individuals, and entities affiliated with Kettering Health Network are expected to:

1. Understand and obey all policies that relate to their functions within, and association with, the Network.
2. Be aware of the mandatory duty of all employees to report actual or possible violations of policies, laws, and regulations.
3. Report any actual or potential violations of laws and regulations to their supervisor or to Corporate Integrity.
4. Attend required educational and training sessions relating to the Corporate Integrity Program.

To ensure that KHN effectively meets its compliance obligations, Corporate Integrity's responsibilities include:

## (1) MONITORING AND AUDITING

An effective compliance program monitors policies and procedures to see if they are effective.

Corporate Integrity checks to see that:

- Bills are accurately coded and truly reflect the services provided (as documented in the medical records);
- Documentation is correct and comprehensive;
- Services or items provided in our patient care are reasonable and necessary;
- Any incentives for unnecessary services do not alter our billing; and,
- Treatment is medically necessary.

## **(2) INVESTIGATING COMPLIANCE RELATED MATTERS**

If you report a concern to Corporate Integrity, it will be investigated and appropriately resolved.

## **(3) PROVIDING TRAINING AND EDUCATION**

The government has stated that an effective compliance program requires training on relevant areas of compliance. Therefore, compliance training is mandatory for ALL employees.

Failure to attend training will, at the very least, suspend any salary improvement you have earned and may result in further disciplinary action up to and including termination.

General Training - Covers topics like the following:

- Purpose, scope and importance of Corporate Integrity
- Code of Ethics
- Relevant fraud and abuse laws
- Each person's obligation to report misconduct or other integrity concerns
- Possible disciplinary actions for those who violate the integrity plan

Specific Training - (Billing, Coding, Marketing, Cost Reporting, Business Development, etc.) Employees are required to attend compliance-related training for their specialties. The training will cover topics such as:

- Government and private payor reimbursement principles and requirements;
- Coding and accurate documentation;
- Submission of accurate bills;
- Appropriate marketing practices;
- Any other topics that could put the Network at risk for non-compliance with governmental health programs.

## **(4) REPORTING TO GOVERNING BODY, COMPLIANCE COUNCIL AND CEO**

The compliance officer reports regularly on the issues and developments related to the compliance program to the Corporate Integrity Council and KHN Board of Directors.

# REPORTING VIOLATIONS

If you think that a law or policy may have been broken, you must report it.

**You should follow the reporting process outlined below.**

1. You should report the concern to your supervisor. If you feel uncomfortable discussing the concern with a supervisor or feel the supervisor has not addressed your concerns satisfactorily, go to step 2.
2. Report the matter to a higher level manager or Human Resources. If you are not comfortable talking this step, go to step 3.
3. Contact Corporate Integrity.

## How to Contact Corporate Integrity

Anyone is welcome to bring concerns and/or questions to the attention of the department either in person, by phone or fax, by E-mail (intranet) or by letter.

The Corporate Integrity and Ethics Department may be contacted as follows:

Kettering Health Network  
Corporate Integrity & Ethics  
3490 Far Hills Ave.  
Suite 201  
Kettering, Ohio 45429  
Phone: 937 395-3960  
**Hotline: 937 293-3344**  
Fax: 937 395-3969

You don't have to tell us who you are when you call.

If you don't want anyone to know that you contacted us, you can call the hotline number which cannot be traced back to you.

The Corporate Integrity Department will investigate all concerns and seek appropriate resolution.

## Question and Answer

**Question:** If I witness an action that may be in violation of a KHN policy or law, whom should I contact?

**Answer:** Follow the reporting process outlined above starting with your supervisor.

# YOU ARE PROTECTED IF YOU REPORT



Federal and state laws establish protections for employees who raise integrity concerns. The Federal False Claims Act, in some cases, rewards employees who discover and report fraud and abuse to the government.

You can report concerns without fear of being punished. Kettering Health Network understands that reporting must feel safe or it will not happen. It is critical that you report any violations of policies that you

feel exist in the Network without fear of being punished.

Our Non-Retaliation Policy is clear about this issue: **Retaliation (being punished for reporting an integrity concern) in any form will not be tolerated.** No KHN supervisor, manager or employee is permitted to engage, or threaten to engage, in retaliation or any form of harassment against an employee who reports a concern or who cooperates in an investigation involving a suspected violation.

## What Is Retaliation?

Retaliation is any behavior that would discourage an employee from contacting Corporate Integrity or make them wish they had not.

Examples include:

1. Telling your staff not to call the hotline but to bring their issues to you directly.
2. Disciplining an employee for an issue unrelated to job performance.
3. Asking employees if they or anyone else has contacted the Corporate Integrity Office.
4. Trying to find out "who called" through guessing or accusations.

Any employee who is found to have retaliated against another employee for reporting a compliance concern is subject to severe discipline including termination on the first offense.



# FEDERAL AND STATE REGULATIONS

Kettering Health Network's policy has always been to fully comply with all of the laws that govern our industry. Consistent with this policy, all employees, KHN vendors, contractors, agents, and physicians are expected to abide by all federal and state fraud and abuse laws and all KHN policies and procedures.

## Fraud and Abuse Statutes

Many federal laws are specifically designed to address health care fraud and abuse including the False Claims Act, Anti-Kickback Statute, and the Stark Law.

## False Claims Act

It is a violation of law for anyone to knowingly or with reckless disregard or with deliberate ignorance make a false statement or submit a false or fraudulent claim (bill) for payment to the federal government.

If you send a claim that is false to the government, you may violate federal laws even if you did not know that the claim was false.

### *Billing and Coding*

Most false claims occur when inaccurate bills are submitted to the federal or state government for payment. All billings to government and private insurance payors must reflect truth and accuracy and conform to all pertinent federal and state laws and regulations.

The government charges companies or employees with violating the False Claims Act when they do the following:

- Make little or no effort to verify the truth or accuracy of their statements or claims.
- Avoid finding out whether their statements or claims are true or false.
- Make incorrect or inaccurate statements or claims over and over again, so that it appears they do not care about getting it right.
- Help someone else (such as a customer or physician) make a false claim or statement to the government.

### *Civil Monetary Penalties*

Violation of the False Claims Act can result in fines of up to \$10,000 per item or service. In certain circumstances, fines can be as much as three times the amount of the false claim.

# ANTI-KICKBACK STATUTE

It is against the law to give or take “kickbacks.” In other words, no employee can **ask for or receive** any money, bribe, rebate or gift in any form in return for referring or recommending the referral of an individual to another person, hospital, or medical facility for services.

No KHN employee shall **offer to pay** any money, bribe, offer a rebate or gift in any form, in return for referring or recommending an individual to our facility for services.

**Question:** What are kickbacks?

**Answer:** Kickbacks are gifts, gratuities, or anything of monetary value given to or from someone who is in a position to influence a business decision.

*Examples include:*

- Gifts and incentives
- Free supplies or equipment
- Excessive discounts (outside charity care guidelines)
- Written-off accounts receivables

**Question:** What types of incentives may be considered an inappropriate offer to physicians?

**Answer:** *Examples include:*

- Anything of monetary value
- Providing office space of less than fair market value
- Providing non-employed physicians with items or services free of charge or at less than fair market value.
- Writing off a physician’s accounts receivable or recruitment loan.

**Question:** Dr. Fedor sends patients to our hospital. She said she would send us more patients if we provide her with free office space. Can we do this?

**Answer:** No. We must charge physicians fair market value for office space. It is illegal to offer free or discounted services to get referrals from the physician.

# STARK LAW - PHYSICIAN REFERRALS

The Stark Law says that no physician may refer a patient to KHN for certain services if he or she or a member of their family has a "financial relationship" with KHN.

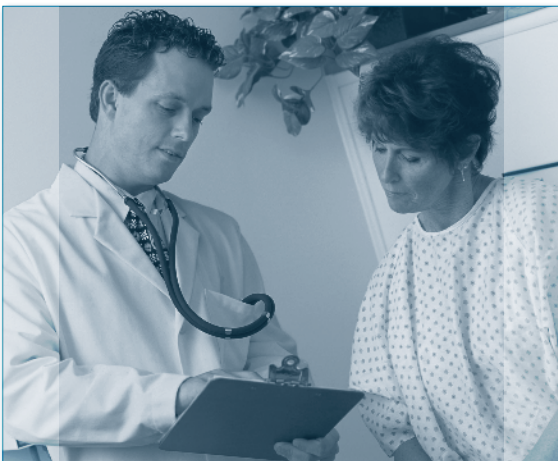
If a doctor has a financial interest in a KHN facility and refers patients to that facility for certain medical procedures and treatment, he or she has violated the law. It is also a false claim to submit a bill to the government for payment for services provided to such patient.

**Question:** When Dr. Brickner sees patients in our cardiac clinic, she refers them to Brickner's Holter Monitor Center for holter monitors. Dr. Brickner's husband owns the company. Is this a Stark law violation?

**Answer:** Yes. Federal law prohibits a physician from referring Medicare and Medicaid patients to a health service in which the physician's immediate family member has a financial interest.

**Question:** When Dr. Brickner sees patients in our cardiac clinic and refers them to a clinic for treatment in which she and Kettering Health Network have a joint relationship is this a Stark violation?

**Answer:** Maybe not. There are exceptions to the general rule. Legal counsel should be consulted to determine whether this case falls within the exception.



# PATIENT ISSUES

## MEDICAL NECESSITY

No patient shall be treated or billed for any medical services unless the service provided was medically necessary. KHN is dedicated to providing medically necessary health care to patients without regard to race, creed, color, national origin, gender or disability.

## PATIENT PRIVACY (HIPAA)

KHN is dedicated to protecting the privacy of our patients by preserving confidentiality of individually identifiable health information. All employees shall abide by all policies to ensure that patient health information is kept confidential.



# CONFLICTS OF INTEREST

You must avoid both conflicts of interest and the appearance of conflicts of interest.

A conflict of interest may exist when you or a member of your immediate family, has an interest of a direct or indirect nature in any entity dealing with or in competition with KHN. There is a conflict of interest when your loyalty is divided between your responsibilities to KHN and to an outside organization or individual.

If you believe that you have a conflict of interest, you must report it to your supervisor or to Corporate Integrity.

**By disclosing the conflict to the proper persons, the conflict may be resolved.**

## Personal Benefit

No employee shall become involved in any manner with competitors, contractors, patients, other providers, and or suppliers of KHN if such involvement would result in improper personal gain.

## Acceptance of Gifts and Entertainment

Employees, or any members of an employee's immediate family, shall not solicit or accept any personal gift (including complimentary business or personal trips) from any of KHN's competitors, patients, other providers, vendors or anyone with whom that employee does business with on behalf of KHN.

Gifts of very **minimal** value may be ethically accepted if the gift does not influence and does not reasonably appear to others to be capable of influencing an employees' business judgment.

The basic principle for accepting gifts, meals or other considerations is:

- Never accept anything for you, a family member or anyone else which might be viewed as actually or potentially influencing your objective judgment on behalf of Kettering Health Network.

The basic principle for offering or giving gifts or other considerations is:

- Never offer a gift, meal or other consideration which might be viewed as actually or potentially intended to influence the objective business judgment of anyone with whom Kettering Health Network does business.

# ENFORCEMENT AND DISCIPLINE

When compliance violations are discovered, enforcement and disciplinary actions may be taken. From the government's perspective, such action may be warranted not only when an offense or violation has occurred, but also when a violation could/should have been detected had the institution's policies and procedures been properly followed.

## CONDITION OF EMPLOYMENT

Adherence to the Code of Conduct and all other KHN policies is a condition of employment and advancement. Violation of the Code of Conduct will subject you to disciplinary action up to and including termination.

You are out of compliance if any of the following occurs:

- You engage in non-ethical or non-compliant conduct;
- You fail to report non-ethical or non-compliant conduct;
- Leaders who were aware or should have been aware of inappropriate conduct fail to take the necessary steps to achieve compliance with the Corporate Integrity Program;
- Leaders who negligently fail to detect compliance violations that occur.

**Nothing in this Code of Conduct is intended to change the employment-at-will relationship or in any way intended to create legal rights.**



**[Click here to validate that you have received  
and agree to abide by the requirements of this document](#)**

# Code of Conduct Acknowledgement Statement

## My signature below indicates that:

- I have received the Kettering Health Network Code of Conduct.
- I understand that I am required, as an employee of KHN, to follow and abide by the Code of Conduct, KHN policies and procedures, and other requirements contained in the Code.
- I agree to report suspected violations of the Code of Conduct through my chain of command or to the Corporate Integrity and Ethics Department.
- I understand I have an obligation to report any indictments or convictions (other than for minor traffic offenses) that I may incur to my department manager or to the Corporate Integrity and Ethics Department within five days of occurrence.

Tear out here

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name (print)

\_\_\_\_\_  
Employee ID Badge #

\_\_\_\_\_  
Facility

\_\_\_\_\_  
Department

\_\_\_\_\_  
Unit