

# CODE OF INTEGRITY

OUR PEOPLE. OUR PROMISE.



**Essentia Health**

## *A Letter from Dr. David C. Herman*



By choosing to become part of Essentia Health, we also choose to accept Essentia's mission: We are called to make a healthy difference in people's lives. That mission is a pledge to our patients, our communities and ourselves to embrace the highest standards of integrity and ethics.

When we act with integrity, we live out our organization's Values: quality, hospitality, respect, justice, joy, stewardship and teamwork. We can provide the highest quality care, create a welcoming atmosphere for patients and their families, and treat others with dignity and respect. We can eliminate prejudice, use resources properly and collaborate to reach a common goal.

We all want to do the right thing for our patients, our colleagues and our organization. Thank you for letting ethics and integrity guide your daily decisions – I know it's a promise that's not made lightly.

Please take time to become familiar with Essentia Health's Code of Integrity. Then, sign the Code of Integrity Acknowledgement at the end of this document to show you have received it.

*David C. Herman, MD*

David C. Herman, MD  
Essentia Health CEO

## Our Mission

We are called to make a healthy difference in people's lives.

## Our Values

### QUALITY

- Avoiding injuries to patients from the care that is intended to help them.
- Providing care that is respectful of and responsive to an individual patient's preferences, needs, and values and ensuring that patient's values guide all clinical decisions.
- Reducing waits and sometimes harmful delays for both those who receive care and those who give care.
- Avoiding waste, including waste of equipment, supplies, ideas and energy.
- Providing care that does not vary in quality because of personal characteristics such as gender, ethnicity, geographic location and socioeconomic status.

### HOSPITALITY

- Creating a climate that promotes a sense of community while valuing the uniqueness of the individual.
- Listening and responding sensitively to all.
- Extending warmth and acceptance to each other and to all we serve.
- Creating a welcoming atmosphere personally and institutionally.
- Welcoming new ideas and being open to change.

### RESPECT

- Cherishing and promoting the worth of human life.
- Treating persons with dignity and reverence without regard to age, gender, race, minority or economic status.
- Honoring and supporting the spirituality of each person.
- Valuing the dignity of all work.
- Promoting participation of all persons in the decisions affecting their lives.

### JOY

- Finding a sense of fulfillment from our connection to our colleagues and patients.
- Enhancing the care provided to patients and their families when joy permeates our work.
- Inspiring opportunities to make a difference in our communities
- Recognizing and celebrating accomplishments and successes.
- Encouraging balance and resilience by avoiding burnout.

### JUSTICE

- Advocating policies for the poor and powerless.
- Maintaining respectful working relationships.
- Eliminating prejudice in ourselves and in the institutional policies.
- Promoting open and fair decision-making based on valid information.
- Striving to develop a global vision personally and institutionally.
- Working towards a more just world.

### STEWARDSHIP

- Utilizing human resources responsibly.
- Providing wise and respectful use of all material and monetary resources.
- Promoting conservation of resources.
- Managing people, finances, and property wisely on behalf of others.

### TEAMWORK

- Collaborating as diverse members of a team to achieve a common goal.
- Sharing talents and time to help others grow and be successful.
- Accepting and valuing ideas of others, especially when different from one's own.
- Subordinating personal recognition to the effectiveness of the whole.
- Speaking positively of others, eliminating negativity.
- Following up on commitments and keeping one's word.

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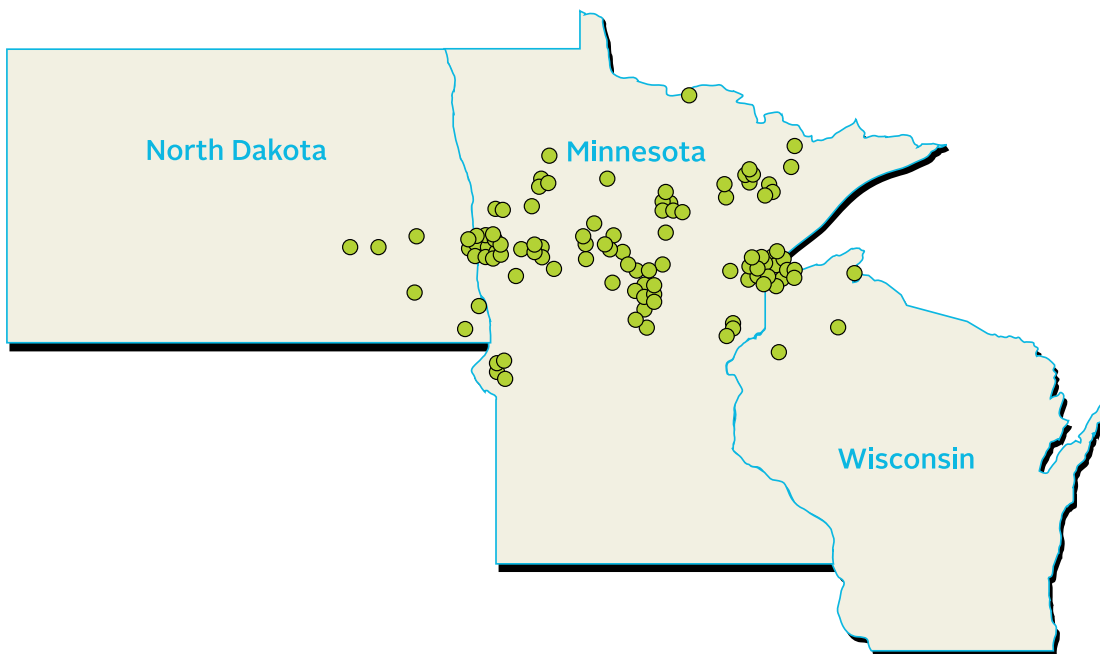
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Please sign an acknowledgment that you have received our Code of Integrity.

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## Our Responsibilities

Through our actions, each of us plays a role in keeping Essentia Health's promise to be here to support and guide our patients through their health care journeys. Together, we bring honesty and integrity to our work. Each service we perform for a patient, resident or customer,\* each contact we have with a supplier or other outside party, each interaction we have with a colleague is conducted with the dignity and respect that is required to bring excellence to the work we do.

### **Together, we do the right thing by:**

- Promoting the Mission and Values of Essentia Health.
- Complying with laws, regulations and applicable Essentia Health policies and procedures.
- Seeking guidance when unsure of the right course of action.
- Raising concerns in instances of actual or potential integrity or compliance issues.
- Providing assistance to management as requested, such as participating in investigations related to potential concerns or wrongdoing.

### **If we manage or supervise others, we also:**

- Reinforce a culture within our work group that values responsible conduct and encourages others to seek guidance and report concerns.
- Set the right example regarding responsible conduct for those who report to us as well as all other employees.
- Ensure employees attend educational sessions that help them understand their responsibilities, including those that pertain to integrity and compliance.
- Ensure that employees and others reporting to us comply with this Code and related laws, rules and policies.

### **Knowing what is required of us**

#### *Ensuring regulatory compliance*

Beyond bringing excellence to our work, our actions must comply with various federal, state and local laws and regulations that are in place to safeguard our patients and our organization. These rules cover a wide array of activities, from how we deliver services to how we bill for those services and how we conduct our daily work responsibilities.

Everyone is expected to follow these rules, as Essentia Health and any individuals found responsible for violating them may be subject to significant consequences. Questions and concerns about any law, regulation or internal standard can always be brought to managers, Human Resources, the Legal Department, or Essentia Health Organizational Integrity and Compliance.

### **Asking questions**

Sometimes you may not know if your actions, or those of others, are correct. If you are unsure about what to do in a given situation, it is important to get help. Asking a question in good faith is always the right thing to do. Discussing the matter with a manager, Human Resources or Organizational Integrity and Compliance is encouraged. These are people who can help determine the most appropriate action.

### **Seeking guidance**

*There is a wealth of resources at Essentia Health to assist with questions and concerns:*

- **Managers** – The first place to turn is your manager. Our managers are most familiar with our duties and the responsibilities of our work group.
- **Human Resources** – Staff members can help with all types of employee relations issues including respectful treatment.
- **Other members of the management team** – The management team, including the leadership team and the legal department, can provide guidance.
- **Organizational Integrity and Compliance** – This department is your resource for organizational integrity, compliance and related services.
- **Integrity Action Line** – If you prefer, you can make an anonymous report by contacting the Integrity Action Line at **800.711.5146** or **EssentiaHealth.org/integrity**. This resource is available 24 hours a day, seven days a week. Calls are handled by a company outside of Essentia Health that then refers the confidential report to the appropriate Essentia Health staff members. All contacts are treated confidentially, to the limit the law allows. You can be anonymous if you wish; however you should provide enough information to help Essentia Health review the validity of the report and investigate any potential issue. Integrity Action Line staff can explain how to follow up on a report.

\*This code uses the term “patient” to apply also to residents of Essentia Health’s long-term care facilities and customers of Essentia Health services.

Essentia Health contractors, affiliated physicians and other members of the Essentia Health team can ask questions and may report concerns and suspected misconduct to the Integrity Action Line. These reports can be made anonymously.



## Understanding our responsibilities

### *Reviewing policies*

We are all responsible for following the policies of Essentia Health. If you have a question, or want to review our policies, they are accessible in a number of ways, including: The Source, the Intranet for Essentia Health; Human Resources or within your department.

### **Raising concerns**

We are all working to make Essentia Health the best it can be, so it is important to raise concerns, including self-reporting your own errors or misconduct. When you raise concerns in good faith (with a reasonable belief in the truth of your report) about actual or potential issues or improper actions, you have an opportunity to improve everyone's work environment, patient safety and quality of care. Concerns may include the actions of managers, colleagues, affiliated physicians, subcontractors, suppliers, contractors or others who affect Essentia Health operations. We encourage you to bring your concerns to your manager. Managers can help resolve concerns or take them to someone who can. If you do not feel comfortable or are otherwise unable to speak to a manager, Human Resources, Organizational Integrity and Compliance or the Integrity Action Line at **800.711.5146** or **EssentiaHealth.org/integrity** are also available to help.

Please remember, intentionally filing false reports is grounds for discipline or other corrective action (also known as reporting in bad faith).

## About retaliation

You may be afraid to say something about your concerns for fear of retaliation. However, be assured that Essentia Health does not permit retaliation against anyone seeking help or raising a concern in good faith. We will discipline anyone found to have engaged in retaliatory actions, including harassment. If you think that you have been retaliated against, or suspect retaliation against someone else, you should report this matter immediately to Organizational Integrity and Compliance or Human Resources. These instances will be investigated and actions taken as appropriate. These instances will be investigated and actions taken as appropriate, see EH policy EHADM1004.

## Fraud, waste & abuse

To learn more about Essentia Health's policies for preventing and detecting fraud, waste and abuse, as well as the applicable federal and state false claims laws, penalties, and non-retaliation protections, see EH policy EHADM3002: The Prevention and Detection of Health Care Fraud, Waste and Abuse. This policy is available on The Source and on Essentia Health's public vendor website at <https://www.essentiahealth.org/for-vendors/prevention-detection-of-health-care-fraud-waste-and-abuse-policy/>.

For more information, contact Organizational Integrity and Compliance.

## Organizational Integrity and Compliance

Phone number: 218.786.1172

Integrity Action Line: 800.711.5146 or [EssentiaHealth.org/integrity](https://EssentiaHealth.org/integrity)

Email: [Compliance@EssentiaHealth.org](mailto:Compliance@EssentiaHealth.org)

### Correcting problems

*When a concern is raised, Essentia Health will conduct an investigation. As needed, we will take action, including, but not limited to:*

- Identifying the root cause of the issue and making changes to help avoid further harm and future occurrences.
- Informing stakeholders of the matter as required. Stakeholders may include government authorities.
- Fulfilling our regulatory obligations, such as returning identified overpayments.
- Taking disciplinary or other action if the situation warrants.

Individuals with a specific need to know will be advised of the investigation's outcome.

### We are here with you

Organizational Integrity and Compliance is your resource for integrity, compliance and related services. We work with staff throughout the organization to help sustain our reputation as a responsible healthcare organization. The program strives to ensure that we are transparent and honest with all stakeholders, including our customers, affiliates, payers, regulators and each other. Organizational Integrity and Compliance staff regularly work with Essentia Health staff and others to help them interpret standards and determine effective ways to meet them. Organizational Integrity and Compliance staff can help you understand and apply our Code's standards in your daily work.

This Code of Integrity is not a contract and does not provide all-inclusive summary of our policies. For additional guidance, consult any related policies. We expect to periodically modify this Code so it remains relevant to Essentia Health activities. The most recent version of the Code is posted on The Source and on [EssentiaHealth.org](https://EssentiaHealth.org).





## Our Reputation

Over the years, Essentia Health has earned a reputation for excellence and quality. You – and many people who have come before you – have been, and continue to be, an important part of that reputation. We thank you for your expertise and talent and for keeping our Mission and Values at the forefront of everything you do. Your dedication to professionalism has allowed us to provide for the health needs of the diverse communities we serve. It is your continued commitment to uphold the highest standard of conduct that will continue to sustain our reputation for excellence in patient care.

### **Commitment to quality**

Essentia has an ethical obligation to provide the quality of care reflected in recognized professional standards. Essentia is committed to care and services that are delivered in a cost-effective manner, through efficient, effective and safe processes. In addition, Essentia is committed to building an effective Quality Management structure that improves patient safety and reduces medical errors.

The Essentia Quality Department provides guidance and support to all departments and committees in their quality management initiatives. Additionally, the Essentia Quality Department assists in preparing and facilitating licensing, certification and accreditation survey activities.

### **Upholding our excellence**

We serve our community and patients best when we are competent in our jobs. That is why it is so important that we maintain the highest standards in regard to various federal, state and local laws and regulations regarding health care. As required, we must maintain current certificates of need (CON), licenses, permits and accreditations.

### **Avoiding conflicts of interest**

A conflict of interest occurs when a personal interest actually interferes, or may be perceived to interfere, with your ability to fulfill your work responsibilities or with your ability to make decisions that are in the best interests of Essentia Health and our patients.

At Essentia Health, we are dedicated to managing potential conflicts before they arise. Potential conflicts of interest are unavoidable in some situations. However, they can be managed through full disclosure and taking reasonable steps to eliminate and/or reduce the appearance of such.

### **How to disclose a potential conflict**

If you face a potential conflict, please discuss the matter with a manager, the Legal Department or Organizational Integrity and Compliance. They can help you determine whether the situation should be disclosed and, when appropriate, how you can best manage it so that it does not become an actual conflict or be perceived as such.

**Q.** My spouse manages a training and consulting firm. Can they submit a proposal to my department at Essentia Health to become a vendor?

**A.** It is possible for any company to submit bids for Essentia Health work; however, in this case, you should report this relationship by filling out a Conflict of Interest Disclosure form, referring the matter to Organizational Integrity and Compliance and removing yourself from participating in any related discussions or the vendor selection processes.

For information regarding approved and prohibited political activities, see the Political and Lobbying Activities policy on The Source, EHADM0008.



**Ask yourself the following questions if you think a situation might create a conflict of interest:**

- Would others think this might affect how I do my job?
- Could it affect any decision I might make at Essentia Health?
- Will I, or someone in my family, gain anything from my relationship with the third party doing business with Essentia Health?
- Do I feel under any obligation because of my relationship with the third party doing business with Essentia Health?
- Would I be embarrassed if anyone inside Essentia Health knew about the situation?
- How might the situation look to customers or suppliers? Would they question whether they have been treated appropriately?

If the answer to any of the above questions is yes, or even perhaps, you may have a conflict of interest you need to disclose and discuss with others.

**Examples of conflicts of interest**

Potential conflicts may arise that involve us or members of our family. Examples of potential conflicts include, but are not limited to:

**Outside personal activities –**

A relationship with another business organization, such as an Essentia Health supplier, customer, provider, other business partner or competitor.

**Outside professional activities –**

Professional activities outside your Essentia Health role if these activities involve using your professional expertise for another organization or cause, such as:

- Employment with or consulting for a competitor.
- Acceptance of sponsorship by a supplier.
- Service as a consultant to a supplier.
- Service on a supplier panel.
- Service as a board member for an organization that may have a potential conflict of interest.

We must never promise, offer, provide or accept anything of value if it can be perceived as a bribe, kickback or payment intended to influence our judgment. An example of this could be giving a gift to entice a patient to use Essentia Health's services or purchasing a vendor's product. Something of value can also include non-monetary benefits, such as in-kind services or favors. This includes providing anything to a government or political official or associate. We must never ask, solicit or suggest to others that we would like to receive a business courtesy, gratuity or anything else of value.

More details on these and other conflicts can be found in applicable Essentia Health policies:

- EHADM3047: Standards for Vendor Relations
- EHADM3005: Conflicts of Interest
- EHADM3008: Conflicts of Interest/ Employees and Contracted Medical Directors

**Q.** A pharmaceutical vendor/supply representative wants to provide a meal for the entire department. What do I do?

**A.** Decline the food. No food may be brought into Essentia facilities by pharmaceutical and/or medical device representatives/companies, including for their sponsored education sessions.

**Q.** What gifts or business courtesies are never acceptable?

**A.** Cash or cash equivalents, such as gift cards, checks or stock certificates, are never acceptable. Neither is any item you solicit or request. We cannot accept a gift or business courtesy when it is intended to, or has the potential to, result in referrals or influence relationships.



## Our Relationships

Together, we are united in a Mission of care that is respectful and dignified. Our strong relationships allow us to work in an environment of trust, confident in our ability to fulfill our promise to be here for every person in those moments that matter most.



The U.S. Health Insurance Portability and Accountability Act (HIPAA) and state regulations place heavy restrictions on how healthcare organizations handle patient data, commonly called protected health information. When working or coming in contact with patient data, we are responsible for knowing Essentia Health's policies on how these rules apply. It is important that we follow these rules and related procedures.

### **Serving our community**

Our Mission is to make a healthy difference in people's lives. Our Values set an expectation that we will treat everyone with respect and dignity. In providing care to our communities, we do not discriminate based on race, color, gender, national origin, handicap, age, HIV status, marital status, sexual or gender orientation, religious beliefs or sources of payment for care.

### **Being transparent**

We recognize that we must be open and transparent about our quality performance to our patients, our medical staff, our nursing staff and our communities. Transparency is the public disclosure of accurate and reliable information that allows our patients, physicians and all others to assess our quality. Our patients expect and deserve the best quality care and our commitment to transparency allows us to identify both our strengths and weaknesses. It also helps to focus on the improvements we must make for our patients.

### **Respecting patient rights**

We respect every patient because it is part of our heritage, it aligns with our Values and it is the right thing to do. We are here for everyone. We provide all patients with emergent conditions the appropriate diagnostic and treatment services, regardless of their ability to pay for health care.

Essentia Health makes Patient Rights and Responsibilities information available to all patients.

### **Protecting confidentiality and privacy**

We are committed to protecting the confidentiality and privacy of our patients and their representatives. At Essentia Health, we collect information about a patient's medical condition, history, medication and family illnesses to provide the best possible care. We respect the sensitive nature of this information and do not release or discuss patient-specific information with others unless it is necessary to serve the patient and as permitted or required by law. As required, we obtain a patient's permission before sharing this information.

Essentia Health also provides an opportunity for patients to raise confidentiality complaints. If a patient expresses a concern that his or her privacy has been violated, we must inform the patient of available options for communicating concerns to Organizational Integrity and Compliance staff members.

Failure to comply with Essentia Health policy may result in corrective action, up to and including termination of employment or other business relationship.

**Q.**

Do patient privacy standards apply to looking up my child's or husband's lab results? Can I look up my own lab results?

**A.**

You may not look up your or any family member's confidential medical information, unless performing your job. You may access this information by filling out an authorization form available from Release of Information or by enrolling in MyChart at locations with EPIC.

## **Building relationships with contractors and suppliers**

We work with contractors, and current and prospective suppliers, to achieve the best outcomes for our patients. In all interactions, we act in a respectful and reasonable manner, consistent with our organizational Values, as well as all applicable laws and good business practices.

### **Maintaining respectful treatment**

Mutual respect allows all of us to do our best work. We must be respectful of others; and rightly we should expect the same respect from them. At Essentia Health, we do not tolerate harassment of any employee, vendor, patient or visitor. We never engage in any degrading or off-color jokes, slurs, intimidation, derogatory comments or other inappropriate conduct, nor do we tolerate such behavior from others.

### **Strengthening relationships with physicians and physician groups**

Essentia Health's relationships with physicians and physician groups must meet strict regulatory standards, which affect the provision of anything of value to physicians, their relatives, their group or their staff. This includes payment for services rendered; use of space, equipment and staff time; and any other item that is provided by either party. Consult the Legal Department or Organizational Integrity and Compliance prior to entering into such relationships.

### **Being honest in our marketing and communications**

Our external communications (or marketing) demonstrate the same sense of respect and responsibility that our internal communications do. We practice confidentiality, honesty, accuracy and decency in all communications. We do not exploit the suffering of others in marketing materials. Permission is always obtained from patients, family members, visitors, staff, contractors and/or physicians prior to the use of pictures or identifying information in marketing or public relations activities.

### **Handling outside questions**

At Essentia Health, we want to ensure that we always provide truthful, accurate information to the news media, the general public and others who have an interest in our activities. It is important to know that you should provide information to outside parties only if you are authorized to do so. If you receive a request from an outside party for Essentia Health business information, you must discuss the request with Marketing & Communications before fulfilling the request. You can also refer the request directly to Marketing & Communications.

### **Participating in fair competition**

U.S. antitrust laws are intended to promote fair and vigorous competition. These rules encourage us and other health care organizations to continually strive to better serve our patients, customers and our community. While we compete to win patients and customers, we always do so fairly and we honor our patients' choices. Fair competition rules cover a broad range of interactions with competitor healthcare organizations, customers and suppliers that could otherwise reduce competition.

### **Responding to regulatory inquiries**

We take our responsibility to the public, through regulatory oversight, seriously. All regulatory inquiries should be coordinated with Organizational Integrity and Compliance, the Legal Department or the officially designated department, such as accreditation teams. During inspections, it is important to be courteous and cooperative. You must never obstruct, mislead, or delay providing information or records as instructed by the Legal Department or Organizational Integrity and Compliance. You must also never conceal, destroy or alter documents, or make false or misleading statements.



## Our Operations

As a nonprofit healthcare organization, our resources are limited. Yet, in today's health care environment, we are being asked to do more than ever before. It is central to the health of our patients, and to us, as a system, that we use our resources wisely. Those resources include our business practices. Using our business resources wisely calls on us to follow policy and to accurately document and safeguard information. We must continue to provide the quality and excellence our patients have come to expect from us and do it within our means, in a manner that ensures we continue to thrive as an organization that is here with those we serve.

## Using sensitive information

How we use business and proprietary information affects our relationships with patients, suppliers and colleagues and the success of Essentia Health. When we use information entrusted to us carefully and responsibly, we safeguard our assets and reputation, and strengthen our relationships.



## Accountable Care Organization (ACO)

We must continue to evolve to carry out our Mission. For that reason, we are committed to providing our patients with the care they need by functioning as an ACO. As an ACO, we are dedicated to improving quality, reducing costs and coordinating patient care. We believe in collaborating with other organizations to improve care and quality for our patients. As an Accountable Care Organization, our reimbursement model is often based on quality and efficiency rather than the volume of services provided. This model supports our philosophy of making care decisions based on medical necessity rather than financial impact.

Essentia Health promotes patient understanding of the cost of their care and billing procedures. We attempt to answer questions and resolve disputes related to billing to the patient's and payer's satisfaction.

## Coding and billing for services

Essentia Health's standard is to bill patients and third-party payers only for medically necessary services and appropriately ordered elective services. We never knowingly present or assist in presenting payment claims that are false, fictitious or fraudulent. Essentia Health strives to ensure that claims are coded and billed appropriately. We maintain complete and accurate documentation of all medical services. We aim to collect the full amount of co-payments and other deductibles where required by payer agreements.

**Q.**

I work in finance. We are really driven by making budget and staying on target. Sometimes that means we take shortcuts to get the work done, but I think we may be unintentionally breaking the rules. What should I do?

**A.**

Health care has many laws and regulations to ensure that the highest quality of care is provided and that we are paid appropriately for these services. If you think there may be a problem, asking the question is the right thing to do. You can go to your manager, speak with any member of the management team or call Organizational Integrity and Compliance at **218.786.1172** or the Integrity Action Line at **800.711.5146**.

## Conducting scientific and clinical research

We follow high ethical standards in any research performed at Essentia Health and by Essentia Health professionals in any setting. All such research must be pre-approved by the Essentia Institute of Rural Health and the Essentia Health Research Review Boards. In keeping with good clinical practice and the regulations, Essentia Health provides protections for human subjects, including the use of the informed consent process where required. Participation in research is voluntary, and a patient's right of refusal is honored and respected and will not affect or compromise access to services.



## Business information

### *Confidential and Other Non-Public Information*

All Essentia Health employees must safeguard business and proprietary information from improper disclosure, keep it stored in a safe location, share it only with colleagues and others who are authorized to have it and dispose of it only according to applicable Essentia Health procedures.

Likewise, business partner information should be handled as carefully as all organization information. When we accept others' business information, we must understand restrictions regarding its use. Confidential information should be viewed by or provided only to others with a legitimate business need, and, if providing confidential information to others, we must ensure that they understand and agree to maintain its confidentiality.

### Respecting intellectual property

Intellectual property refers to inventions, literary and artistic works, symbols, names, images and designs, wherein exclusive intellectual property rights are recognized. Common intellectual property rights include copyrights, patents, trademarks, service marks and trade secrets. These intellectual property rights are often identified by a symbol (e.g., ©, SM, ®, or TM).

Essentia Health's intellectual property is extremely important to our continued success in the healthcare industry. Essentia Health's intellectual property must be protected at all times from unauthorized reproduction or use. Further, Essentia Health's trade secrets must be stored in a safe and secure location due to risks of harm resulting from the improper disclosure or sharing of a trade secret. The Essentia Health Legal Department should be notified if there is a concern that our intellectual property is being reproduced or used without the express written permission of Essentia Health.

Essentia Health also respects the intellectual property of others. Please contact the Essentia Health Legal Department with questions regarding the use of any third party's intellectual property.

**Q.** A new co-worker does not yet have access to our electronic medical record. Can they borrow my password?

**A.** No. All new employees must wait to be assigned their own password. Protecting a password is the responsibility of its owner. You are accountable for all actions associated with it. It is your legally binding electronic signature. Keep tight control over your password and change it when prompted to help protect all customers, patients and Essentia Health data.

**Q.** I have seen physician claims that have no documentation to support the coding and charges. What do I do?

**A.** Immediately discuss your concerns with your manager and Organizational Integrity and Compliance. We may need to offer education or further review the documentation.

Federal and state false claims acts and, specifically, the U.S. Program Fraud Civil Remedies Act, impose heavy penalties for improper recording of business transactions and record destruction regarding healthcare claims for payment to the government, whether made intentionally or unintentionally. Therefore, we must understand the purpose of any business transaction that we make, assist with or approve.



## Protecting technology and communications

As technology increases the quality of the health care that we deliver, it becomes increasingly important that we protect Essentia Health's vital electronic media and other communications systems. Our communications systems are intended for business use.

You can enjoy limited personal use of these systems in accordance with applicable Essentia Health policies and procedures. These communications are not private and may be monitored by Essentia Health as part of any normal communications monitoring procedures. Failure to comply with Essentia Health policy may result in corrective action, up to and including termination of employment or other business relationship.

**Q.** We recently changed our work processes in the lab. During this time, we may have double entered some of the charges. What do I do?

**A.** Inform your manager of your concern immediately. Timing is important, because if there was an error, resolving it quickly will reduce potential penalties. You may be asked to coordinate with your manager and Organizational Integrity and Compliance to validate if the charges were actually entered twice.

### Accuracy, retention and disposal of documents and records

Keeping accurate records of Essentia Health business transactions builds our reputation of integrity. Entries recorded in Essentia Health records must be accurate, complete, fair, timely and understandable. No part of our records may be falsified or improperly altered. We must never create or approve a record that is intended to mislead, conceal or improperly reflect the true intention of a transaction.

Records can relate to financial, operational, claims or regulatory transactions or other activities. They include documentation of business activities, transactions, payments, receipts, accounts and assets. Records may include paper documents, such as letters and memos, computer-based information, such as email or computer files on disc or tape, or any other medium that contains information about the organization or its business activities.

### Financial reporting and records

Essentia Health maintains a high standard of accuracy and completeness in documenting, maintaining and reporting financial information. This information serves as a basis for managing our organization and is important in meeting our obligations to government agencies, patients and other stakeholders.

We are required to maintain accurate books and records that conform to applicable legal requirements and allow for the preparation of financial statements in accordance with generally accepted accounting principles. We diligently seek to comply with all applicable and relevant financial reporting and tax disclosure rules and regulations.

### Monitoring

An important step toward safeguarding resources is active oversight of those resources. Managers are expected to regularly monitor their work groups' operations to ensure compliance with laws and regulations and Essentia Health policies and procedures. Any concerns identified during monitoring activities must be reported immediately to management and Organizational Integrity and Compliance. The Organizational Integrity and Compliance and Internal Audit departments supplement these activities with additional monitoring and auditing activities.

### Using other Essentia Health resources

Essentia Health resources are used to advance our mission and serve our patients and customers. These resources include funding, facilities, vehicles, equipment, supplies and pharmaceutical products. Quality service requires effective use of these resources. We use these resources responsibly, and ensure that others do, too. We share them or allow others access to them only for legitimate business purposes and with the proper authorization.

Procedures must be followed for disposing of any property. We must be especially vigilant for theft and product diversion, such as with pharmaceutical products.

Also, we do not use Essentia Health work time or equipment to pursue personal activities or outside business.



## Our Environment

We are committed to caring about the good health of our patients, as well as the health of everyone who works at Essentia Health. We believe good health also extends to how our operations affect the environment and we do all we can to protect that environment.

## Community health and safety

As a health care organization, a core priority for us is the health and safety of our patients, visitors, staff and other members of the Essentia Health team. We have established policies and procedures to ensure this objective as we strive to fulfill our Aspirational Aim of Zero Preventable Harm. Each of us is expected to know the health and safety policies that apply specifically to our jobs and to Essentia Health facilities overall. It is important that any workplace injury or any situation that presents a danger of injury be immediately reported to a supervisor or safety manager. Please refer to The Source to report any workplace injuries, violence or patient events.

## Protecting our environment

Our commitment to our local communities and their health and safety calls for us to safeguard the natural environment. Each of us has the responsibility to take measures that demonstrate this commitment, including:

- Adhering to procedures for handling and disposing of medical and other waste, especially toxic and hazardous materials.
- Following all environmental protection policies and procedures.
- Following our recycling practices.
- Reducing energy use and unnecessary waste.
- Helps us fulfill our Aspirational Aim to Achieve Health and Vitality with our Communities.



# Code of Integrity Acknowledgement

*This acknowledgment demonstrates your receipt of our Code of Integrity*

## **ESSENTIA HEALTH CODE OF INTEGRITY**

### **Code of Integrity Acknowledgment**

I acknowledge the following:

- I understand that Essentia Health has published a Code of Integrity that is available on The Source and on EssentiaHealth.org.
- I understand that it is my responsibility to review and be familiar with the Code's contents.
- I am aware of my duty to seek guidance when unsure of the proper course of action and to report concerns and suspected violations of the Code, Essentia Health policies or other policies.

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Signed Name/Date

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Printed Name/Date



# **Essentia Health**

# Appendix

## Federal and State Laws

The federal and state governments have also taken steps to prevent and detect fraud, waste and abuse in U.S. health care organizations.

### A. Federal Laws

#### 1. The Federal False Claims Act (“FCA”)

The FCA is a federal law aimed at discouraging and preventing fraud, waste and abuse in government programs, including Medicare, Medicaid and other federally-funded health care programs. The law covers claims and payments made by the U.S. Government or its contractors.

The FCA establishes liability for any person who “knowingly”:

- (1) Submits, or causes another to submit, a false or fraudulent claim for payment;
- (2) Makes, or causes to be made, a false statement or record in connection with a claim for payment; or
- (3) Improperly avoids or decreases an obligation to repay the government (includes refund of overpayments).

The FCA specifically defines ‘knowingly’ to mean that a person or entity:

- (1) Has actual knowledge of the false information;
- (2) Acts in deliberate ignorance of the truth or falsity of the information; or
- (3) Acts in reckless disregard of the truth or falsity of the information.

No proof of a specific intent to defraud the government is required.

An individual or entity that violates the FCA, may be liable for up to three times the government’s damages plus per claim civil monetary penalties and may be excluded from participating in federally funded programs, such as Medicare and Medicaid.

The FCA allows any person with actual knowledge of allegedly false claims to file a lawsuit on behalf of the U.S. Government. Such persons are called “whistleblowers.” If the government decides that the lawsuit has merit, the U.S. Department of Justice may choose to participate in the case. If the government chooses not to participate, the whistleblower can continue with the lawsuit on his or her own.

If the lawsuit is successful, the whistleblower may receive an award ranging from 15 to 30 percent of the amount recovered. The whistleblower may also be entitled to reasonable expenses, such as attorney fees. If a court finds that the whistleblower planned or initiated the false claims, the award, if any, may be decreased. If the whistleblower is convicted of crimes related to the false claims, no award will be given.

The FCA contains important protections for whistleblowers who file claims in good faith. Depending on the circumstances, these protections may not apply to whistleblowers who file frivolous claims, file claims in bad faith or were directly involved in certain aspects of the claim. Retaliatory or discriminatory conduct against an employee who files a FCA lawsuit may result in additional relief, including: reinstatement of employment with comparable seniority, two times the amount of any back pay plus interest, and compensation for any special damages sustained, including litigation costs and attorney’s fees.

#### 2. The Program Fraud Civil Remedies Act of 1986 (“PFCRA”)

The PFCRA provides administrative remedies for making false claims and false statements in connection with claims to designated federal agencies, including the U.S. Department of Health and Human Services. These penalties are separate from and in addition to any liability that may be imposed under the FCA.

The PFCRA imposes liability on people or entities who file a claim that they know or have reason to know:

- (1) is false, fictitious, or fraudulent;
- (2) includes or is supported by any written statement that contains false, fictitious, or fraudulent information;
- (3) includes or is supported by a written statement that omits pertinent information, and the person or entity submitting the statement has a duty to include the omitted fact; or
- (4) is for payment for property or services not provided as claimed.

The remedies include an assessment of twice the amount of any unlawful claims, per claim civil monetary penalties and exclusion from government-funded healthcare programs.

#### 3. The American Recovery and Reinvestment Act of 2009 (“ARRA”)

ARRA is a federal law that is designed to prevent the misuse of stimulus package funds and extends “whistleblower” protections to employees who reasonably believe they are being retaliated against for reporting misuse of ARRA funds by a non-federal employer. These penalties are separate from and in addition to any liability that may be imposed under the FCA.

ARRA prohibits retaliation against a non-federal employee who discloses information that the employee reasonably believes constitutes evidence of:

- (1) gross mismanagement of a contract or grant relating to stimulus funds;
- (2) gross waste of stimulus funds;
- (3) substantial and specific danger to public health or safety related to implementation of stimulus funds;
- (4) abuse of authority related to implementation or use of stimulus funds; or
- (5) violation of law, rule, or regulation related to a contract or grant relating to stimulus funds.

The above allegations must have been reported to at least one of the following to be granted possible protection: a person with supervisory authority over the employee (or another employee of the employer who has the authority to investigate, discover or terminate misconduct); an Office of Inspector General; the Recovery Accountability and Transparency Board; the Comptroller General; a member of Congress; a State or Federal regulatory or law enforcement agency; a court or grand jury; or a Federal agency head or his/her representatives. Such disclosures may be made during the course of the employee's duties.

Retaliatory conduct against a person protected under the ARRA provisions may result in a federal agency order for reinstatement, back pay, employment benefits, compensatory damages and/or attorney fees.

#### **4. Other Federal Laws**

Federal law also contains criminal sanctions for false claims and statements that may be applicable to identified instances of health care fraud.

#### **B. State Laws**

##### **1. Minnesota**

###### **a. The Minnesota False Claims Act ("MFCA")**

The MFCA is a state law aimed at discouraging and preventing fraud, waste and abuse in State and local government programs, including the Minnesota Medicaid program.

The MFCA establishes liability for any person who knowingly:

- (1) presents or causes to be presented a false or fraudulent claim for payment;
- (2) makes or uses or causes to be made a false statement/record or claim for payment;
- (3) conspires to make a false statement/record or claim for payment;
- (4) returns less money or property than owed to the government;
- (5) makes false representations related to monies/property owed;
- (6) makes or uses or causes to be made a false statement/record to conceal, avoid or
- (7) decrease an obligation to pay money or property to the government.

The term "knowingly" is defined as:

- (1) has actual knowledge of the information;
- (2) acts in deliberate ignorance of the truth or falsity of information; or
- (3) acts in reckless disregard of the truth or falsity of information.

No proof of specific intent to defraud is required.

###### **The MFCA specifically limits liability for:**

- (1) mere negligence, inadvertence or mistake;
- (2) for certain acts committed by a non-management employee; and
- (3) when an entity repays the false claims within 45 days of a report of the false claim to the entity's compliance office.

Health care providers who violate the MFCA may be subject to civil penalties. Violation of the MFCA may result in civil monetary penalties equal to the full amount received plus triple damages.

The MFCA allows individuals to file a civil lawsuit to recover losses to the state of Minnesota. Such persons are called "whistleblowers." The whistleblower must file his or her lawsuit. If the government decides that the lawsuit has merit, the prosecuting attorney may choose to participate in the case. If the government chooses not to participate, the whistleblower can continue with the lawsuit on his or her own.

If the lawsuit is successful, the whistleblower may receive an award ranging from 15 to 30 percent of the amount recovered, along with reasonable costs and attorney fees. If a court finds that the whistleblower actively participated in the false claims, the award, if any, may be decreased. If the whistleblower is convicted of crimes related to the false claims, no award will be given.

The MFCA contains important protections for whistleblowers who file claims in good faith. Depending on the circumstances, these protections may not apply to whistleblowers who file frivolous claims, file claims in bad faith or were directly involved in certain aspects of the claim. Retaliatory or discriminatory conduct against an employee who either files under the MFCA or cooperates in a MFCA lawsuit may result in additional relief, including: reinstatement of employment, two times the amount of any back pay plus interest and compensation for any special damages sustained.

###### **b. Minnesota Medicaid Fraud Statute**

Minnesota also has a Medicaid Fraud Statute that specifically provides sanctions for false claims and false statements in connection with the provision of medical services reimbursed by the State. These laws provide for both monetary and administrative sanctions, including exclusion from the Medicaid program.

###### **c. Minnesota Whistleblower Protection Law**

Minnesota has a whistleblower protection law that prohibits retaliation or discrimination against employees who report in good faith:

- (1) violations of any federal or state law or regulation or
- (2) a situation in which the quality of care provided by a health care facility or provider violates established standards and poses a potential risk to public health or safety.

Employees who seek protection under this law may be eligible for reinstatement, back pay, restoration of lost service credit, compensatory damages and removal of adverse employment records from their permanent record.

## **2. North Dakota**

North Dakota currently does not have a state False Claims Act.

## **3. Wisconsin**

### **a. The Wisconsin False Claims (“WFCA”)**

The WFCA is a state civil law aimed at discouraging and preventing fraud, waste and abuse in state medical assistance programs, including Wisconsin's Medicaid Program.

The WFCA prohibits any person from knowingly:

- (1) presenting (or causing to be presented) a false claim;
- (2) making or using (or causing to be presented) a false record or statement to obtain approval for or payment of a false claim;
- (3) conspiring to defraud the State by obtaining allowance or payment of a false claim for medical assistance;
- (4) making or using (or causing to be made or used) a false record or statement to conceal, avoid, or decrease an obligation to pay or transmit money or property to the Medical Assistance programs; or
- (5) benefiting from the submission of a false claim for Medical Assistance, knowing that the claim is false, and failing to disclose the false claim to the State within a reasonable time after the person becomes aware that the claim is false.

Health care providers who violate the WFCA may be subject to civil penalties. Violation of the WFCA may result in civil monetary penalties up to three times the amount paid for each claim that is determined to be false plus an additional civil monetary penalty.

The whistleblower must file his or her lawsuit. If the government decides that the lawsuit has merit, the Wisconsin Attorney General may choose to participate in the case. If the government chooses not to participate, the whistleblower can continue with the lawsuit on his or her own.

If the lawsuit is successful, the whistleblower may receive an award of up to 30 percent of the amount recovered, along with reasonable costs and attorney fees. If a court finds that the whistleblower actively participated in the false claims, the award, if any, may be reduced.

The WFCA contains important protections for whistleblowers who file claims in good faith. Retaliatory or discriminatory conduct against an employee who either files under the WFCA or cooperates in a WFCA lawsuit may result in additional relief, including: reinstatement of employment, two times the amount of any back pay plus interest and compensation for any special damages sustained.

### **b. The Wisconsin Medicaid Fraud Statute (“WMF”)**

The WMF is a state criminal law allowing for penalties related to fraud in State medical assistance programs, including Wisconsin's Medicaid Program.

The WMF prohibits any person from:

- (1) knowingly and willfully making or causing to be made a false statement or misrepresentation of a material fact in a claim for Medicaid benefits or payments;
- (2) knowingly and willfully making or causing to be made a false statement or misrepresentation of a material fact for use in determining rights to Medicaid benefits or payments;
- (3) having knowledge of an act affecting the initial or continued right to Medicaid benefits or payments;
- (4) having knowledge of an act of concealing or failing to disclose an act affecting the initial or continued right to Medicaid benefits or payments with an intent to fraudulently secure Medicaid benefits or payments for a greater amount or quantity than is due or when no benefit is authorized;
- (5) making a claim for Medicaid benefits or payments for the use or benefit of another, and after receiving the benefit or payment, knowingly and willfully converting it or any part of it to a use other than for the use and benefit of the intended person.

Anyone found guilty of the above is convicted of a felony and may be imprisoned for up to six years, and fined not more than \$25,000, plus three times the amount of actual damages.

### **c. The Wisconsin Health Care Worker Protection Statute (“WHCPS”)**

The WHCPS also protects health care workers who disclose any of the following to an appropriate individual or agency:

- (1) information that a health care facility or provider has violated any state law or rule or federal law or regulation; or
- (2) a situation in which the quality of care provided by the health care facility or provider, or by an employee of, violates established standards and poses a potential risk to public health or safety.

The health care facility or provider cannot take disciplinary action against an individual who reports the above in good faith. A health care facility or provider who violates this statute will be subject to not more than \$1,000 for a first violation. There are additional penalties for repeated violations.



**References:**

The American Recovery and Reinvestment Act of 2009  
(Public Law P111 – 5 §1553)  
Deficit Reduction Act of 2005 (Public Law 109 – 171)  
Federal False Claims Act (31 U.S.C. §§ 3729-3733)  
Program Fraud Civil Remedies Act (31 U.S.C., §§ 3801-3811)  
Michigan Medicaid False Claims Act (Mich. Comp. Laws Ann.  
§§ 400.601-400.613)  
Minnesota False Claims Act (Minnesota Statutes §§15C.01-  
15C.13)  
Minnesota Medicaid Fraud Statute (Minnesota Statutes  
§256B.064)  
Minnesota Whistleblower Protection Law (Minnesota  
Statutes §§181.932-181.935)  
Wisconsin False Claims Act (Wisconsin Statutes Section  
§20.931)  
Wisconsin Medicaid Fraud Statute (Wisconsin Statutes  
§49.49)  
Wisconsin Health Care Worker Protection Law (Wisconsin  
Statutes §146.997)

**Elder Justice Act Crime Reporting**

Essentia Health long-term care facilities will notify owners, operators, employees, managers, agents and contractors (collectively referred to as “Covered Individuals” and individually as a “Covered Individual”) of their duty to report reasonable suspicion of crimes to the Secretary and law enforcement. For more information, please refer to Essentia Health Policy EHADM3004 Reporting of Crimes pursuant to Elder Justice Act.

Joint Commission on Accreditation of Healthcare  
Organizations  
Contact information: 630.792.5800 or  
<http://www.jointcommission.org/>

Office of Inspector General U.S. Department of Health  
& Human Services  
Contact information: 800.HHS.TIPS (800.447.8477)



**Essentia Health**