



The Guthrie Clinic Code of Conduct

January 2024

Dear Guthrie Caregivers,

At The Guthrie Clinic, we have always had a tradition of caring – for our patients, our communities, and our fellow caregivers. We strive to deliver health care compassionately and to act with integrity in the way we do our work.

This Code of Conduct, which reflects our commitment to integrity in all we do, provides guidance to ensure our work is done in an ethical and legal manner. It emphasizes the shared common values and culture, which guides our actions. It also contains resources to help resolve any questions about appropriate conduct in the workplace. Please review it thoroughly. Your adherence to its spirit, as well as its specific provisions, is critical to our future.

No Code of Conduct can substitute for your own internal sense of fairness, honesty, and integrity. Thus, in your daily life and work if you encounter a situation or are considering a course of action which may be technically within the guidelines of the Code of Conduct, but you are worried the contemplated action simply "does not feel right," please discuss the situation with your supervisor or the Compliance Office.

If you have questions regarding this Code or encounter any situation which you believe violates provisions of this Code, you should immediately consult your supervisor or The Guthrie Clinic's Compliance Office or Compliance line found on page 22. You have our personal assurance that there will be no retaliation for reporting an activity, practice, or arrangement that you believe may violate a law or the Code of Conduct.

We have a rich heritage of ideals, which are reflected in our Mission and Values Statements and in this Code of Conduct. We are equally committed to assuring our actions consistently reflect our words. In this spirit, we want Guthrie to be a family of shared values, and we expect all our caregivers' actions to reflect the high standards set forth in this Code of Conduct.

Thanks for all that you do for our patients and fellow caregivers in the Guthrie family.

Sincerely,

Edmund Sabanegh, Jr, MD
President & CEO
The Guthrie Clinic

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MISSION, VISION, AND VALUES STATEMENT

Our Mission

Guthrie collaborates with the communities we serve to help each person attain optimal, life-long health and well-being. We will do so by providing integrated, clinically advanced services that prevent, diagnose, and treat diseases, within an environment of compassion, learning, and discovery.

Our Vision

Improving Health through Clinical Excellence and Compassion: Every Patient, Every Time

Core Values

Patient-Centeredness
Teamwork
Excellence

PURPOSE OF OUR CODE OF CONDUCT

The Code of Conduct is an integral component in carrying out the Guthrie Mission. Our Code of Conduct provides guidance to all Guthrie caregivers and assists us in conducting our daily activities within appropriate ethical and legal standards. These obligations apply to our relationships with patients, third-party payers, subcontractors, independent contractors, vendors, consultants, and one another. The Guthrie Clinic shall observe a policy of non-discrimination in all activities.

The Code forms the basis of Guthrie's Compliance Program. The Code is designed to ensure we meet our ethical standards and comply with applicable laws and regulations. The Code applies to all governing body members, caregivers, and persons associated with The Guthrie Clinic (for example, volunteers, contractors, caregivers, and vendors).

The Code is intended to be a comprehensive yet easily understood guide for compliance. The Code is supported by the detailed policies and procedures found on the Guthrie intranet site under "Policies". These policies expand upon or add to, many of the principles outlined in this Code of Conduct.

LEADERSHIP RESPONSIBILITIES

While all The Guthrie Clinic's caregivers are obligated to follow our Code, we expect our leaders to set the example, to be models in every respect. They must ensure that those on their teams have sufficient information to comply with laws, regulations, and policies, as well as the resources to resolve ethical dilemmas. They must help to create a culture within Guthrie, which promotes the highest standards of ethics and compliance. This culture must encourage everyone in the organization to share concerns when they arise. We must never sacrifice ethical and compliant behavior in the pursuit of meeting business goals and objectives.

OUR FUNDAMENTAL COMMITMENTS

We affirm the following commitments:

To our patients

To our Guthrie caregivers

To our third-party payers

To our regulators

To our Guthrie partners

To the communities we serve

To our suppliers

To our volunteers

SERVICE EXCELLENCE STANDARDS OF PERFORMANCE

We believe patient and customer satisfaction is one of our highest priorities. Furthermore, we believe that our patients' health and recovery is aided by our compassionate care and is affected by our interpersonal relationships and the image our health care system projects. The Service Excellence Standards of Performance and the Code of Conduct serve to outline the behavioral expectations at The Guthrie Clinic. By placing a high degree of importance on creating an atmosphere of friendliness, courtesy, respect, and concern for each patient, visitor, guest, provider, and employee, everyone will have a favorable experience at Guthrie.

At Guthrie, all caregivers embrace the following principles:

- Demonstrate commitment to our mission, vision, and values
- Foster open communication
- Serve as role models for change
- Encourage excellence in every situation
- Inspire and empower others to act on behalf of the patient/customer
- Expect the best from others
- Hold ourselves and others accountable to our Service Excellence Standards of Performance and the Code of Conduct
- Strive to maximize patient, caregiver, and provider satisfaction

RESPONSIBILITIES:

It is the responsibility of everyone connected to Guthrie, including board members, directors, officers, providers, and caregivers to:

- Ensure that our attitudes and actions are consistent with the standards as described within this policy and as outlined in the Standards of Performance booklet and The Guthrie Clinic Code of Conduct.
- Recognize and communicate instances of excellence to peers and the appropriate management chain.
- Provide immediate and accurate reporting of instances of non-compliance with these standards to the appropriate management chain, Human Resources, the Compliance Office, or a call to the Compliance Hotline.

Guthrie encourages a collaborative team approach with positive feedback and recognition to ensure service excellence and compliance. Incidents of non-compliance should be reported to the appropriate management chain, Human Resources, or the Compliance Office.

Non-Retaliation and Reporting of Compliance Concerns

Guthrie maintains a non-retaliation policy for reporting issues. This policy establishes that caregivers, agents, and board members must follow procedures outlined for reporting instances of non-compliance and outlines the procedures and mechanisms for reporting compliance concerns.

Compliance Hotline Reporting and Operations

This policy establishes protocols for how the Compliance Office receives, documents, handles, and records hotline and hotlink reports.

RELATIONSHIPS WITH OUR HEALTH CARE PARTNERS

Patients

Patient Care

Our mission is to improve the health and well-being of the people we serve. We treat all patients with warmth, respect and dignity and provide care that is both necessary and appropriate. We do not discriminate in the care or services that we provide. Specifically, we do not discriminate based upon education, age, sex, gender, disability, race, color, religion, income or who will pay their bill, gender identity or expression, affectional or sexual orientation, national origin or ancestry, marital status, civil union status, domestic partnership status, veteran status, culture, language, or any other basis prohibited by law. Emergent clinical care is based on identified patient health care needs, not on patient's ability to pay, or organizational needs.

Patients are treated in a manner that preserves their dignity, autonomy, self-esteem, civil rights, and involvement in their own care. Compassion and care are part of our commitment to the communities we serve. We strive to provide health education, health promotion, and illness-prevention programs as part of our efforts to improve the quality of life of our patients and our communities.

Patient Information

Guthrie collects information about the patient's medical condition, history, medication, and family illnesses as well as demographic and billing information to provide quality care. Guthrie realizes the sensitive nature of this information and is committed to maintaining its confidentiality. Guthrie caregivers should not release or discuss patient-specific information (both clinical and billing) with others unless it is authorized.

No Guthrie caregiver or other health care partner has a right to access or share any patient information other than that which is necessary to perform their job.

Subject only to emergency exceptions, patients can expect that their privacy will be protected, and Protected Health Information (PHI) will be released only as outlined under ***Health Insurance Portability and Accountability Act (HIPAA) Privacy Rule*** or state regulations.

If any questions arise regarding an obligation to maintain the confidentiality of PHI or the appropriateness of releasing such information, caregivers should seek guidance from their management chain or the Compliance Office.

Business Ethics

Any business arrangement with a hospital or any health care provider must be structured to ensure compliance with legal requirements. Such arrangements must be in writing and must be reviewed by departmental administration and the legal department and in accordance with the Contract Policy.

The Ethics in Patient Referrals Act (EPRA, “Stark laws”) establishes guidelines on provider referrals. To ethically and legally meet all standards regarding referrals, we will adhere strictly to two primary rules:

First, we do not pay for referrals or business. We accept patient referrals based solely on the patient’s clinical needs and our ability to render the services. Violation of this policy may have serious consequences for the organization and the individuals involved, possibly including civil and criminal penalties, as well as possible exclusion from participation in federally funded health care programs.

Second, we do not accept payments for referrals we make to other providers, nor do we accept payment from vendors for referral of their products. No Guthrie caregivers or any other person acting on behalf of the organization is permitted to solicit or receive anything of value, directly or indirectly, in exchange for the referral of patients or business. Similarly, when making patient referrals to another health care provider, we do not consider the volume or value of referrals that the provider has made or may make to us.

Additionally, it is important to not give the impression that you are speaking on behalf of or representing The Guthrie Clinic in activities without administrative authorization or outside your scope of authority. When in doubt, it is always best to check with your supervisor or leadership partner to assure the organization is represented correctly to the community.

Third-Party Payers

Coding and Billing for Services

Caregivers must take great care to assure all billings to government payers, commercial insurance payers, and patients are true, accurate, and conform to all applicable federal and state laws and regulations. We prohibit any caregiver or agent of Guthrie from knowingly presenting or causing to be presented claims for payment or approval which are false, fictitious, or fraudulent. As part of our documentation efforts, caregivers will maintain current and accurate medical records.

LEGAL AND REGULATORY COMPLIANCE

Guthrie provides various health care services in Pennsylvania and New York. These services may be provided only pursuant to appropriate federal, state, and local laws, regulations, and conditions of participation. Such laws, regulations, and conditions of participation may include subjects such as certificates of need, licenses, permits, accreditation, access to treatment, consent to treatment, medical record-keeping, access to medical records and confidentiality, patients' rights, terminal care decision-making, medical staff membership and clinical privileges, corporate practice of medicine restrictions, and Medicare and Medicaid program requirements.

Caregivers must comply with all applicable laws and regulations. These laws prohibit:

- (1) The submission of false, fraudulent, or misleading claims that characterize the service differently from the service provided or claims that do not otherwise comply with applicable program or contractual requirements.
- (2) Direct, indirect, or disguised payments in exchange for the referral of patients.
- (3) Referrals to entities under certain circumstances.
- (4) Making false representations to any person or entity to gain or retain participation in a program or to obtain payment for any service.

All caregivers and contract service providers must be knowledgeable about and ensure compliance with all laws, regulations, and conditions of participation, and should immediately report violations or suspected violations to a supervisor, the Compliance Line/Compliance Link, or the Compliance Office.

The Guthrie Clinic will be forthright in dealing with any billing inquiries. Requests for information will be answered with complete, factual, and accurate information. During audits you must never conceal, destroy, or alter any documents, lie, or make misleading statements to the auditor. You should not attempt to cause another caregiver to fail to provide accurate information or obstruct, mislead, or delay the communication of information or records relating to a possible violation of law.

Caregivers are required to obtain information and education they need to comply fully with all applicable laws, regulations, and conditions of participation.

Deficit Reduction Act

The Deficit Reduction Act (DRA) of 2005 was signed into law to reduce the national deficit through detection and prevention of fraud, waste, and abuse in the state Medicaid programs.

Due to the DRA, NY and PA have established their own Offices of Inspector General. The purpose of these offices is to detect waste, fraud, and abuse in the Medicaid systems. The Guthrie Clinic's Internal Audit and Compliance Department is your internal resource to report misconduct concerns. Guthrie's compliance office will conduct a complete investigation and, where required, communicate the findings and any corrective action plans to the appropriate oversight entity.

False Claims Act

The Federal False Claims Act (FCA) is a broad piece of legislation centered on protecting the government's assets (Medicare and Medicaid payments are an example). The False Claims Act was enacted in 1863.

The Compliance Office at The Guthrie Clinic requests that if you have knowledge of non-compliant or non-ethical behavior, please contact the Compliance Office prior to pursuing any type of whistleblower action on your own. The Federal False Claims act penalties can be from \$12,537 to \$13,508 per claim. (Updated 1/2023). The maximum penalty has increased from \$25,076 to \$27,018 per claim. Recoverable damages can be between 2 to 3 times the amount of the falsely received claim.

Requirements Under the States Government FCA Legislation

The New York State FCA legislation includes the following provisions:

- Monetary payback amounts to the government agency for false or fraudulent claims
- Provision for rewarding and facilitating qui tam or whistleblower actions for false or fraudulent claims (the person that is filing the FCA action will be entitled to a portion of the settlement)
- Requirement for filing a claim under seal for sixty days (giving the State Attorney General sixty days to decide if the state government is going to intervene)
- The state or a local government's damages shall be trebled or doubled pursuant to section 189 of the New York False Claims Act before any subtractions are made for compensatory payments received by the government from any source, including but not limited to the defendant, or before any subtractions are otherwise made because of any offset or credit received by the government from any source, including but not limited to the defendant.
- Penalties for the New York False Claims Act are between \$6,000 to \$12,000 per claim (as of 10/23). The penalty can also include payment of costs, including attorneys' fees, of a civil action brought to recover any such penalty or damages.

The Pennsylvania FCA legislation includes the following provisions:

- Monetary payback amounts to the government agency for false or fraudulent claims
- Provision for rewarding and facilitating qui tam or whistleblower actions for false or fraudulent claims (the person that is filing the FCA action will be entitled to a portion of the settlement)
- The complaint shall be filed in court and shall remain under seal for at least 60 days and shall not be served on the defendant until the court orders the service.

- A person who commits acts prohibited in subsection (b) shall be liable to the Commonwealth for three times the amount of damages which the Commonwealth sustains because of the act of that person.
- Penalties for the Pennsylvania False Claims Act are between \$5,000 to \$10,000 for each violation (as of 12/23).

Guthrie Policies on Preventing Waste, Fraud, and Abuse

The Guthrie Clinic has policies describing our efforts towards preventing waste, fraud, and abuse. A summary of the policies is described below, but the full text can be located on the Intranet web page under the banner heading *Policies*.

Compliance Hotline Reporting and Operations

This policy establishes protocols for how the Compliance Office receives, documents, handles, and records hotline calls.

Non-Retaliation and Reporting of Compliance Concerns

This policy establishes that employees, agents, and Board members must follow procedures outlined for reporting instances of non-compliance and outlines the procedures and mechanisms for reporting compliance concerns.

Whistleblower Protection

Whistleblowers are afforded special protection under the False Claims Act. Whistleblowers are protected from retaliation by an employer or peer if they have reported to the Compliance Office a potential non-compliant issue or non-ethical behavior.

BUSINESS INFORMATION AND INFORMATION SYSTEMS

Accuracy, Retention, and Disposal of Documents and Records

Each Guthrie caregiver is responsible for the integrity and accuracy of our organization's documents and records, not only to comply with regulatory and legal requirements but also to ensure records are available to support our business practices and actions. No one may inappropriately alter or falsify information on any record or document.

Medical and business documents and records are retained in accordance with applicable federal and state laws, as well as our record retention policy. Medical and business documents include paper documents such as letters and memos; computer stored information such as e-mail, computer files on-line like EPIC; and any other medium that contains information about the organization or its business activities. It is important to retain and destroy records only according to policy. You must not tamper with records or destroy them prior to the specified date. Records may be taken out of the facility only as directed by management, subpoena, court order, or state statute.

Information Privacy and Security


Confidential information about our organization's strategies and operations is a valuable asset. Although you may use confidential information to perform your job, it must not be shared with others unless the individuals have a need to know this information based on their job and have agreed to maintain the confidentiality of the information. Confidential information includes personnel data maintained by the organization; patient lists and clinical information; patient financial information; passwords; pricing and cost data; information pertaining to acquisitions, affiliations, and mergers; financial data; details regarding federal, state, and local tax examinations of the organization; research data; strategic plans; marketing strategies and techniques; supplier and subcontractor information; and proprietary computer software.

Information, ideas, and intellectual property of the organization are important to organizational success. Information pertaining to The Guthrie Clinic's competitive position or business strategies, payment, and reimbursement information relating to negotiations with caregivers, or third parties should be protected and shared only with caregivers having a need to know such information to perform their job responsibilities. Caregivers should exercise caution to ensure that intellectual property rights, including patents, trademarks, copyrights and licenses are carefully maintained and managed to preserve and protect their value.

Our clinical and business processes rely on timely access to accurate information from our computer systems. Your passwords act as individual keys to our network and to critical patient care and business applications. **Passwords must be kept confidential.** It is part of your job to learn about and practice the many ways you can help protect the confidentiality, integrity, and availability of electronic information.

If your relationship with Guthrie ends for any reason, you are still bound to maintain the confidentiality of information viewed during your employment and the methods used to access this information or computer systems.

Electronic Media

All communications systems, including electronic mail, Intranet, Internet access, and voice mail, are the property of the organization and are to be primarily used for business purposes. Patient or confidential information **should not** be sent through the Internet until such a time that its confidentiality can be assured. Texting patient information is only allowed on a Guthrie HIPAA-compliant system such as the  FigerConnect platform or EPIC Secure chat.

Guthrie reserves the right to periodically access, monitor, and disclose the contents of intranet, internet access, e-mail, voice mail messages, and other electronic communication programs.

Caregivers may not use internal communication channels or access the internet at work to post, store, transmit, download, or distribute any threatening materials; recklessly or maliciously false materials; or obscene materials, including anything constituting or encouraging a criminal offense, giving rise to civil liability, or otherwise violating any laws. Additionally, these channels of communication may not be used to send chain letters, personal broadcast messages, or copyrighted documents that are not authorized for reproduction, nor are they to be used to conduct an external job search or open mis-addressed mail.

All Guthrie's policies apply to information shared on social media sites. Inappropriate releases of protected information on such sites are strictly prohibited and subject to discipline up to and including termination.

Caregivers who abuse our communications systems or use them excessively for non-business purposes may lose these privileges and be subject to disciplinary action up to and including termination.

Financial Reporting and Records

We have established and maintain a high standard of accuracy and completeness in the documentation and reporting of all financial records. These records serve as a basis for managing our business and are important in meeting our obligations to patients, contractors, suppliers, and others. They are also necessary for compliance with tax and financial reporting requirements.

All financial information must reflect actual transactions and conform to generally accepted accounting principles. No undisclosed or unrecorded funds or assets may be established. Guthrie maintains a system of internal controls to provide reasonable assurances that all transactions are carried out in accordance with management's authorization and are recorded in a proper manner to maintain accountability of the organization's assets.

WORKPLACE CONDUCT AND EMPLOYMENT PRACTICES

Conflicts of Interest

A conflict of interest may occur if your outside activities or personal interests influence or appear to influence your ability to make objective decisions in the course of your job responsibilities. A conflict of interest may also exist if the demands of any outside activities interfere with your ability to perform your job or cause you to use Guthrie resources for other than Guthrie purposes. It is your obligation to ensure that you remain free from conflicts of interest in the performance of your responsibilities at Guthrie. If you have any questions about whether an outside activity might be a conflict of interest, you must notify the Compliance Department to ensure no conflict of interest exists before pursuing the activity.

Controlled Substances

Some of our caregivers routinely have access to prescription drugs, controlled substances, and other medical supplies. Many of these substances are governed and monitored by specific regulatory organizations and must be administered by physician order only. It is extremely important these items be handled properly and only by authorized individuals to minimize risks to Guthrie and to our patients. If you become aware of the diversion of drugs you must report the incident immediately to your supervisor, senior administrator, or to the Compliance Office.

Diversity and Equal Opportunity Employment

Our caregivers provide us with a varied complement of talents which contribute greatly to our success. We are committed to providing an equal opportunity work environment where everyone is treated with fairness, dignity, and respect. We will comply with all laws, regulations, and policies related to non-discrimination in all our personnel actions. Such actions include hiring, staff reductions, transfers, terminations, evaluations, recruiting, compensation, corrective action, discipline, and promotions.

No one shall discriminate against any individual with a disability with respect to any offer, or term or condition, of employment. We will make reasonable accommodation to the known physical and mental limitations of otherwise qualified individuals with disabilities.

Harassment and Workplace Violence

Each Guthrie caregiver has the right to work in an environment free of harassment and disruptive behavior. We will not tolerate harassment of our caregivers by anyone. Degrading or humiliating jokes, slurs, intimidation, or other harassing conduct is not acceptable in our workplace. Any form of sexual harassment is strictly prohibited. This prohibition includes unwelcome sexual advances or requests for sexual favors in conjunction with employment decisions.

Inappropriate verbal or physical conduct that interferes with an individual's work performance or creates an intimidating, hostile, or offensive work environment has no place at Guthrie.

Harassment also includes incidents of workplace violence. Workplace violence includes robbery and other crimes, stalking cases, violence directed at the employer, terrorism, and/or hate crimes committed by current or former members of Guthrie caregivers. As part of our commitment to a safe workplace for our caregivers, we prohibit our members from possessing firearms, other

weapons, explosive devices, or other dangerous materials on Guthrie premises. Caregivers who observe or experience any form of harassment or violence should report the incident to Security, their supervisor, the Human Resources Department, the Compliance Office, or the Compliance Line/Compliance Link.

Health and Safety

All Guthrie facilities must comply with all government regulations and rules, Guthrie policies, and required facility practices that promote the protection of workplace health and safety. In addition to complying with our policies that have been developed to protect each caregiver from potential workplace hazards. It is imperative that you become familiar with and understand how these policies apply to your specific job responsibilities and seek advice from your supervisor or appropriate Safety and Security personnel whenever you have a question or concern. It is important for you to notify your supervisor or Safety and Security personnel of any workplace injury (regardless of severity), or any situation presenting a danger of injury so that timely corrective action may be taken to resolve the issue.

License and Certification Renewals

Caregivers and individuals retained as independent contractors in positions which require professional licenses, certifications, or other credentials are responsible for maintaining the current credentials, are responsible for notifying management of changes in status, and shall comply at all times with federal and state requirements applicable to their respective disciplines. Guthrie requires evidence of the individual having a current license or credential status. Guthrie will not allow any caregivers or independent contractors to work without valid, current proof of licenses or credentials.

Personal Use of Guthrie Resources

It is the responsibility of each Guthrie caregiver to preserve our organization's assets including time, materials, supplies, equipment, and information. Organizational assets are to be maintained for business-related purposes. The personal use of any Guthrie asset without the prior approval of your supervisor is prohibited. The occasional use of items, such as copying facilities or telephones, where the cost to Guthrie is insignificant, is permissible. Any community or charitable use of organization resources must be approved in advance by your supervisor. Any use of organization resources for personal financial gain unrelated to Guthrie business is prohibited.

Travel and entertainment expenses should be consistent with the caregiver's responsibilities and the organization's needs and resources. Caregivers must comply with the organization's policies relating to travel and entertainment expenses.

Working Relationships among Guthrie Caregivers

In the normal day-to-day functions of an organization like Guthrie, there are issues that arise which relate to how people at Guthrie deal with one another. For example, gift-giving among caregivers may take place for certain occasions. No one should ever feel compelled to give a gift to anyone and any gifts offered or received should be appropriate to the circumstances. A lavish gift to anyone in a supervisory role would clearly violate organizational policy. Another situation which routinely arises is fundraising or a similar effort, in which no one should ever be made to feel compelled to participate.

Relationships with Subcontractors, Suppliers, and Educational Institutions

The Purchasing department must manage our subcontractor and supplier relationships in a fair and reasonable manner, consistent with all applicable laws and good business practices. Guthrie promotes competitive purchasing. Our selection of subcontractors, suppliers, and vendors will be made based on objective criteria including quality, technical excellence, price, delivery, and adherence to schedules, service, and maintenance of adequate sources of supply. Our purchasing decisions will be made on the supplier's ability to meet our needs, and not on personal relationships and friendships. We will always employ the highest ethical standards in business practices in source selection, negotiation, determination of contract awards, and the administration of all purchasing activities.

Research

Guthrie maintains high ethical standards in any research conducted by our physicians and professional caregivers. We do not tolerate intentional research misconduct. Research misconduct includes making up or changing results or copying results from other studies without performing the research.

All patients asked to participate in a research project are given a full explanation of alternative services that might prove beneficial to them. They are also fully informed (by virtue of signing a consent form) of potential discomforts and are given a full explanation of the risks, expected benefits, and alternatives. The patients are fully informed of the procedures to be followed, especially those that are experimental in nature. Refusal of a patient to participate in a research study will not compromise his or her access to services.

All personnel applying for or performing research of any type are responsible for maintaining the highest ethical standards in any written or oral communications regarding their research projects as well as following appropriate research guidelines. As in all accounting and financial record keeping, our policy is to submit only true, accurate, and complete costs related to research grants.

Excluded OIG/GSA Employees, Providers and Vendors

The organization has policies and procedures in place to ensure we do not contract with, employ, or bill for services rendered by an individual or entity that is excluded, suspended, debarred, has opted out of programs or otherwise ineligible to participate in federal health care programs, or which has been listed in the Office of Inspector General/General Services Administration (OIG/GSA), the Pennsylvania Department of Public Welfare (DPW), and the Office of Medicaid Inspector General (OMIG) web sites. We routinely search these lists of such excluded and ineligible persons. Any employee who has knowledge that they have been excluded by the any of these agencies is required to notify the Compliance Department immediately. Failure to notify Internal Audit and Compliance of a State or Federal agency exclusion as listed above constitutes a significant offense and may result in a termination. Our OIG/GSA Exclusion Checks for Employees, Providers and Vendors/Contractors policy governs our activities surrounding this process

Substance Abuse

To protect the interests of our caregivers and patients, we are committed to an alcohol and drug-free work environment. All caregivers must report for work free from the influence of alcohol

and illegal drugs. Reporting to work under the influence of any illegal drug or alcohol; having an illegal drug in your system; or using, possessing, or selling illegal drugs while on Guthrie work time or property may result in immediate termination. Guthrie may use alcohol/drug testing as a means of enforcing this policy.

It is also recognized that individuals may be taking prescription or over-the-counter drugs that could impair judgement or other skills required in job performance. If you have questions about the effect of such medication on your performance, or you observe an individual who appears to be impaired in the performance of his or her job, consult your supervisor.

MARKETING PRACTICES

Anti-Trust

Anti-Trust laws are designed to create a level playing field in the marketplace and to promote fair competition. These laws could be violated by discussing Guthrie business with a competitor, such as how our prices are set, disclosing the terms of supplier relationships, or agreeing with a competitor to boycott a supplier. Guthrie competitors are other health care providers and facilities in markets where we do business.

Examples of conduct prohibited by the laws include (1) agreements to fix prices, bid rigging, price sharing with competitors; (2) boycotts; and (3) unfair trade practices including such things as bribery, misappropriation of trade secrets, deception, intimidation, and similar unfair practices. Caregivers are encouraged to seek advice from the Compliance Office when confronted with business decisions involving a risk of violation of the anti-trust laws. Be alert to potential situations where it may not be appropriate for you to participate in discussions regarding prohibited subjects with our competitors. Prohibited subjects can include pricing, our services in the market, key costs such as labor costs, and marketing plans. If a competitor raises a prohibited subject, end the conversation immediately and report it to an administrator.

Gathering Information about Competitors

It is not unusual to obtain public information about other organizations, including our competitors, through legal and ethical means such as public documents, public presentations, journal and magazine articles, and other published and spoken information. However, you should avoid seeking or receiving information about a competitor through other non-public means if you know or have reason to believe the information is proprietary or confidential. For example, you should not seek proprietary or confidential information when doing so would require anyone to violate a contractual agreement, such as a confidentiality agreement with a prior employer.

Marketing and Advertising

We may use marketing and advertising activities to educate the public, provide information to the community, increase awareness of our services, and to recruit caregivers. We will present only truthful, fully informative, and non-deceptive information in these materials and announcements.

ENVIRONMENTAL COMPLIANCE

It is our policy to comply with all environmental laws and regulations as they relate to our organization's operations. We will act to preserve our natural resources to the full extent reasonably possible. We will comply with all environmental laws and operate each of our facilities with the necessary permits, approvals, and controls. We will diligently employ the proper procedures with respect to handling and disposal of hazardous and biohazardous waste, including but not limited to medical waste.

In helping Guthrie comply with these laws and regulations, we must understand how job duties may impact the environment, adhere to all requirements for the proper handling of

hazardous materials, and immediately alert our supervisors to any situation regarding the discharge of a hazardous substance, improper disposal of medical waste, or any situation which may be potentially damaging to the environment.

BUSINESS COURTESIES

General

This part of the Code of Conduct should not be considered in any way as an encouragement to make, solicit, or receive any type of entertainment or gift. For clarity purposes, please note that these limitations govern activities with those outside Guthrie. This section does not pertain to actions between Guthrie and its caregivers or actions among Guthrie caregivers themselves. (See "Working Relationships among Guthrie Caregivers" on page 12.)

Receiving/Giving Business Courtesies

In accordance with Guthrie's desire to always preserve and protect its reputation and to avoid the appearance of impropriety:

- 1) Caregivers are prohibited from soliciting tips, personal gratuities, or gifts from patients and from accepting monetary tips or gratuities. Caregivers may accept non-cash gifts, such as flowers, candy, baked goods, or decorative crafts that are of a nominal value from patients if it could be shared with all caregivers.
- 2) Caregivers shall not accept gifts, favors, services, entertainment, or other things of value to the extent that decision-making or actions affecting the organization might be influenced. The analysis should be based on the view of a disinterested third party and whether such third party would believe the thing of value would induce the referral of business. Similarly, the offer or giving of money, services, or other things of value with the expectation of influencing the judgement or decision-making process of any purchaser, supplier, customer, government official, or other person by the organization is absolutely prohibited. Any such conduct must be reported immediately to the Compliance Office.
- 3) Caregivers may retain gifts from vendors that have a nominal value. If a caregiver has any concern whether a gift should be accepted, the caregiver should consult with the Compliance Office. Caregivers shall not accept excessive gifts, meals, expensive entertainment, or other offers of goods or services which have more than a nominal value nor may they solicit gifts from vendors, suppliers, contractors, or other persons.
- 4) At vendor's invitation, a caregiver member may accept meals or refreshments at the vendor's expense if business is conducted. Overnight entertainment, all-expense-paid vacations, and regular entertainment at vendor expense may not be accepted.

GOVERNMENT RELATIONS AND POLITICAL ACTIVITIES

Guthrie and its representatives will comply with all federal, state, and local laws governing participation in government relations and political activities. Additionally, Guthrie funds or resources will not be contributed directly to individual political campaigns, political parties, or other organizations which intend to use the funds primarily for political campaign objectives. Guthrie resources include financial and non-financial donations such as using work time and work telephones to solicit for a political cause or candidate or the loaning of Guthrie property for use in a political campaign. The conduct of any political action committee is to be consistent with relevant laws and regulations.

Guthrie will engage in public policy debate only through such agencies as state medical and professional societies. These organizations have special expertise that can inform the public policy formulation process. When the organization is directly impacted by public policy decisions, it may provide relevant information about the impact of such decisions on the private sector. Guthrie will only take positions that it believes can be shown to be of the larger public interest. Guthrie will encourage trade associations with which it is associated to do the same.

It is important to separate personal and corporate political activities to comply with the appropriate rules and regulations relating to lobbying or attempting to influence government officials. Use of corporate resources, including e-mail, is not permissible for personally engaging in political activity. You may, of course, participate in the political process on your own time and at your own expense. While you are doing so, it is important not to give the impression that you are speaking on behalf of or representing Guthrie in these activities. You cannot seek to be reimbursed by Guthrie for any personal contributions for such purposes.

At times, Guthrie may ask caregivers to make personal contact with government officials or to write letters to present our position on specific issues. In addition, it is a part of the role of some Guthrie management to interface on a regular basis with government officials. If you are making these communications on behalf of the organization, be certain that you are familiar with any regulatory constraints and observe them. Guidance is available from Administration as necessary.

THE COMPLIANCE PROGRAM

Program Structure

The Compliance Program's intention is to demonstrate in the clearest possible terms the commitment of Guthrie to the highest standards of ethics and compliance. The elements of the program include setting standards (the Code of Conduct, Employee Compliance Handbook and Policies and Procedures); communicating the standards; and providing a mechanism for reporting potential concerns; monitoring and auditing; and maintaining an organizational structure that supports the program.

The Enterprise-Wide Compliance Committee, the TGC Acute/Post-Acute Executive Compliance Committee and the Compliance Office support these elements. Collectively, these groups and individuals are responsible for the development of the Compliance Program, including the creation and distribution of compliance standards; the development and delivery of compliance training; auditing and monitoring compliance with laws, regulations, conditions of participation and policies; and providing a mechanism for reporting concerns.

All these individuals or groups are prepared to support you in meeting the standards set forth in this Code. Membership lists for each of these Committees can be found on the Internal Audit and Compliance department page on the Guthrie Intranet and the Employee Compliance Handbook.

Resources for Guidance and Reporting Violations

To obtain guidance on a compliance concern or to report a suspected violation, you may choose from several options. Raise concerns first with your supervisor. If doing so is uncomfortable or inappropriate, another option is to discuss the situation with another member of management in your facility, department, or the Compliance Office. Alternately, you may always contact the Compliance Line at 1-888-841-4644 or ComplianceLink at www.Guthrie.Ethicspoint.com.

Guthrie will make every effort to maintain, within the limits of the law, the confidentiality of the identity of any individual who reports possible misconduct. There will be no retaliation or discipline for anyone who reports a possible violation in good faith. Any caregiver who deliberately makes a false accusation with the purpose of harming or retaliating against another caregiver may be subject to disciplinary action.

Personal Obligation to Report

We are committed to ethical and legal conduct that is compliant with all relevant laws and regulations and to correcting wrongdoing wherever it may occur in the organization. Each caregiver has an individual responsibility for reporting any activity by any other caregiver, contractor, or vendor that appears to violate applicable laws, rules, regulations, or this Code. Failure to do so may lead to disciplinary action, up to and including termination.

Internal Investigations of Reports

We are committed to investigating all reported concerns promptly and confidentially to the extent possible. The Compliance Office will coordinate any findings from the investigations and immediately recommend corrective action or changes that need to be made. We expect all caregivers to cooperate with investigation efforts.

Corrective Action

Where an internal investigation substantiates a reported violation, it is Guthrie's policy to initiate corrective action, including, as appropriate, promptly refunding of any overpayment amounts, instituting whatever disciplinary action is necessary, and implementing changes to prevent a similar violation from occurring in the future at any Guthrie facility.

Discipline

All violators of the Code will be subject to disciplinary action. The precise discipline utilized will depend on the nature, severity, and frequency of the violation and may result in any or all the following disciplinary actions:

- Verbal counseling
- Written counseling
- Suspension
- Termination

Internal Auditing and Other Monitoring

Guthrie is committed to monitoring compliance with its policies. Additionally, the organization regularly conducts self-audits related to compliance policies and procedures, and routinely undertakes monitoring efforts in support of those policies and compliance in general.

Acknowledgment Process

Guthrie requires all new hires to receive training on the mandatory policies. Evidence of training completion is kept in Oracle modules.

If you have any questions regarding the content contained in this Code of Conduct document, contact the Internal Audit and Compliance Department for assistance.

If you have a question or if you would like to report a concern, the following options are available:

- Call the Compliance Hotline at 1-888-841-4644
- Complete web form via the ComplianceLink at:

www.Guthrie.Ethicspoint.com