

NorthCare Network CODE OF CONDUCT FY19

The Code of Conduct serves as a foundational document that details the fundamental principles, values, and framework for action within NorthCare Network's compliance program. The standards not only address compliance with statutes and regulations, but also set forth broad principles that guide employees in conducting business professionally and ethically. The standards included in the Code of Conduct will promote integrity, support objectivity and foster trust. We believe this is essential in protecting our consumers and the integrity of our publicly funded programs. Therefore, NorthCare requires all employees, officers, governing board members, student workers, interns, and any other agent (hereinafter referred to as "Personnel") and independent contractors and subcontractors to abide by sound ethical practices and the highest standards of integrity in the conduct of business.

NorthCare Network is committed to conducting its business in a manner that facilitates quality, efficiency, honesty, integrity, confidentiality, respect and full compliance with applicable laws and regulations. To achieve this goal, NorthCare Network requires its Personnel to maintain a standard of behavior that is both lawful and ethical. Accordingly,

- NorthCare will advise and train its staff about the applicable laws and requirements.
- NorthCare will share these standards with new employees, and board members and require annual review and attestation.
- NorthCare Personnel are expected to assume personal responsibility and accountability for understanding relevant laws, regulations, contract and grant requirements and for ensuring compliance.
- NorthCare Personnel conduct themselves in an ethical manner and report issues of noncompliance and potential fraud, waste and abuse through appropriate channels.
- NorthCare management is committed to informing those under their supervision that they should comply with the applicable standards and, if they do not comply, management will take appropriate disciplinary action.

CONDUCT AND ETHICS

Professional ethics – An employee who is a member of a health care profession required to be licensed, certified or registered under the Michigan Public Health Code and Administrative Rules is responsible for obtaining his or her license, certification or registration and renewals ensuring there is no lapse. A health care professional shall render professional services only within the scope of his or her license, certification or registration and in a manner that conforms to applicable standards of care and to the ethics of his or her profession. Employees are not permitted to render professional services unless he or she possesses all valid, current and unrestricted (ex. suspended) state and federal licenses, registrations or certifications necessary to legally practice his or her profession and has been credentialed and privileged as outlined in NorthCare policies.

Privacy and Confidentiality –Personnel must keep consumer information safe from access, use or disclosure that is not appropriate. Personnel must treat sensitive information about NorthCare Network, our employees, our consumers and those who do business with us confidential. NorthCare Network must comply with federal and state privacy and security laws and to facilitate this NorthCare maintains policies to protect the confidentiality, integrity and availability of Protected Health Information (PHI) and Personally Identifiable Information (PII) we create, maintain, transmit and receive. Failing to follow NorthCare policies governing privacy and security will subject you to disciplinary action up to and including termination.

Disclosure of Consumer Identifying and Confidential Information – Except as otherwise required by law (e.g. Mental Health Code, 42 CFR Part 2 relative to substance abuse services, HIPAA), consumer identifying, and confidential information shall not be released without an appropriately signed consent/authorization or official judge’s court order after legal consultation.

Disclosure of Business and Personnel Information – Except as otherwise required by law (e.g. the Freedom of Information Act), personnel information and business information about the operations of NorthCare acquired by any Personnel from any source shall be disclosed within NorthCare only on a minimum necessary, need to know basis and solely for purposes related to the performance of job duties. Such information may be disclosed outside the agency only as permitted or required by law and NorthCare policy.

Conflict of Interest - To safeguard NorthCare Network’s commitment to ethical and legal standards, Personnel shall avoid any action that conflicts with the interests of the organization and refrain from being influenced by personal considerations in the performance of their duties. Unless properly disclosed and approved by NorthCare Network, it could be a conflict of interest for officers, employees, students, volunteers, agents or board members to:

- Have an interest in a publicly held company, vendor, customer or competitor of NorthCare Network;
- Work for, consult with, or provide services to a competitor; and/or
- Use confidential information obtained for any person’s personal gain or benefit.

Accordingly, officers, employees, students, volunteers, agents or board members must disclose the existence and nature of any actual or potential conflict of interest to the Compliance Officer and/or the Chief Executive Officer at the time of interview, orientation and annually thereafter and/or when a conflicting interest arises. All actual or potential conflicts of interest disclosed shall be reviewed by the Compliance Officer and/or Chief Executive Officer, to determine if there is a conflict of interest. If a conflict exists, the conflict will be corrected by addressing the activity, transaction, relationship or service that created the conflict. This could include recusing or terminating yourself from the position creating the conflict, disbursing or selling any financial interest, or repositioning your position or job function. Failure to comply may result in appropriate disciplinary actions, up to and including termination of employment, appointment or contract.

Outside Employment – NorthCare Personnel shall not represent or act as an agent, compensated or uncompensated, for any outside interest in any transaction in which NorthCare has a direct or substantial interest, financial or otherwise. Nor shall any employee accept any outside engagement or employment the pursuit of which conflicts with the ability of the employee to discharge properly his or her duties to NorthCare. Outside employment shall be disclosed to and approved as defined in policy.

BUSINESS ETHICS

Financial Standards – NorthCare shall ensure integrity of all financial transactions. Transactions shall be executed in accordance with established policies and procedures and with federal and state law and recorded in conformity with generally accepted accounting principles or any other applicable criteria. All financial reports, accounting records, research reports, expense accounts, time sheets and other documents will accurately and clearly represent the relevant facts or the true nature of a transaction. No undisclosed or unrecorded funds or assets will be established for any purpose. NorthCare will not tolerate improper or fraudulent accounting, documentation, or financial reporting. NorthCare Network does not pay for referrals or consumers. Consumer referrals and admissions will be accepted based solely on the consumer's clinical needs and medical necessity and our ability to render the needed services. Eligible individuals with Medicaid will not be put on a wait list for services. NorthCare staff/agents or any other person acting on behalf of the organization is prohibited from soliciting or receiving anything of value, directly or indirectly, in exchange for the referral of consumers.

Kickbacks – NorthCare Personnel is prohibited from offering, soliciting, or accepting money or anything else of value from a NorthCare vendor or provider except as provided herein. Personnel may share in a gift of goods or services from a vendor or provider if, and only if:

- The gift consists of goods delivered to NorthCare premises;
- Is used or consumed on the premises;
- The gift is not intended for the personal use or benefit of specific individuals;
- The gift does not violate federal and state laws and regulations that prohibit soliciting or accepting anything of value in exchange for influencing a purchase of goods or services or the referral of consumers for services.

Procurement – Vendors of goods and services shall be selected based on objective criteria including quality, technical excellence, price, delivery, and adherence to schedules, service, and maintenance of adequate sources of supply. Where required by law or contract, procurement shall be by competitive bid. Where procurement is by secret bid, Personnel shall not directly or indirectly disclose any information to any bidder or potential bidder if such disclosure would confer or tend to confer any competitive advantage.

Gifts Influencing Decision-Making - NorthCare Personnel will not accept gifts, favors, services, entertainment, gratuities, or loans from any individual, firm, or corporation doing business with or seeking to do business with NorthCare or any of its affiliates, if the gift is offered or appears to be offered in exchange for any type of favorable treatment or

advantage. Specifically, no gifts or favors shall be accepted if valued in excess of \$25, with a maximum of \$300 per year, or intended to affect the recipient's business decision with NorthCare.

Perishable or consumable gifts, except for items of minimal value such as flowers, cookies, or candy from consumers and/or family members given to a department or group are not subject to any specific limitation. Under no circumstances shall a direct care staff receive monetary gifts from consumers and/or family members. Consumers wishing to make a gift must follow protocols for charitable contributions.

If there are concerns regarding any staff's acceptance of gifts, the Compliance Officer, in coordination with the Compliance Committee, shall make the final decision.

Trading on Inside Information – NorthCare Personnel may not engage in or retain the profits of any private activity, business or transaction arising out of or in any way related to information acquired in the course and scope of their employment or other relationship with NorthCare.

Charitable Contributions - All charitable contributions must be made for the benefit of NorthCare Network and for the purpose of advancing NorthCare's mission. The Chief Executive Officer will oversee all charitable contributions to ensure that they are administered in accordance with the donor's intent. All checks and other documents must be made payable to NorthCare Network and given to the Finance Department to deposit into the appropriate account.

Billing and Claims – NorthCare is committed to charging, billing and submitting claims for reimbursement only when the services have been provided and documented in the manner required by laws, regulations, policies and applicable standards of care. All Personnel should know and carefully follow the applicable rules for submission of bills and claims for reimbursement, whether those claims are submitted to NorthCare for payment or to a third party for payment by NorthCare. Any NorthCare Personnel that knows or suspects that a bill or claim for reimbursement is incorrect is required to report the matter immediately to the Compliance Officer.

Marketing and Media – NorthCare news releases, marketing campaigns and advertising materials shall not be deceptive or misleading by omission or commission. All marketing materials and advertising funded by Medicaid are subject to prior approval of Michigan Department of Health and Human Services (MDHHS).

WORKPLACE CONDUCT AND EMPLOYMENT PRACTICES

Employment Discrimination – NorthCare and its Personnel shall abide by any and all applicable federal and/or state equal opportunity statutes, rules, and regulations including, without limitation, Title VII of the Civil Rights Act of 1964, the Equal Employment Opportunity Act of 1972, the Age Discrimination in Employment Act, the Fair Labor Standards Act, the Americans with Disability Act, the Rehabilitation Act of 1973, and the Occupational Health and Safety Act of 1970.

Substance Use – To protect Personnel and consumers, NorthCare Network is committed to an alcohol and drug free environment. NorthCare prohibits the consumption of alcohol and the unlawful possession, use, manufacture or distribution of illicit drugs or alcohol on or in its property, including NorthCare owned or leased vehicles. Reporting to work under the influence of any illegal drugs or alcohol, having alcohol or an illegal drug in one's system or using, possessing, or distributing/selling drugs while on NorthCare Network's work time or property may result in immediate termination.

Harassment – Mutual respect among all Personnel in the way we treat each other is expected. All NorthCare Personnel have the right to work in an environment free of harassment. Therefore, harassment of Personnel in the work place by any person or in any form is prohibited by NorthCare. This includes any unwelcome conduct, whether verbal, physical or visual, that is based on a person's race, color, religion, sex, age, national origin, height, weight, marital status, veteran status or disability or any other legally protected characteristic. This also includes harassment of a sexual nature which consists of unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when submission to or rejection of such conduct explicitly or implicitly affects an individual's employment, interferes with an individual's work performance or creates an intimidating, hostile or offensive work environment. NorthCare is committed to an environment free of harassment.

Weapons – Personnel shall not possess, maintain, keep or bear any weapon, rifle, pistol or other firearm, whether licensed or unlicensed, registered or unregistered, concealed or not concealed, holstered or unholstered, cased or uncased in or on any building, grounds, property or vehicle owned, rented or operated by NorthCare.

Personal Use of NorthCare Resources – Except as provided herein, use of NorthCare property, equipment or other tangible assets for personal purposes without the prior written approval of the supervisor is prohibited. The occasional personal use of NorthCare property, equipment and tangible assets (e.g., making local phone calls and sending personal e-mail over company communications equipment) is acceptable where NorthCare incurs no direct expense in connection with such personal use.

Nepotism – Personnel shall not hire, promote or directly supervise a relative. For this section, the term "relative" means significant other, parent, child, sibling, grandparent, grandchild, aunt, uncle, niece, nephew, or cousin, through blood, marriage or adoption.

Political Activities and Contributions – NorthCare Network funds or resources may not be used to contribute to political campaigns or for gifts or payment to any political candidate or party or any of their affiliated organizations. Prohibited conduct includes, but is not limited to, the use of work time and/or NorthCare equipment to solicit or canvas on behalf of a political cause or candidate. Personnel shall not publicly or privately represent his or her political views as those of NorthCare Network.

Reporting Violations – All NorthCare Personnel, independent contractors and subcontractors have the responsibility not only to comply with the laws and regulations but to ensure that others do as well. Any Personnel, independent contractors or subcontractors with firsthand knowledge of activities or omissions that may violate applicable laws and regulations is required to report such wrongdoing. Reporting suspected violations is mandatory, not optional. Failure to report a suspected violation may be the basis for disciplinary action up to and including termination of employment, appointment or contract. All reports of wrongdoing shall be investigated to the extent necessary to determine their validity. Personnel, independent contractors or subcontractors making such a report in good faith shall not be retaliated against by NorthCare Personnel and will be protected by the Michigan Whistleblower’s Protection Act. Discipline for engaging in acts that violate applicable laws and regulations, making knowingly false reports, or discipline for any other performance-related reason unconnected to reporting potential violations is not retaliation. Corporate Compliance violations may be reported to NorthCare’s Compliance Officer through either the hotline, e-mail, in person or in writing using contact information below.

NorthCare Compliance Officer
NorthCare Network
200 W. Spring Street, Suite 2, Marquette, MI 49855
Direct Phone: (906) 226-0043 (Confidential Voice Mail)
E-Mail: dbennett@northcarenetwork.org
Anonymously through the Compliance Helpline at 844-260-0003.

All reports will be treated as confidential to the extent allowed by law, and will only be shared with others on a bona-fide need-to-know basis. Under no circumstances will NorthCare as the PIHP tolerate retribution against any employee or agent simply for making a “good faith” report to the Compliance Officer.

Obligations are also identified and defined in the Board approved NorthCare Compliance Plan and policies which are available at www.northcarenetwork.org Commitment to the goals of the Board-approved Compliance Plans, are required for all Personnel. All personnel and independent contractors and subcontractors bear responsibility for compliance with all applicable laws and policy.