



We know children.

A Note from the President & CEO:

As a team member at Children's Hospital & Medical Center, you play an important role in the unique services provided by our organization – caring for children. The knowledge and skills you bring enable us to provide the highest quality service and to fulfill our mission: to improve the life of every child through exceptional Care, Advocacy, Research and Education.

Our Corporate Compliance Plan and Code of Conduct contain your responsibilities and protections related to reporting potential violations, as well as the behavioral expectations for all team members at all levels of the organization. It is important that you read and understand this document in order to continue our success as an organization.

If you have any questions about the contents of the Corporate Compliance Plan and Code of Conduct, please ask your leader or contact the Compliance Director by phone (402-955-4122), by email (bsturdy@childrensomaha.org) or by calling the Compliance Hotline (402-955-3250). Thank you for your commitment to the continued success of Children's Hospital & Medical Center.

Sincerely,

A handwritten signature in blue ink that reads 'Chanda'.

Chanda Chacón, MPH, FACHE
President & CEO

CHILDREN'S HOSPITAL & MEDICAL CENTER

CORPORATE COMPLIANCE PLAN

I. INTRODUCTION

It is the policy of Children's Hospital & Medical Center, Children's Hospital & Medical Center Foundation, Children's Physicians, and Nebraska Pediatric Practice, Inc. d/b/a Children's Specialty Physicians (collectively, "Children's") that its business and affairs be conducted at all times in accordance with ethical business practices and applicable laws and regulations. Children's places the highest importance on its reputation for honesty, integrity, and high ethical standards. To that end, and in accordance with Children's Code of Conduct, Children's has developed this Corporate Compliance Plan (the "Plan") to present and reaffirm its commitment to ethical conduct and adherence to applicable laws and regulations.

This Plan provides standards by which "Staff," defined as the Board of Directors, employees, members of the medical staff, allied health professionals, students, residents, volunteers, and agents, will conduct themselves. Children's as used in this Plan refers to all facilities, units, departments and clinics operated by Children's regardless of location.

The Plan is designed to encourage and promote a culture that strives to prevent, detect, and resolve problems which are created when conduct, however well-intentioned, does not align with applicable laws, regulations, or Children's policies and procedures. The Plan was drafted to ensure and further Children's mission, to improve the life of every child through exceptional Care, Advocacy, Research and Education.

II. COMPLIANCE STANDARDS, POLICIES AND PROCEDURES

Children's is subject to numerous federal and state laws and regulations that govern the activities of Staff who are expected to be knowledgeable of and in compliance with the laws and regulations that affect their area of responsibility. Staff that violate laws or regulations risk individual criminal prosecution, civil actions for monetary damages, and exclusion from federally funded health care programs. In addition, actions of Staff may subject Children's to risks and potential penalties. Accordingly, any Staff who violate federal or state laws may be subject to corrective action, up to and including termination of their employment/affiliation. Questions regarding laws or regulations or any other part of the Plan should be directed to the Compliance Director at 402-955-4122, by email at bsturdy@childrensomaha.org, or to Children's Compliance Hotline at 402-955-3250.

Children's has developed the Children's Code of Conduct that presents behavioral expectations and basic legal principles under which Staff must operate. Staff are responsible for ensuring their behavior and activity is consistent with the Code of Conduct which is attached to the Plan.

In addition to the Code of Conduct, Children's has developed, and will continue to develop as necessary, policies and procedures that address specific areas, issues, and activities that are especially complex, or have been identified as compliance risk areas. These policies will be tailored to the specific needs of that area and will be distributed and reviewed with affected Staff as part of their training and education. As with all compliance policies, these specific policies and procedures will be

reviewed regularly, and modified to reflect organizational and regulatory changes. Please see the Appendix for the list of current Compliance Policies.

III. COMPLIANCE OVERSIGHT RESPONSIBILITY

The Board of Directors of Children's is committed to Children's Staff complying with federal, state, and local laws that govern health care and in order to enhance Children's compliance efforts, Children's, by action of the Board of Directors, has adopted this Corporate Compliance Plan. The Plan is designed to incorporate recommendations enumerated in the Department of Health and Human Services Office of Inspector General's (OIG) Compliance Program Guidance for Hospitals as well as to reflect the elements of an effective compliance plan as described in the Federal Sentencing Guidelines. The Board of Directors has established the Finance, Audit and Compliance Committee, and delegated its direct compliance oversight responsibilities to such committee. The Board of Directors also appointed a Compliance Director who has been given authority to do all things necessary and expedient to develop and implement an effective compliance program. The Board of Directors has given the Compliance Director the further authority to establish committees to assist in the drafting and implementation of the Plan.

The Finance, Audit and Compliance Committee's duties to corporate compliance include:

- Review and approve the Plan,
- Ratification of Children's selection of Compliance Director,
- Ensuring the compliance program's objectives are consistent with Children's mission,
- Ensuring the objectives of the compliance program are reflected in
- governance and operational activities,
- Overseeing the adoption and implementation of, and compliance with, the Corporation's conflict of interest and whistleblower protection policies,
- Monitoring the effectiveness of the Corporate Compliance Program through the review of the audit plans and reports, and
- Receiving reports from the Corporate Compliance Officer regarding the program elements.

Compliance Director

The Board of Directors has appointed Bart M. Sturdy, J.D., as its Compliance Director. The Board of Directors has chosen the Compliance Director based on his commitment to honesty, integrity, high ethical standards, and on his knowledge and ability to understand applicable laws and regulations. The Compliance Director solely represents Children's and not any officer, employee, or member of the Board of Directors.

The Compliance Director maintains administrative authority for implementation, monitoring, and enforcement of the Plan. All questions and concerns regarding compliance with the Plan, or legal and regulatory standards, should be directed to the Compliance Director. If an individual is uncertain whether their conduct or behavior is prohibited under law, they must contact their supervisor or the Compliance Director for guidance prior to engaging or continuing in the conduct or behavior. The Compliance Director has full discretion to investigate possible instances of non-compliance and to initiate corrective action when a non-compliant situation is identified. Staff are directed to cooperate fully and to assist the Compliance Director in the exercise of the Compliance Director's duties. If there is a conflict between a departmental policy and the Corporate Compliance Plan, the departmental policy shall be subordinated to the Corporate Compliance Plan, which shall govern.

The Compliance Director's duties include but are not limited to the following:

- Creating an environment where Staff are encouraged to raise compliance issues,
- Developing standards of conduct and policies and procedures to promote compliance with ethical and legal requirements,
- Developing, modifying, and monitoring the implementation of the Plan,
- Responding to Staff inquiries regarding matters related to the Plan,
- Developing, coordinating, and participating in compliance education and training,
- Monitoring compliance with the Code of Conduct,
- Developing and supervising on-going compliance auditing and monitoring activities,
- Developing a compliance concern reporting mechanism that encourages Staff to report compliance concerns without fear of retribution,
- Receiving, investigating, and reporting on compliance concerns and violations,
- Recommending and overseeing implementation of corrective actions, when necessary,
- Establishing committees to assist in implementing and maintaining the compliance program,
- Chairing Operating Compliance Committees,
- Revising the Plan in response to organizational need and changes in law and policy, and
- Reporting regularly to the President & Chief Executive Officer and to the Finance, Audit and Compliance Committee of the Board of Directors regarding compliance activities.

Operating Compliance Committees

The Operating Compliance Committees include managers and employees of key operating units with the seniority and experience to advise the Compliance Director regarding risks and concerns in their areas. The primary role of the Operating Compliance Committees is to advise the Compliance Director and to assist the Compliance Director in the implementation and enforcement of the Plan. Each Operating Compliance Committee will have its own charter which specifically outlines membership and any specific duties.

The general responsibilities of the Operating Compliance Committees are as follows:

- Analyze the industry environment and applicable legal requirements,
- Identify specific compliance risk areas,
- Assess existing policies and procedures addressing compliance risk areas,
- Recommend and monitor the development of internal systems, policies and controls to carry out the compliance program,
- Determine the appropriate strategies to promote compliance,
- Complete assigned tasks related to compliance and employment duties, and
- Monitor the results of external and internal investigations for the purpose of identifying deficiencies and implementing corrective action.

Children's Managers and Supervisors

Managers and supervisors have a responsibility to know and understand the laws and regulations that apply to their area of responsibility and to exhibit a strong commitment to compliance. Managers and supervisors will encourage open communication among Staff concerning compliance matters. Managers and supervisors will evaluate the compliance performance of Staff during their annual review and will use due diligence in hiring and retaining employees. Should Managers or Supervisors have questions about laws and regulations that apply to their area of responsibility, they should reach out to the General Counsel, Assistant General Counsel, or to the Compliance Director for assistance.

IV. COMPLIANCE TRAINING AND EDUCATION

Successful implementation and functioning of the Plan will require effective training and education of Staff. Children's will make appropriate resources available and require successful completion of educational training programs to ensure Staff familiarity with organizational policies and procedures and areas of law that affect the conduct of their duties. The compliance training and education program will provide Staff with awareness regarding the importance of compliance, an understanding of the Plan, and needed technical and functional training to carry out their responsibilities. The responsibility for the development of compliance education lies with the Compliance Director.

The Plan, including the Corporate Code of Conduct, will be presented to Staff in initial mandatory training sessions, and will be annually re-acknowledged. This initial training introduced Staff to compliance and reaffirm Children's commitment to an ethical, professional work environment, and compliance with legal standards. Initial general compliance training is a mandatory orientation subject for newly hired Staff. General compliance education is provided at least annually as part of Children's annual mandatory education. The annual education and education for newly hired staff include general compliance topics, Fraud, Waste and Abuse, and HIPAA privacy. Additional organization-wide general compliance education shall be developed as needs arise.

In addition to the general compliance education, Staff will receive job or departmental specific compliance education as needed. This education will focus on technical and functional training to allow staff to carry out their job responsibilities in a fully compliant manner. The departmental compliance education will be based upon identified compliance educational needs as determined by the supervisor, the Operating Compliance Committee, and the Compliance Director. This specialized training will focus on complex or high compliance risk areas and will be modified over time in response to regulatory developments and newly identified compliance risk areas. Compliance risk areas may be identified by departmental monitoring activities, reported compliance concerns, governmental enforcement initiatives, or by other means available. The Compliance Director, the supervisors, and Staff share a responsibility to identify compliance related information to be presented to Staff through education and training.

Participation in compliance training will be mandatory and only the Compliance Director is authorized to excuse Staff. Attendance and participation in compliance educational programs is a factor in each employee's annual evaluation and is a condition of continued employment.

Outside experts may be enlisted by the Compliance Director to conduct specialized or highly technical compliance training. The Compliance Director will regularly, and not less than annually, report to the Board of Directors Finance, Audit and Compliance Committee on compliance educational activities.

V. MONITORING AND AUDITING SYSTEMS

Children's is committed to responsibly monitoring implementation of the compliance program and has developed a monitoring and audit process. Although the Compliance Department will develop annual work plans and audit plans to assess compliance with laws, regulations, standards, policies, or procedures, department Directors and Managers are responsible for monitoring compliance in their areas on an ongoing basis to determine if compliance issues exist. .

The scope and frequency of compliance monitoring and auditing activities in a particular area will be based on an assessment of risk and the effectiveness of existing operational controls and on-going monitoring activities. The Compliance Director will assure monitoring and audit coverage for all high-

risk compliance areas identified by the Operating Compliance Committees, the annual Compliance Work Plan process, or through Children's internal audit function.

The risk assessments the Compliance Program performs shall align with Internal Audit, guided by Children's Strategic Plan and will inform Children's Enterprise Risk Management Committee. In addition to focusing on emerging risks in healthcare compliance and identified areas of potential liability, the risk assessment shall include interviews with key leaders in Children's including clinical leaders, organizational leaders in Finance, Human Resources, Revenue Cycle, and Directors across Children's to assess potential risk areas for inclusion in the annual Compliance Work Plan and the Compliance Audit Plan.

All compliance monitoring and audit activities will be under the direction of the Compliance Director. When possible, claim and billing accuracy monitoring will be completed on a prospective basis to identify potential problems before claims are submitted. Audit procedures may be conducted with the assistance of legal counsel to maintain the attorney client privilege. Monitoring and audit results will be used to assist in correcting past problems and putting systems into place to prevent them from recurring. Compliance monitoring and audit records will be kept confidential and maintained for ten (10) years.

The Compliance Billing Department routinely conducts documentation and coding audits for professional services. In addition, the department conducts other risk-based audits related to accurate billing and coding. The Compliance Department may also engage external auditors for specialized audits. These auditors shall have expertise in healthcare laws and program requirements and may review coding, documentation, claims submission and reimbursement.

The audit process includes:

- On-going review of trends in audit findings
- Review of billing documentation including medical records and financial records supporting claims for reimbursement
- Identification of billing questions through discussions with specialty divisions and the Revenue Cycle department

Results of routine compliance monitoring and audit activities will be reported to the President & Chief Executive Officer and the Board of Directors Finance, Audit and Compliance Committee on at least an annual basis. If monitoring and audit activities identify a potential non-compliant situation or other compliance concern, the investigative procedures set forth in Section VIII will be followed.

DUE DILIGENCE IN THE HIRING OR CREDENTIALING OF STAFF

Children's has developed a screening process to avoid hiring or credentialing individuals who pose a risk of involvement in illegal activities. New hires, all allied health, medical staff applicants, and contract employees will have references checked and be subject to complete background investigations utilizing the HHS/OIG Cumulative Sanctions List, the General Services Administration List of Parties Excluded from Federal Procurement and Non-Procurement Programs, and the National Practitioner Data Bank as applicable. In addition, all prospective Staff will be required to disclose whether they have been convicted of a health care-related crime or excluded or otherwise rendered ineligible for participation in a governmental funded health care program. Children's will not employ, credential, retain, contract, or otherwise affiliate with anyone excluded from participation in governmental funded health care programs.

VI. COMPLIANCE CONCERNS REPORTING STRUCTURE

Staff have a duty and obligation to immediately report any concerns of suspected or actual violation of laws, regulations, standards, or any other part of this Plan, to their supervisor. If Staff are uncomfortable making such report to their supervisor, a report must be made to the Compliance Director. If the Compliance Director is unavailable, Staff should contact the administrator on call, the General Counsel, or call the Compliance Hotline. Once a concern report has been made, the Staff member has a continuing obligation to update the report if they obtain new information. It is important to note a person making a report may not receive information on the outcome or status of a compliance investigation based on the nature of the matter that is reported.

The Compliance Director shall have an open-door policy regarding components of the Plan, adherence to the law, or reports concerning violations, or suspected violations of law. Staff may report a concern by a written report, phone call, email, or in person at the Compliance Director's office.

Compliance Hotline: To encourage reporting of compliance concerns or questions, Children's has established a Compliance Hotline. Children's Compliance Hotline telephone number (402-955-3250) is posted on Children's Website and distributed through other physical and electronic means. Hotline calls are answered by Children's independent third-party hotline vendor, who forwards all messages to the Compliance Director

Staff are encouraged to disclose their identity, recognizing that anonymity may hamper complete and timely investigations. However, anonymous reports will not be refused or treated less seriously because the reporter wishes to remain anonymous. All compliance concern reports will be kept confidential to the extent possible and will be investigated by the Compliance Director, the General Counsel, or designee. However, complete anonymity cannot be guaranteed, especially in situations where governmental authorities may be involved.

No Staff member who reports a compliance concern will be retaliated against or otherwise disciplined solely for reporting the concern (see Whistleblower Policy in the Employee Handbook; also see Policy Number ADM157, Responsibility and Protection for Those Who Discover Wrongdoing, a/k/a Whistle Blower Policy). **Children's strictly prohibits retaliation against employees who raise concerns honestly and forthrightly, and retribution in any form will not be tolerated.** Staff found to have retaliated against another Staff member will be disciplined in accordance with Children's disciplinary guidelines, or with medical staff by-laws, if applicable, up to and including termination. The Compliance Director does not have the authority to extend protection or immunity from disciplinary action or prosecution to individuals who have engaged in misconduct, regardless of whether they reported the misconduct. No Staff will be punished solely for mistakenly reporting what they in good faith believed to be an act of misconduct, but an individual may be subject to disciplinary action if the report was knowingly misstated. Any Staff who knowingly misuses the hotline, or makes a compliance report in bad faith, will be subject to disciplinary action up to and including termination of their employment/affiliation.

Compliance inquiries will be included in exit interview surveys sent by Human Resources. If a compliance or privacy matter is identified through an exit interview, the issue will be referred to the Compliance Department for further review and investigation. Departing employees are also directed to contact the Compliance Director, anonymously if they so choose, to discuss any concerns they have.

VII. INVESTIGATION AND CORRECTIVE ACTION

Upon receipt of a hotline report, questionable audit or monitoring results, or other information that suggests a compliance issue, the Compliance Director will take all reasonable steps to promptly investigate for the purpose of assessing legal risks, obligations, and compliance with this Plan. The Compliance Director will record the concern in the compliance concern log and open a written report. Based upon information and the nature of the concern, the Compliance Director will conduct an initial assessment to determine whether the report has merit and warrants additional investigation. The Compliance Director, either alone or in consultation with the General Counsel or outside legal counsel, will decide who should conduct the investigation - the Compliance Director, the General Counsel, outside legal counsel, or an outside expert retained by legal counsel. Investigations will start as soon as possible but in no event more than fourteen (14) days following the receipt of the report suggesting a potential compliance issue.

Investigation activities may include, but not be limited to, the following:

- A review of applicable laws, regulations and standards;
- Interviews with the person reporting the concern and others who may be involved or have information to support the investigation;
- A review of all relevant documents including financial and clinical records.

If the Compliance Director believes the integrity of the investigation is at stake due to the presence of the employee under investigation, the employee may be suspended from, or relieved of their position at the discretion of the Compliance Director in consultation with the SVP & Chief People Officer. The Compliance Director shall take necessary steps to prevent the destruction of documents or other evidentiary material relevant to an investigation.

If, upon conclusion of the investigation and review by the General Counsel or outside legal counsel, it is determined there is a substantiated material compliance concern, the Compliance Director shall immediately formulate and implement a corrective plan of action. The corrective plan of action will ensure the issue is addressed, eliminated, or mitigated to reduce the possibility of recurrence of the risk. Corrective action may include, but not limited to, adopting new policies and procedures and monitoring their implementation, education and training, imposing restrictions on Staff duties, discipline of Staff up to and including termination, and disclosure to governmental authorities as required by law.

If the compliance problem relates to billing, similar billing will be discontinued until the problem is corrected and education on appropriate billing processes is provided. If improper payments were received, the Compliance Director, in concert with the General Counsel or outside legal counsel, will determine the amount of repayment to be made and the required disclosures. If there is reason to believe the misconduct may have violated criminal, civil or administrative law, the misconduct will be reported to the appropriate authority within a reasonable period of time but ordinarily no more than sixty (60) days.

A summary report of the compliance concern, the investigation, and the outcome, will be prepared by the Compliance Director and forwarded to the President & Chief Executive Officer and the Finance, Audit and Compliance Committee. As appropriate, the Compliance Director will discuss the outcome of the compliance investigation with the individual reporting the concern. The Compliance Director will maintain records of investigations including documentation of the alleged violation, a description of the investigative process, interview notes, copies of key documents, the log of witnesses interviewed and documents which were reviewed, the results of the investigation, and the corrective action. The Compliance Director will report periodically to the Operating Compliance Committee and the Board

of Directors Finance, Audit and Compliance Committee on identified compliance concerns and the investigations undertaken as a result of these concerns. As with all compliance documentation, the Compliance Director shall maintain investigation materials for at least ten (10) years.

Any issue for which a corrective action plan has been implemented will be monitored and incorporated into future audits. Information gathered during an investigation may be incorporated into future Staff education and training.

VIII. ENFORCEMENT AND CORRECTIVE/DISCIPLINARY ACTION

All Staff are expected to abide by the Code of Conduct, associated policies and procedures, and the requirements of the Plan. Children's encourages adherence through a variety of mechanisms including:

- Discussing problematic issues with Staff and how Staff should behave in the future;
- Providing remedial education (formal or informal) to ensure that Staff understand applicable laws, regulations, standards, and policies;
- Conducting follow-up review to ensure an issue is not recurring;
- Imposing discipline, as set forth below;

Any Staff who fails to comply with applicable laws, regulations, standards, or policies may be subject to corrective action, up to and including termination of employment/affiliation. Failure to report known or suspected noncompliance may subject Staff to corrective action. Management or other supervisory staff may be subject to disciplinary action in the event that they unreasonably fail to detect a known or suspected compliance violation.

The SVP & Chief People Officer, together with the Compliance Director, will include compliance violations in the disciplinary guidelines. These guidelines will be applied and enforced consistently and will result in enforcement penalties, up to and including termination of employment/affiliation. The Compliance Director, along with the Senior Vice President of Human Resources or designee, will be responsible for all compliance related disciplinary investigations. Children's reserves the right to exercise discretion in determining the disciplinary penalty for violating a compliance standard; the form of discipline will be case specific. The actual implementation of corrective/disciplinary actions will be in accordance with Human Resources policies and, as applicable to the members of the medical staff, with the medical staff by-laws.

The disciplinary system shall provide that corrective actions, including a statement of the reasons why the penalty was imposed, are documented in the personnel or credential file. The Compliance Director will communicate with Human Resources regarding all disciplinary actions taken with respect to compliance violations. The Compliance Director will periodically review disciplinary actions to assure the actions are administered in a fair and consistent manner and will report to the Board of Directors Finance, Audit and Compliance Committee on a regular basis concerning the disciplinary aspects of the Plan.

APPENDIX

Compliance Policies

ADM037 - Corporate Compliance Plan
ADM050 - Compliance Auditing and Monitoring
ADM051 - Compliance Committee
ADM052 - Compliance Concern Reporting
ADM053 - Compliance Education and Training
ADM054 - Compliance Investigation
ADM066 - Patient/Family Rights and Responsibilities
ADM069 - Compliance Enforcement and Corrective Action Policy
ADM077 - Patient Photographic Images
ADM079 - Transfer or Transport of Patients
ADM100 - Conflict of Interest
ADM103 - Exclusion Screenings for Employees and Vendors
ADM131 - Fax Machine Usage
ADM132 - Alternative Communication
ADM133 - Business Associate
ADM134 - Disclosure of De-Identified Health Information and Limited Data Sets
ADM135 - Restrictions on the Use and Disclosure of (PHI)
ADM136 - Notice of Privacy Practices for PHI
ADM137 - Disposal of Confidential Information and Protected Health Information
ADM144 - Privacy Education and Training
ADM145 - Use or Disclosure of PHI - Authorization Required
ADM146 - Use and Disclosure of PHI - No Authorization Required
ADM147 - Privacy Complaints
ADM148 - Patient Amendment to PHI in a Designated Record Set
ADM149 - Minimum Necessary Standard
ADM150 - Disclosure of PHI for Fundraising Activities
ADM152 - Accounting of Disclosures of Protected Health Information
ADM157 - Responsibility & Protection for Those Who Discover Wrongdoing
ADM158 - Professional Relationships with Patients
ADM164 - Confidential Information
ADM166 - Goods and Services Provided to Patients and Families
ADM179 - Patient Care or Safety Concerns/Grievance Policy
ADM184 - Gifts from Vendors and Patients/Families
ADM202 - Notice of Privacy Breaches
ADM212 - EMR Patient Photos for Identification Purposes
ADM213 - Transporting Protected Health Information
ADM231 - Secure Messaging
ADM241 - Secure Messaging
ADM253 - Right of Access to Protected Health Information

Billing and Reimbursement Policies & Processes

PC 2016-4 – Billing for Consultations

ADM 19 – Billing for Professional Services Provided in Continuity Clinic under the Primary Care Exception

PC 2017-3 – Billing for Professional Services Related to Fracture Care

ADM222 – Billing for Services Provided at Clinic Locations More than 35 Miles from Hospital Campus

PC 2016-1 – Billing for Services Provided by Advanced Practice Providers

PC 2015-4 – Professional Coding

PC 2017-5 – Compliance Auditing & Monitoring of Provider Coding & Documentation

PC 2015-2 – Documentation Related to Daily Critical Care Services Provided in the PICU

PC 2017-2 – Gastrostomy Buttons/Supplies used in the Clinic Setting

PC 2016-3 – Guidelines for E/M Documentation & Coding

PC 2017-1 – Infusion Center Billing for Services Provided by Advanced Practice Providers

PC 2017-4 – New Provider Coding & Documentation Audits

PC 2015-1 – Split/Shared Visit Documentation

PC 2015-3 – Student Documentation Related to Professional E/M Services

CHILDREN'S **CODE OF CONDUCT**

It is the policy of Children's that its business and affairs be conducted at all times in accordance with ethical business practices and applicable laws and regulations. This Code of Conduct provides standards of conduct for "Staff," defined as the Board of Directors, employees, members of the Medical Staff, allied health professionals, students, residents, volunteers, and agents.

The Code of Conduct presents Staff with behavioral expectations and the basic legal principles under which Staff must operate. This Code of Conduct is neither exclusive nor complete. All Staff members are responsible for ensuring their behavior and activity is consistent with this Code of Conduct, applicable laws and regulations, and all applicable Children's policies and procedures.

BEHAVIORAL EXPECTATIONS

Excellence in Service to Children, Families, and Other Customers

Children's is committed to the delivery of excellent service. Staff will assure service excellence by anticipating customer needs, understanding customer expectations, and responding appropriately.

Respect for Human Dignity

Children's is devoted to the principle of always treating others as they wish to be treated. Staff will treat others with fairness and courtesy showing sensitivity to the emotional and psychological needs of patients, families, visitors, and other Staff.

Staff will always demonstrate decision-making that does not discriminate against others due to race, creed, color, religion, sex (including pregnancy, sexual orientation, or gender identity), national origin, age, disability, genetic information, or any other protected class. **No form of harassment or discrimination by Staff will be permitted.** Harassment is defined as unwelcome or unsolicited conduct that is based on race, creed, color, religion, sex (including pregnancy, sexual orientation or gender identity), national origin, age, disability, or genetic information, and which interferes with a Staff member's ability to perform their job duties or which is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive, or where enduring the offensive conduct becomes a condition of continued employment (See Policy HR73, Harassment & Discrimination).

Children's shall be free of incivility, bullying, and workplace violence for patient, families, visitors, workforce, and the community. Children's will not tolerate any person engaging in any inappropriate (at risk) or disruptive (willful) behaviors whether conduct or speech, either on Children's property or during the performance of work-related duties that would threaten the safety, health, life, or wellbeing of another person, resulting in damage to property, or undermining a just and safe culture (See ADM030, Violence in the Workplace).

Honesty and Integrity

Staff will always take personal responsibility for doing the right thing and acting in a manner that demonstrates a commitment to Children's compliance program to prevent illegal and unethical business

practices. It is important for Staff to come forward with information related to potential misconduct by any member of Children's. Staff should initially discuss their concern using existing internal reporting processes. If they are not comfortable using existing reporting processes, Staff should contact the Compliance Director directly or call the Compliance Hotline at **402-955-3250**. If the concern involves a physician, the Compliance Director will work with the EVP Chief Clinical Officer & Physician In Chief, and the Medical Staff President to address the situation.

Conduct in Violation of the Law

Children's requires all Staff members to notify their supervisor or the Human Resources Department if they are arrested for, or charged with, any criminal conduct. This policy is intended to protect the property and safety of Children's, its patients, and Staff and to otherwise ensure a safe workplace. Failure to report a charge, arrest, or conviction will result in corrective action up to and including termination.

If a Staff member is arrested for an offense that constitutes a misdemeanor, Children's will evaluate the situation and determine if the Staff member should be suspended from work without pay, pending the adjudication of the charges. If convicted, Children's will determine if the conduct requires termination of employment.

For offenses that constitute felonies, Children's will suspend the Staff member, without pay, until adjudication of the charges. If the Staff member enters a guilty plea or is convicted, Children's will determine if the conduct requires termination of employment.

If a Staff member is arrested for, or charged with, any criminal conduct, or is notified that they are being investigated for alleged abuse or neglect, the Staff member will be suspended pending the investigation. If the Staff member enters a guilty plea or is convicted, Children's will determine if the conduct requires termination of employment. Children's will also make reports to licensing boards as required by law.

Wise Use of Resources

Staff will optimize the talents of people and the use of time, materials, and equipment in order to preserve and protect Children's assets.

Children's has established internal control standards and procedures to ensure assets are protected and properly used. All Staff share the responsibility for maintaining and complying with internal controls.

Business travel expenses should always be consistent with organizational policy and Staff are expected to exercise reasonable judgment when authorizing such expenditures. A Staff member should not suffer a financial loss nor receive a financial gain due to business travel.

Staff will refrain from converting Children's assets to personal use and are prohibited from unauthorized use or taking of Children's equipment, supplies, materials, or services.

Cooperative Work Relationships

Staff will willingly work with others to identify and achieve common goals and to function as effective team members by providing specific, timely information to others as requested, listening carefully, checking for understanding before responding to others, and accepting and offering feedback. For further guidance for leaders in managing conflict that has the potential to impact quality and patient safety, see Conflict Management policy (See Policy Number ADM195).

Positive Attitudes and Behaviors

Staff will display positive attitudes and behaviors, enthusiastically approach their role, and display pride in Children's. Staff are expected to take pride in and care of their personal appearance, choose to have a positive attitude each day, let go of past resentments, and speak positively about Children's in the presence of coworkers, customers, and the community. Staff are to use tone, body language, and facial expressions that project a positive attitude and actively participate in organizational change.

LEGAL PRINCIPLES

Legal Compliance

Staff are expected to be sufficiently knowledgeable of the legal aspects of their responsibilities and activities to reduce the risk of unintended legal violations. Staff whose positions may impact Children's compliance with laws and regulations will attend training and educational opportunities offered by Children's and pursue a reasonable amount of continuing self-education. It is the responsibility of all Staff members to notify their supervisor when they have a question regarding the legal aspects of their job and when additional information is needed. If questions arise regarding the existence, applicability, or interpretation of any law, the Compliance Director, or the General Counsel, should be contacted.

Staff are required to comply with applicable laws and regulations related to their job responsibilities and to refrain from knowingly participating in illegal activities or failing to meet affirmative legal duties, whether or not specifically addressed in this Code of Conduct.

Staff are expected to refrain from conduct that may violate fraud, waste, and abuse statutes with respect to all federally funded health care programs including Medicare, Medicaid, and Tricare. Fraud, waste and abuse statutes, including the False Claims Act, prohibit: (1) payments made to a referral source in exchange for a patient referral; (2) the submission of false, fraudulent, or misleading claims; and (3) making false representations to gain or retain participation in or to obtain payment from a federally funded health care program. If fraud, waste or abuse is detected, it will be reported to the appropriate authorities. The False Claims Act protects those who report misconduct under the "qui tam" or whistleblower protection. Children's has adopted a Whistleblower Policy which explains whistleblower protections (see Whistleblower Policy in the Employee Handbook; also see Policy Number ADM157, Responsibility and Protection for Those Who Discover Wrongdoing, a/k/a Whistle Blower Policy). **Children's strictly prohibits retaliation against employees who raise concerns honestly and forthrightly, and retribution in any form will not be tolerated.**

Staff are expected to comply with applicable antitrust and similar laws that regulate competition. Examples of prohibited conduct include: (1) agreements with competitors to fix prices; (2) organized boycotts of governmental or other payors; and (3) unfair trade practices.

In order to maintain its nonprofit status, Children's must ensure that resources are used in a manner that furthers the public good rather than the private interests of any individual. To assure compliance with applicable tax laws, Children's will not enter into compensation arrangements in excess of fair market value, will only pay for services actually provided, will accurately report payments to the appropriate taxing authority, and will file all required tax returns in a timely manner.

Confidentiality of Information

Children's is required by law to strictly protect the confidentiality of patient, business, and employee information. Seeking access to confidential information for any purpose other than to perform job related responsibilities will result in disciplinary action up to and including termination. Moreover, failure to report a suspected breach of confidentiality may result in disciplinary action up to and including termination.

Staff shall always maintain the confidentiality of patient and other information in accordance with the Health Insurance Portability and Accountability Act (HIPAA) and all other legal and prevailing ethical standards.

Staff should be cognizant of discussing sensitive patient information in public areas. Posting any confidential information to social websites is prohibited. (See Social Networking policy – Policy Number HR237) Questions regarding disclosures of information should be directed to the Compliance Director.

Staff may have access to confidential and sensitive patient and family information whose use should be limited only to individuals directly involved in the care of that patient. Confidential information will be released only upon obtaining a valid authorization for release of information or as otherwise authorized by law (See HIPAA policies).

Staff may have access to information, ideas, and other intellectual property important to the success of Children's. Staff should take care to assure that such proprietary information is carefully managed, maintained, and is only shared with other Staff who need the information to perform their assigned duties. Documents or information regarding Children's current, proposed, or future business plans, strategies, costs, prices, terms of contracts, or general finances are considered confidential and protected.

Staff may have access to confidential information regarding other Staff. This information should be protected and released only by designated personnel if the party requesting needs to know to perform their assigned duties or has valid written consent.

Business Ethics

Children's will always maintain professional and ethical standards in the conduct of its business. Staff are expected to understand and adhere to the ethical standards as required by their profession and as defined by Children's mission, vision, values, and Code of Conduct.

Children's requires honesty from all Staff members in the performance of their duties and in communication with all outside parties. No Staff member shall knowingly make false or misleading statements to any person or entity doing business with Children's.

Requests by media or the public for information regarding a patient, medical program, or any Children's activity must be referred to the Marketing Department.

Business transactions undertaken on behalf of Children's shall always be free from offers, solicitations of gifts, or other improper inducements in exchange for influence on or assistance with the transaction. Offering, giving, soliciting, or receiving any form of bribe or illegal inducement is expressly prohibited. Staff who accept gifts, money, or other items with other than nominal value from any person or organization that does business with Children's have violated the Code of Conduct. If such a situation arises, Staff should discuss it with the coworker and make sure they are aware of the standards of conduct. If Staff believes the coworker intends to accept the gift, you should report the situation using the compliance concern reporting steps. Acceptance of gifts with other than nominal value will subject the staff member

to discipline, up to and including termination of employment or affiliation with Children's. (See Gifts Policy – ADM142)

Staff may not utilize “insider” information for any business activity conducted by or on behalf of Children's. All business activities undertaken on behalf of Children's must be conducted at arm's length.

It is the policy of Children's to manage and operate its business in a manner that respects the environment and conserves natural resources. Staff will utilize resources wisely, recycle when possible, and otherwise dispose of waste in accordance with applicable laws and regulations.

Health and Safety

Children's is committed to protecting the health and safety of Staff and complying with all applicable health and safety laws and regulations. Staff are responsible for the prevention of accidents and for the reporting of unsafe practices or hazardous conditions that come to their attention.

Information regarding the hazards, handling and disposal of chemicals is contained in the Material Safety Data Sheet binder that is available through the Call Center (402-955-8999). Staff should request and review the MSDS sheet and try to determine whether drain disposal of this chemical is appropriate. If Staff are unable to resolve a concern through review of the MSDS or with their supervisor, they should contact the Safety Officer.

Conflicts of Interest

Staff members owe a duty of undivided and unqualified loyalty to Children's consistent with their duties and responsibilities. It is expected that Staff will not use their position to profit personally or to assist others to profit personally at the expense of Children's.

Conflicts of interest are those circumstances in which your personal interests may actually or potentially conflict with Children's interests or may be perceived as conflicting with Children's interests.

All Staff members must comply with the Conflict of Interest policy (See Conflict of Interest policy – ADM100). The Conflict of Interest policy requires all identified Designated Staff to complete a conflict of interest questionnaire annually. All Staff members are required to identify and remove themselves from situations where there is the possibility for a conflict of interest between the interest of the Staff member and that of Children's. Staff should identify the potential conflict to their supervisor, to the General Counsel, or the Compliance Director, so a determination can be made concerning the potential conflict.

Children's owns all proprietary information including “intellectual property” (computer programs, training materials, processes, marketing strategies) created by employees while on the job or while using Children's resources. Children's proprietary information may not be used for personal gain.

Compliance Monitoring

Children's is committed to responsibly monitoring implementation of the compliance program. Department managers are responsible for monitoring compliance in their areas on an ongoing basis. In addition, the Compliance Department develops an annual compliance work plan to schedule audits of areas of risk for Children's.

Government Inquiries/Investigations

Children's Hospital expects you to cooperate appropriately in government investigations. However, it is essential that the legal rights of Children's and our employees, Medical Staff members, and patients be protected.

If you receive a subpoena, inquiry, or other document from any government agency regarding Children's business or patients, whether at home or in the workplace, notify the Legal Department immediately. Please notify the Health Information Management Department in the case of subpoenas for medical records.

Use of Children's Property

Children's equipment, systems, facilities, corporate charge cards and supplies must only be used for conducting Children's business or for purposes authorized by management.

Personal items, messages, or information that you consider private should not be placed/kept in telephone systems, computer systems, offices, workspaces, desks, or file cabinets. Staff should have no expectation of privacy with personal items or information stored or maintained on Children's equipment or premises and management is permitted to access these areas. Staff should not search for or retrieve articles from another employee's workspace without prior approval from that employee or management.

Staff may not use Children's supplies for personal use.

Political Activity

Staff are encouraged to participate, as individuals, in the electoral process guaranteed to them as citizens. However, their participation must not be perceived as representative of or on behalf of Children's. Children's is a tax-exempt organization and therefore prohibited from endorsing political candidates, parties, or party agendas. Furthermore, employees may not use Children's equipment or resources for political activity. Questions should be directed to the Director Government Affairs.

Software Licenses

Only authorized software can be loaded onto Children's-based computer systems. Authorized software is software for which a license has been purchased for a specific workstation. Any software needs or questions should be directed to the Information Technology Help Desk at (402) 955-6700.

ADMINISTRATION OF THE CODE OF CONDUCT

Children's expects each person to whom this Code of Conduct applies to abide by its terms and to conduct Children's business in a manner consistent with its terms. Staff are expected to report conduct that is known or is suspected to be illegal or in violation of this Code of Conduct to their supervisor or to the Compliance Director in accordance with the compliance concern reporting avenues.

Although Staff are encouraged to disclose their identity when reporting conduct known or suspected to be illegal or in violation of this Code of Conduct, anonymous reports will not be refused or treated less seriously. The anonymity of the Staff member making a report will be honored to the extent possible under the circumstances. **Children's maintains a strict policy of non-retaliation, so that no action will be taken against Staff who in good faith reported on conduct known or suspected to be illegal or in violation of the Code of Conduct.**

Failure to abide by this Code of Conduct may lead to corrective action, up to and including termination of employment or affiliation with Children's. For alleged violations of this Code of Conduct, Children's will weigh relevant facts and circumstances, including but not limited to the extent to which the behavior was contrary to the express language or general intent of the Code of Conduct, the intent of the Staff, and the gravity of the behavior.

Children's shall use the Just Culture process when investigating violations of the Code of Conduct. Investigations will be conducted in a respectful manner and shall seek to understand the situation from the Staff's perspective and will use effective coaching when appropriate. The Just Culture Algorithm shall be used to achieve a fair and consistent response to issues that arise.

Nothing in this Code of Conduct is intended to nor shall be construed as providing any additional employment or contractual rights to Staff.

This Code of Conduct is subject to revision and is reviewed regularly. While Children's will attempt to communicate changes concurrent with or prior to the implementation of such changes, Children's reserves the right to modify, amend, or alter the Code of Conduct without notice.

ACKNOWLEDGEMENT

I certify that:

1. I have read and understand the Corporate Compliance Plan and the Code of Conduct.
2. I pledge to act in accordance with the Corporate Compliance Plan and the Code of Conduct.
3. I will promptly report any conduct that I believe to be illegal or in violation of the Corporate Compliance Plan or the Code of Conduct in accordance with the compliance concern reporting steps.
4. I will seek advice from my supervisor or the Compliance Director concerning appropriate actions that I may need to take to comply with the Corporate Compliance Plan or the Code of Conduct.
5. I understand that failure to comply with the Corporate Compliance Plan or the Code of Conduct may result in disciplinary action, up to and including termination of employment or affiliation.
6. I understand this Code of Conduct is not an employment contract and I remain an employee at will.

Signature

Date

Print Name

Department

Relationship to Children's:

Employee

Non-Employed Medical Staff Member

Non-Employed Allied Health Professional

Member Board of Directors

Volunteer

Other _____

NOTE (For Employees): The Corporate Compliance Plan Acknowledgement can be signed/acknowledged online via My HR. Please visit My HR at <https://wsprod.chsomaha.org/sitepages/inforsuite.aspx?LogicalId=lid://infor.lawson-s3.1> (or click the My HR icon located on your computer's desktop) to log in. Once logged in, select the Forms link, then select the Compliance Plan-CH link.