



Code of Ethical Conduct for Physicians and Allied Health Professionals

Our Commitment to Integrity

TABLE OF CONTENTS

Introduction	3
Mission/Vision/Value Statements	4
Code of Clinical Values	5
Quality.	7
Patient Rights	8
Confidentiality.	9
Confidentiality of Protected Health Information.	10
Professional Behavior	11
Health and Safety	12
Protection and Use of Information, Property and Assets	13
Conflicts of Interest	14
Compliance with Laws and Regulations	16
Compliance with Billing and Coding Laws and Regulations	17
Ethical Concerns and Reporting Responsibilities.	18
Compliance EthicsLine	19
Nonretaliation/Nonretribution Policy	20
Corrective/Disciplinary Action for Violations of the Code of Ethical Conduct.	21

INTRODUCTION

Every day, the decisions and the actions made by each individual working with or on behalf of Baylor Health Care System (“Baylor” or “Baylor Health Care System”) create and sustain Baylor’s image and reputation. Our actions, both individually and collectively, are watched closely by patients, regulators, and the public at large. Each person’s behavior while present on Baylor premises or acting on behalf of or in conjunction with Baylor reflects his or her commitment to ethical, respectful and honorable behavior; to being honest and truthful in performing our work; to treating others with fairness, dignity and respect; and doing the right thing.

The Baylor Health Care System Code of Ethical Conduct for Physicians and Allied Health Professionals (the “Code of Ethical Conduct”) outlines the principles by which we carry out our daily work activities at Baylor. The principles set forth in the Code of Ethical Conduct apply to all Baylor physicians and allied health professionals and will be applied consistently at all levels of our organization.

Baylor Health Care System has a comprehensive, values-based Compliance Program, which exists to make sure that Baylor follows all policies, procedures, laws and regulations that relate to Baylor’s operations. Because the Code of Ethical Conduct rests on our Mission, Vision and Values, it is an integral part of our daily activities and supports our 100 years of caring for our patients, our communities and each other. Continuing to uphold the Code of Ethical Conduct will preserve the integrity of Baylor Health Care System and the trust and confidence the public has placed in each of us.

BAYLOR HEALTH CARE SYSTEM

MISSION

Founded as a Christian ministry of healing, Baylor Health Care System exists to serve all people through exemplary health care, education, research and community service.

VISION

To be trusted as the best place to give and receive safe, quality and compassionate care.

VALUE STATEMENTS

The values of Baylor Health Care System reflect how we seek to relate to patients, families, physicians, employees, payers and communities we serve:

INTEGRITY:

Conducting ourselves in an ethical and respectful manner

We demonstrate integrity by complying with all laws and regulations, conducting accurate billing, protecting all patient information and ensuring relationships with physicians and others are consistent with our mission, vision and values.

SERVANTHOOD:

Serving with an attitude of unselfish concern

We demonstrate servanthood by providing service to all people, regardless of status or position, especially in times of emergency and crisis. We continually strive to build confidence and professionalism in every employee.

QUALITY:

Meeting the needs and striving to exceed the expectations of those we serve through continuous improvement

We demonstrate quality by providing care that is safe, timely, effective, efficient, equitable and patient-centered.

INNOVATION:

Consistently exploring, studying and researching new concepts and opportunities

We demonstrate innovation through research and education consistent with our mission, vision and values, and the laws and regulations protecting human and animal subjects. We advance quality through continuous review and collaboration with others sharing similar values and objectives.

STEWARDSHIP:

Managing resources entrusted to us in a responsible manner

We demonstrate stewardship by using Baylor assets only to pursue our mission, vision and values. We take action consistent with our tax-exempt purpose and honor the intentions of those who provide our resources.

CODE OF CLINICAL VALUES

Baylor is committed to ethical delivery of health care services, while seeking to fulfill its mission of patient care, education, research, and community service. Baylor attempts to balance responsibilities to individual patients, the community and the staff even though conflicts are inherent in any system of ethics. These conflicts may include financial concerns, belief systems, research interests and other conflicts in clinical medicine. Baylor's *Code of Clinical Values* includes clinical virtues and values that influence both daily activities and specific clinical ethics policies.

HONESTY AND INTEGRITY:

We will strive to act with honesty and integrity in all circumstances.

COMPETENCE:

Professional competence is essential to both serving patients well and conducting our business effectively. We are committed to continuous improvement of technical skill, knowledge and wisdom. Baylor acknowledges a responsibility to maintain a work environment that affirms a constant striving for quality in all we do.

RESPECT:

Respect means honoring the sanctity, dignity and worth of our fellow human beings no matter what their personal circumstances may be. We celebrate and honor diversity among our patients and our employees. We recognize that illness and dependence create vulnerability in the patient. We will strive never to exploit this vulnerability.

COMPASSION:

We seek to be sensitive to the needs of our patients and employees while supporting them with empathy and concern. Having compassion for our patients means that we recognize suffering in all its forms and attempt to alleviate suffering at all times.

BENEFICENCE:

Beneficence means doing good. With treatments we offer, we try to maximize the benefit to our patients and minimize any burdens. We seek to improve the quality of life of our patients and to relieve their suffering.

FAITHFULNESS:

Patients and families come first. They will be served with an attitude of unselfish concern for their benefit, without regard to financial incentives. We will not compromise the quality of care for other goals. We are committed to charitable care for the financially or medically indigent but this must be balanced by the reality that the competent delivery of health care services requires competent business practices. We are committed to the principle that we serve our needs best by serving others' needs first.

SELF-DETERMINATION:

Patients have a right to make choices about their medical treatment. Such choices are often intellectually and emotionally complex. Thus we strive to understand, educate, and support patients and their families based on their individual needs and values.

CONFIDENTIALITY:

Patients have a right to expect confidentiality of information. We will strive to protect the confidentiality of patient and business information. Appropriate guidelines will be followed in the release of all confidential information. Acknowledging patient privacy is essential for honoring human dignity.

TEAMWORK:

Our greatest asset is our people, a team with many different skills and competencies. Every member of the team is important. It is the responsibility of all those affiliated with Baylor to maintain the mutual respect, understanding, trust, and cooperation necessary for effective teamwork.

QUALITY

STANDARD OF CONDUCT: Baylor is committed to providing high quality care and services. Baylor's first responsibility is to patients and their families. Baylor provides care through the framework of STEEEP:

S _ **Safe** care protects patients from harm.

T _ **Timely** care is delivered promptly.

E _ **Effective** care makes optimal use of resources to improve quality of life.

E _ **Efficient** care maximizes utility and avoids waste.

E _ **Equitable** care is consistent in quality and extended to all in need.

P _ **Patient-centered** care respects and responds to patients' preferences, needs, and values.

- ▶ We are committed to providing high quality care with the ultimate goal of relieving suffering and restoring health for the patients.
- ▶ We will communicate effectively with patients and families, explain our role in their care and respond to each patient's treatment needs and service requests.
- ▶ We will address any unanticipated outcomes of care by taking appropriate actions, including reporting when appropriate, and following the problem to resolution.
- ▶ We will make every effort to employ and affiliate with only fully licensed and properly credentialed providers with expertise and experience to care for our patients, in positions requiring such.
- ▶ We will assure that admissions, transfers and discharges are medically appropriate and in accordance with all legal requirements. In the event of a medical emergency we will not consider a patient's ability to pay or current hospital fiscal conditions in discussions and decisions concerning admissions, transfers or discharges.
- ▶ We will provide patients with care only within the scope of clinical privileges granted to us by the appropriate Baylor facility.

PATIENT RIGHTS

STANDARD OF CONDUCT: Baylor is committed to providing considerate and respectful care, while protecting the rights of all patients. All patients have the right to privacy, safety, security and confidentiality as set forth in Baylor's patient rights brochure.

- ▶ We will respect the rights and human dignity of each patient.
- ▶ We will respond to patient questions, concerns and needs in a timely and sensitive manner.
- ▶ We will provide care, treatment and services that safeguard the patient's personal dignity and demonstrate respect for cultural, psychosocial, spiritual and personal values and beliefs of patients.
- ▶ We will include patients in clinical and ethical decisions about their care, treatment and services.
- ▶ We will create a patient care environment that is free of unlawful discrimination for any reason including race, sex, age, color, creed, national origin or any other classification protected by law and that is free of harassment, including sexual harassment.
- ▶ We will protect the patient from real or perceived mental, physical, sexual or verbal abuse, neglect, or exploitation from anyone, including physicians, allied health professionals, staff, other patients, visitors or family members. We will immediately report any alleged abuse, neglect or exploitation.
- ▶ We will provide reasonable privacy to patients for interviews, examinations or procedures.
- ▶ We will accommodate, within reason and to the extent possible, a patient's request for a person of the same sex to perform an examination or procedure or provide a chaperone who is an authorized health professional.
- ▶ We will protect patients and respect their rights during research investigations and clinical trials involving human subjects.

CONFIDENTIALITY

STANDARD OF CONDUCT: Baylor is committed to protecting the confidentiality of all medical, financial and business information that is generated during the normal course of health care business.

- ▶ We will not share confidential information, whether medical, financial or business information, either during or after employment or association with Baylor, except as authorized and required by laws, regulations, Baylor Medical Staff Bylaws/Rules and Regulations and Baylor policy.
- ▶ We will not, for personal gain or curiosity, use confidential information obtained by virtue of our position with Baylor.
- ▶ We will treat as confidential all quality assurance, peer review and health care services review information in accordance with laws, regulations, Baylor Medical Staff Bylaws/Rules and Regulations and Baylor policy.
- ▶ When in doubt about confidential information, we will seek advice from any of the Baylor Health Information Management departments, or the Baylor Health Care System Office of Corporate Compliance (“Office of Corporate Compliance”).

CONFIDENTIALITY OF PROTECTED HEALTH INFORMATION

STANDARD OF CONDUCT: Baylor is committed to honoring each patient's right for Protected Health Information ("PHI") to be kept confidential. Access to a patient's PHI is limited to only those individuals involved in the patient's care or pursuant to an authorization. PHI is a person's individually identifiable patient health information or records, including the defined legal medical records and billing records, regardless of the source, maintained in any form or media.

- ▶ We have the responsibility for protecting and maintaining confidentiality of PHI, including electronic forms, both during and after employment, affiliation, or association with Baylor.
- ▶ We will limit conversations regarding patients to clinical settings or appropriate business related areas (e.g., nursing units, conference rooms).
- ▶ We will use caution when discussing patient information over the telephone.
- ▶ We will abide by Baylor Medical Staff Bylaws/Rules and Regulations and Baylor policy to protect the confidentiality, safety and integrity of patients' PHI, while making the PHI accessible when legitimate needs exist.
- ▶ We will maintain patient confidentiality as required by laws, regulations, Baylor Medical Staff Bylaws/Rules and Regulations and Baylor policy.
- ▶ We will honor the privacy of patients and not reveal or discuss patient-related information except with health care personnel involved in their care, payors and others authorized to review patient information in the course of treatment, payment and/or health care operations.
- ▶ We will release PHI and patient records in accordance with laws, regulations and Baylor policy.
- ▶ We will protect the individual's right to privacy and confidentiality regardless of the individual's identity.
- ▶ We will seek advice when in doubt about PHI from any of the Baylor Health Information Management departments or the Office of Corporate Compliance.

PROFESSIONAL BEHAVIOR

STANDARD OF CONDUCT: Baylor's mission is accomplished through its people, a team that includes many diverse skills and competencies. Every member of the team is important. It is the responsibility of all those affiliated with Baylor to maintain the mutual respect, understanding, trust and cooperation necessary for effective teamwork.

- ▶ We will treat everyone with fairness, dignity and respect.
- ▶ We will affirm that all employment actions should be made without regard to race, color, religion, national origin, sex, disability, citizenship or age, as well as any other classifications as required by law.
- ▶ We will strive to provide an environment for all individuals that is free from any form of verbal, physical, or sexual harassment or intimidation.
- ▶ We will honor mutual respect across all professional relationships and in each type of work environment and maintain the fairness, dignity, trust and cooperation necessary for effective teamwork.
- ▶ We will refrain from unauthorized sales and solicitation of orders for any type of product or service to anyone on Baylor premises unless specifically authorized by Baylor.
- ▶ We will refrain from solicitation of Baylor employees, physicians and allied health professionals or from the distribution of non-work related literature on Baylor premises.
- ▶ We will strive to ensure that our actions will not undermine our ability to perform ethically and effectively or put Baylor's reputation in question.

HEALTH & SAFETY

STANDARD OF CONDUCT: Baylor is committed to providing a safe and secure environment for patients, visitors, employees, physicians, and other service providers.

- ▶ We will comply with and abide by all applicable environmental, health and safety laws, regulations and Baylor policy.
- ▶ We will alert the appropriate departments and personnel if unsafe conditions or practices are observed in the work environment.
- ▶ We will strive to provide an environment that is free from violence. Unauthorized weapons of any kind are strictly prohibited.
- ▶ We will dispose of medical waste and hazardous material appropriately.
- ▶ We will promptly report any accidents or “near misses” involving injury to any patient, visitor, employee or any other service provider.
- ▶ We will promptly report all spills or accidents involving medical waste or hazardous materials and take immediate action to help prevent harm.
- ▶ We will maintain knowledge of Baylor health and safety procedures.
- ▶ We will follow Baylor Medical Staff Bylaws/Rules and Regulations and Baylor policy regarding drugs or alcohol in the workplace.

PROTECTION AND USE OF INFORMATION, PROPERTY AND ASSETS

STANDARD OF CONDUCT: Baylor is committed to protecting its resources, including cash, equipment, supplies, information and other property against loss, theft, destruction and misuse. These resources are of great value to Baylor and enable Baylor to fulfill its mission of serving the health care needs of the community.

- ▶ We will correctly use and care for all Baylor property and equipment entrusted to us.
- ▶ We will require that any utilization of Baylor resources is for uses or services consistent with the physician's Baylor Medical Staff privileges or credentials.
- ▶ We will comply with software licensing agreements, which govern the use of the software.
- ▶ We will not permit making unauthorized copies of Baylor computer software or using personal software on Baylor computer equipment.
- ▶ We understand that Baylor's electronic communications systems, including computers, e-mail, Internet, Intranet, software, telecommunication, wireless devices, voice mail and other automated information systems, are the property of Baylor and should be used primarily for Baylor business-related purposes.
- ▶ We will not use Baylor's electronic communications systems to communicate information to unauthorized people. Further, the use of technology to send offensive, discriminatory or harassing messages is prohibited.
- ▶ We will protect confidential corporate information and not use or reveal such information except in the proper performance of duties.
- ▶ We will maintain all information, whether medical, financial or business, accurately and in accordance with all applicable laws, regulations and Baylor policy.
- ▶ We will not falsify or inappropriately alter information on any record or document.
- ▶ We will maintain and dispose of business documents and records according to all applicable laws, regulations and Baylor policy.
- ▶ We will not knowingly communicate or transfer any information or documents to any unauthorized persons.

CONFLICTS OF INTEREST

STANDARD OF CONDUCT: Baylor is committed to dealing honestly, fairly and with integrity in all matters. A conflict of interest may occur if outside activities or personal interests influence or appear to influence an individual's ability to make objective decisions in the course of job responsibilities. A conflict of interest arises for any physician or allied health professional acting on behalf of Baylor when that person acts, or appears to act, on behalf of someone other than Baylor and has, or appears to have, a self interest of which Baylor is unaware and that is actually or potentially adverse to the best interest of Baylor.

- ▶ We will avoid conflicts of interest between our own private interests and the welfare of Baylor, our Baylor patients and our Baylor duties.
- ▶ We will not use our position, or knowledge gained in our Baylor activities, in any way that we, any member of our family, or business in which we have an interest could receive personal benefit.
- ▶ When serving in a Baylor decision-making capacity, we or any member of our family will not receive any special preferences or inappropriate favors from a person or organization that, to the best of our knowledge, does or wants to do business with Baylor, or is a competitor of Baylor.
- ▶ When serving in a Baylor decision-making capacity, we may not accept one or more gifts, benefits, entertainment, or other favors with a value in excess of \$250 in a 12-month period, from any current or prospective supplier, vendor or organization with which, to the best of our knowledge, Baylor does business in any regard. Entertainment and routine business meals that are part of a routine business meeting are not included in this limit, but they must be reasonable and in moderation.
- ▶ When serving in a Baylor advisory or decision-making capacity, we will disclose any financial arrangement we, or any family member, have with a person or organization that, to the best of our knowledge, does or wants to do business with Baylor, or is a competitor of Baylor. We will recuse ourselves from the final decision making process regarding Baylor business with the disclosed person or organization (unless determined otherwise in writing by Baylor Senior Management).
- ▶ We will maintain unbiased relationships with actual and potential Baylor vendors and contractors.
- ▶ We will exercise good faith and fair dealing in all transactions that involve our responsibilities to Baylor.
- ▶ We will not use any Baylor assets or resources for personal gain.
- ▶ We will not use information that comes to us in the course of our Baylor activities for personal investment or gain, nor will we provide that type of information to any member of our family or others.
- ▶ We will not have a Baylor business relationship with a family member without following applicable Baylor policy.
- ▶ We will report actual or perceived conflicts of interest to the Office of Corporate Compliance.

CONFLICTS OF INTEREST (Continued)

- ▶ We are advised, as suggested in the *American Medical Association Code of Medical Ethics*, that the acceptance of gifts from patients and their families should be carefully considered, due to the sensitive nature and potential impact these relationships may have on the delivery of patient care at Baylor.
- ▶ We will not allow our outside employment, consultation or other activities to affect our objectivity, independence of judgment, or conduct in carrying out duties and responsibilities to Baylor.

COMPLIANCE WITH LAWS AND REGULATIONS

STANDARD OF CONDUCT: Baylor is committed to high standards of business and professional ethics and integrity. Baylor will provide patient care and conduct business while following all applicable laws, regulations and Baylor policy.

- ▶ We will conduct our activities at Baylor in compliance with all applicable laws, regulations, Baylor Medical Staff Bylaws/Rules and Regulations and Baylor policy.
- ▶ We will promptly report to Baylor management, the Entity Compliance Officer, the Corporate Compliance Officer or the Compliance EthicsLine when any possible violation of law, regulation, Baylor Medical Staff Bylaws/Rules and Regulations, or Baylor policy, has occurred.
- ▶ We will not retaliate or take other negative action against an individual who in good faith reports a suspected violation or acts as a whistleblower pursuant to the Federal False Claims Act or other law.
- ▶ We will not provide or accept inducements, kickbacks, bribes, rebates or anything else of value to any party (e.g., physicians, etc.) with the intent to influence the referrals of patients.
- ▶ We will not provide inducements for patients to access services payable by a government health care program (e.g., Medicare, Medicaid, etc.).
- ▶ We will accept patient admissions to Baylor as required by law based on the patient's clinical needs and our capability and capacity to render the needed services.
- ▶ We will not knowingly hire or contract with individuals who have been sanctioned by the Office of Inspector General of the U.S. Department of Health and Human Services ("OIG") or barred from federal procurement programs.
- ▶ We will comply with the Emergency Medical Treatment and Active Labor Act (EMTALA) and state transfer laws.
- ▶ We will not use or provide Baylor assets to support a candidate for public office.

COMPLIANCE WITH BILLING AND CODING LAWS AND REGULATIONS

STANDARD OF CONDUCT: Baylor is committed to fair and accurate billing that is in accordance with all applicable laws, regulations and Baylor policy.

- ▶ We will follow the Federal False Claims Act which prohibits “knowingly” making false claims for payment to the federal government. “Knowingly” is a broad term meaning:
 - Actually knowing that a claim is false;
 - Deliberately ignoring whether the claim is true or false; or
 - Recklessly disregarding whether the claim is true or false.
- ▶ We will attest that diagnostic, procedural and billing codes accurately reflect the services that were provided at Baylor.
- ▶ We will provide the necessary documentation for Baylor to submit claims for payment/reimbursement according to all applicable laws and regulations.
- ▶ We will not knowingly submit for payment or reimbursement a claim we know to be false, fraudulent or fictitious.
- ▶ We will assure that the services for which claims are submitted by Baylor are documented for medical necessity.
- ▶ We will not allow the premature destruction or improper alteration of any document in response to, or in anticipation of, a request for those documents by any government agency or court.
- ▶ We will report any suspected charging or billing irregularity to the Baylor Health Care System Office of Corporate Compliance.

ETHICAL CONCERNS AND REPORTING RESPONSIBILITIES

Physicians and allied health professionals have a duty and responsibility for reporting perceived, actual or potential violations of laws, regulations, Baylor Medical Staff Bylaws/Rules and Regulations, Baylor policy, or the Code of Ethical Conduct. If you think you have witnessed or have knowledge of unethical or illegal activities, discuss the issue with Baylor leadership. You may also contact the Baylor Health Care System Office of Corporate Compliance at 214-820-8888 or contact the Baylor Health Care System Compliance EthicsLine (Compliance EthicsLine) toll free at 1-866-245-0815. The Compliance EthicsLine is answered by a third-party company which will record the information you provide and send it through a secure system to the BHCS Office of Corporate Compliance. You may remain anonymous when reporting through the Compliance EthicsLine.

Reporting in good faith actual or suspected violation of laws, regulations, Baylor Medical Staff Bylaws/Rules and Regulations, Baylor policy, or the Code of Ethical Conduct will not be a basis for retaliatory action. Throughout this process your identity will be kept confidential as much as possible.

COMPLIANCE ETHICSLINE

1-866-245-0815

Baylor recognizes that there are times when questions or problems cannot be addressed through the normal communication and reporting processes. When this happens, you should use the Compliance EthicsLine. Baylor has hired an outside company to take Compliance EthicsLine calls. The operators of the Compliance EthicsLine are trained to assist you in reporting questions and concerns. The toll free telephone number for the Compliance EthicsLine is 1-866-245-0815.

Calls to the Compliance EthicsLine will not be traced or recorded. You will remain anonymous, unless you choose to identify yourself. Knowing your identity and being able to recontact you will be very helpful in resolving most issues. If you do give your name, your identity will be protected to the extent allowed by law and to the extent that it does not hinder the investigation. Calls made in good faith to the Compliance EthicsLine will not result in disciplinary action or retaliation against you.

All calls made to the Compliance EthicsLine will be reviewed by the Baylor Health Care System Corporate Compliance Officer and will be responded to fairly. All claims will be carefully investigated before any action is taken. We will respect and protect the rights of all physicians, allied health professionals and staff, including anyone who is the subject of a Compliance EthicsLine call.

NONRETALIATION/NONRETRIBUTION POLICY

Baylor Health Care System recognizes that a critical aspect of the Compliance program is the establishment of a culture that promotes prevention, detection, and resolution of instances of conduct that do not comply with the Code of Ethical Conduct and all applicable federal, state and local laws and regulations and Baylor policies. A nonretaliation/nonretribution policy has been established to protect employees and others who report problems and concerns.

No disciplinary action or retaliation will be taken against you by Baylor employees when you report, “in good faith,” a perceived issue, problem, concern, or violation to Baylor management, the Office of Corporate Compliance, or the Compliance EthicsLine, or act as a whistleblower pursuant to the Federal False Claims Act or other law. The “in good faith” requirement means an individual actually believes or perceives to be true the information being reported.

The Federal False Claims Act provides protection for “whistleblowers” that are discharged, demoted, suspended, or in any other manner discriminated against in the terms and conditions of employment by his or her employer in retaliation for filing a False Claims Act action.

We value and respect each individual and therefore, you have the right to be treated fairly and with respect. The organization must make sure that you are treated that way. However, reporting does not protect you from civil, criminal or disciplinary action regarding your own performance or conduct.

Baylor is committed to a culture of compliance that encourages individuals to report, in good faith, concerns about actual or potential wrongdoing. Baylor will not tolerate any physician or allied health professional that commits or condones an act of retaliation or retribution against a Baylor employee or someone acting on behalf of Baylor. Any physician who displays retaliatory behaviors will be subject to disciplinary procedures as outlined in the Baylor Medical Staff Bylaws/Rules and Regulations and Baylor policy.

CORRECTIVE/DISCIPLINARY ACTION FOR VIOLATION OF THE BAYLOR HEALTH CARE SYSTEM CODE OF ETHICAL CONDUCT

Any physician or allied health professional who violates any law, regulation, Baylor Medical Staff Bylaws/Rules and Regulations, Baylor policy, or the Code of Ethical Conduct, or is engaged in wrongdoing, which could impair the organization's status as a reliable, honest and trustworthy health care provider is subject to corrective or disciplinary action in accordance with Baylor Medical Staff Bylaws/Rules and Regulations and the Baylor Health Care System Corporate Compliance Program.

You should be aware that certain actions prohibited by Baylor policy also might violate laws resulting in personal criminal or civil prosecution.