Do the Right Thing

TMC Healthcare

Code of Conduct
Dear TMC HealthCare Staff:

Our commitment to providing compassionate, quality health care has earned us the respect and trust of our patients and the community we serve. Staff at TMC HealthCare takes pride in maintaining this trust by acting with integrity, fairness and honesty in everything we do.

Guided by our values and our mission, this Code of Conduct sets forth the ethical principles that guide our delivery of patient care and services, as well as the way we conduct business and behave in the workplace. Each and every employee within TMC HealthCare plays an important role in maintaining these values and in ensuring the quality of the care we provide to our patients.

We feel so strongly about our ethical responsibilities that the TMC HealthCare Board of Trustees has adopted a formal Compliance Program and appointed a compliance officer to oversee it. The Code of Conduct and the Compliance Program help us in making the right choices when confronted with difficult decisions.

Please read the Code of Conduct carefully, paying particular attention to those areas that apply to your area of responsibility, and use the Code of Conduct to guide your daily activities.

If any part of the Code of Conduct is unclear to you, or if you have questions or concerns about a situation you are facing, there are a number of ways to seek assistance. First, we hope you will feel comfortable discussing your question or concern with your supervisor. If for any reason you do not wish to do so, or your supervisor is not able to address your question or concern, you may contact the compliance officer or the Compliance Hotline. On behalf of the Board of Trustees and the entire management team, I pledge my commitment that there will be no retaliation for good faith communication of these issues.

Thank you for your hard work and dedication.

Sincerely,

Louise Francesconi
Chair, TMC HealthCare Board of Trustees
Dear Co-workers:

Quality, honesty and integrity in everything we do are important values to all of us who are associated with TMC HealthCare and Tucson Medical Center. We are committed to providing the best quality health care in full compliance with our vision, our mission and our corporate values. We live in a world of constantly changing regulations and requirements. We are committed to adhere to these laws, government regulations, third-party-payer agreements and our own policies. We have implemented a Corporate Compliance program to help all of us in this process.

A key element of the Compliance Program is our Code of Conduct. Our Code of Conduct is rooted in our mission and values, and reaffirms the values and professional standards that already exist among all who are associated with TMC HealthCare.

Our Code of Conduct was designed to serve several purposes:

- To communicate our values and expected standards of behavior
- To communicate the commitment of TMC HealthCare to compliance with laws, regulations, standards of care, ethical business practices and basic standards expected in the workplace
- To ensure all employees understand their responsibility for keeping TMC HealthCare in full compliance these laws and regulations, our Code of Conduct and our Compliance Program.

Our Code of Conduct and Compliance Program have the full endorsement of the board of trustees. Familiarize yourself with this document. It provides an overview and the general areas that the Compliance Program participates. While this document does not cover every situation, it does provide a resource to direct you when you have questions. The management team stands ready to answer your questions about this document and the compliance program in general.

You should speak with your supervisor any time you have a question regarding a possible violation of our Code of Conduct. Should you not receive a satisfactory response in a reasonable amount of time, continue raising your concern to your manager, director, or senior leader. In addition, we have appointed a Compliance Officer and established a toll-free compliance hotline as further resources to help resolve such issues. The compliance officer may be reached at (520) 324-1962 or reports may be made to the toll-free Compliance Hotline, (877) 635-4645. Calls may be anonymous if you wish. I can assure you that management will not tolerate retaliation for reporting issues to management, the compliance officer or the Compliance Hotline.

The board of trustees and the management team of TMC HealthCare join me in pledging our full commitment to upholding our Code of Conduct and our Compliance Program as we fulfill our mission of health care excellence.

Sincerely,

Judith Rich
TMC HealthCare President and Chief Executive Officer
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TMC HealthCare Vision

We aspire to serve our community by being the best health care system as measured by the quality of care we deliver, the experiences we create and the value we bring.

TMC HealthCare Mission

Our mission is to provide exceptional health care with compassion.

TMC HealthCare Values

- Integrity
- Community
- Dedication
- Compassion
Introduction and Purpose

TMC HealthCare is committed to full compliance with all statutes, regulations and guidelines applicable to federal health care programs, including a commitment to prepare and submit accurate billings consistent with federal health care program regulations. TMC HealthCare treats all patients equally, regardless of sex, race, religion, national origin or ability to pay.

We at TMC HealthCare recognize that our employees are the key to providing high-quality health care experiences for both clinical and non-clinical business activities. We also recognize that we must act in accordance with our Code of Conduct, policies, procedures, laws and regulations. We are aware that failure to do so can result in serious consequences for individual employees, medical staff members, contractors and agents as well as business associates.

All employees are required to report suspected misconduct to their supervisor and, if necessary, to their manager, director or compliance officer. Failure to do so could result in disciplinary action including termination. Questions and concerns regarding the Code of Conduct should first be raised with one’s supervisor, then through the chain of authority up to and including the TMC HealthCare Corporate Compliance Officer.

While the Code of Conduct is designed to provide overall guidance, it does not address every situation. When the best course of action is unclear or if an employee observes a violation of these standards, employees and staff are urged to seek the guidance of or to report the violation to their supervisors or the compliance officer, or to call the Compliance Hotline. The Code of Conduct and the Compliance Program apply to all TMC HealthCare employees as well as members of the board of trustees, volunteers, students and other individuals authorized to act as representatives of TMC HealthCare.

Questions and concerns can also be reported confidentially and anonymously to the toll-free Compliance Hotline, (877) 635-4645. All calls are confidential and may, at the caller’s request, be anonymous.

Each member of TMC HealthCare management has a responsibility to create a work environment in which ethical concerns can be raised and discussed openly. Supervisors should welcome employees’ questions and concerns and, as appropriate, seek assistance in addressing them. If a supervisor does not know how to answer a question or concern, the compliance officer can be called upon to help.

This Code of Conduct is a living document that may be updated or otherwise change periodically. If a TMC HealthCare employee has suggestions for improvements in the document, please call the Compliance Office, (520) 324-1962.

In addition to this Code of Conduct, please be aware that units and departments have other policies and procedures that may be changed from time to time. Employees are responsible for staying current on all policies and procedures applicable to them.
Quality of Care

Patients have a fundamental right to compassionate care provided with courtesy, dignity and respect.

- We will provide equal access to respectful treatment and compassionate care to all patients regardless of race, color, religion, sex, age, sexual orientation, physical or mental disability, source of payment or other classifications protected by law.
- We will provide patients with care that is appropriate, safe and in compliance with applicable professional standards.
- We will maintain complete and thorough records of patient information to fulfill the requirements set forth in our policies, standards, and applicable laws and regulations.
- All individuals employed to meet the needs of our patients will have the proper credentials, experience and expertise necessary to perform their duties.
- We are responsible at every level of the organization for maintaining the integrity and quality of our job performance.
- We will support and promote a continuous quality and performance improvement program throughout TMC HealthCare.

Emergency Treatment

- We provide any patient who presents to TMC HealthCare with an emergency medical condition with a screening examination and emergency treatment, regardless of the patient’s ability to pay or the source of the patient’s payment.
- We will transfer a patient only after the patient has been medically stabilized and an appropriate transfer has been arranged.

Patient Rights

- It is the patient’s right and the health care professional’s responsibility to work with a patient to understand and anticipate the patient’s needs.
- Patients are to be involved in decisions regarding their health care. Their rights in making those decisions are to be protected.
- Competent adults have the right to accept or refuse available treatment and alternatives and consequences in refusing such treatment.
- Physicians are encouraged to discuss available options openly and honestly with their patients, so that any potential medical ethical dilemmas can either be avoided or identified and resolved.
- We honor the right of patients to receive information regarding our policies, procedures, charges and the health professionals who care for them.
- All patients asked to participate in a research project will be advised of the risks and benefits of such research.
Billing and Coding

• TMC HealthCare is committed to full compliance with all rules and regulations of government health care programs, including Medicare and Medicaid (AHCCCS in Arizona) and with the rules and requirements of all commercial insurance programs.

• TMC HealthCare will bill for eligible services that are rendered, appropriately documented, and consistent with medical necessity guidelines that are provided.

• To ensure accurate coding and billing, we train staff, clinicians, coders and billers on their pertinent responsibilities for proper coding, charge capture and billing.

• We also regularly update our Charge Description Master (CDM or chargemaster), which is a comprehensive listing of items that could be billed to a patient, payer or health care provider, and have developed systems to prevent false and inaccurate claims.

Employees involved in billing and coding are expected to be knowledgeable in all aspects of current laws and regulations affecting their duties. They must take all reasonable steps to ensure their work is accurate, timely, supported by the medical record and compliant with applicable laws and regulations.

Billing Questions or Conflicts

If you have direct knowledge of any billing errors or improprieties, or if you suspect that an individual’s conduct with regard to billing practices is in direct violation with established TMC HealthCare policies, report this suspicion to your immediate supervisor or to the compliance officer. The matter will be investigated promptly and any problems corrected if errors in claims or billings are found.

As part of our commitment to full compliance we do not:

• Bill for items and services that were not rendered or medically necessary;
• Misrepresent the type or level of service rendered;
• Bill for non-covered services;
• Inappropriately unbundle services;
• Bill for services rendered by other providers; or
• Misrepresent a diagnosis in order to obtain payment.

Employment Practices

• TMC HealthCare is an equal opportunity employer and does not discriminate against employees or potential employees on the basis of race, color, creed, religion, sex, national origin, sexual orientation, veteran status, marital status, age or disability.

• TMC HealthCare will not tolerate discrimination, verbal or physical harassment, or abuse (whether or not sexually-related) by employees, supervisors, vendors, subcontractors or visitors.
• TMC HealthCare is committed to actions and policies to assure fair employment, including equal treatment in hiring, promotion, training, compensation, termination and disciplinary action.
• We recognize that our greatest strength lies in our people who create our success and determine our reputation as an institution of outstanding patient care.
• We encourage and support employees in developing their individual skills, talents and understanding of their jobs.
• We support an alcohol- and drug-free workplace and abide by TMC HealthCare policies prohibiting illegal possession, distribution, use or being under influence of illegal drugs, alcohol or other substances.
• All employees are to familiarize themselves and comply with the contents of the Code of Conduct, as well as with the policies and procedures applicable to their employment and responsibilities at TMC HealthCare.

Pre-Employment Information

Individuals applying for employment at TMC HealthCare are required to provide accurate and truthful information to the Human Resource Department concerning their employment eligibility.

In evaluating candidates we take all reasonable steps necessary to hire and retain employees who have appropriate and current training, experience and competency. We also screen applicants to avoid hiring an individual who is currently excluded, suspended, debarred or otherwise ineligible to participate in federal or state health care programs.

Non-Retaliation

We do not allow any act of retaliation against employees who in good faith report a valid concern and/or a violation of a law, regulation, policy or the Code of Conduct. In the event of a violation, Human Resources will follow established disciplinary procedures.

Gifts

Gifts represent an area of potential conflict and at times may appear to influence the work relationship. Personal gifts should not be accepted if the acceptance would raise questions as to whether a business decision had been inappropriately influenced.

Gifts and Gratuities – TMC HealthCare desires to preserve and protect its reputation and to avoid the appearance of impropriety. In order to further these goals:

Soliciting Gifts Is Prohibited
Gifts or items of value should not be solicited from patients, families, physicians, vendors, contractors or other outside parties.
• Unsolicited gifts of nominal value may be permissible ($10 or less per instance and no more than $50 in the aggregate annually per employee).
• Gifts of cash or cash equivalents from outside parties (i.e. vendors, patients, physicians) are never permissible.

• Patients who wish to make a cash gift to TMC may be directed to the TMC Foundation’s Grateful Patient Program.

Vendor Or Supplier Gifts
Relationships with vendors and suppliers should be maintained in such a manner as to not be problematic in intent and appearance when considered by an independent observer.

An employee, department, clinical unit or clinical practice may accept a modest perishable gift such as floral arrangement, box of cookies, candy, fruit basket or similar food items to be shared by staff members. The value of the gift must not exceed $50.

Considerations When Offering Gifts
The offer or giving of money, services or other things of value by any covered person (other than reasonable compensation for the services rendered or the goods purchased), with the expectation of inappropriately and adversely influencing the judgment or decision-making process of any purchaser, supplier, customer, government official or other person by TMC HealthCare is absolutely prohibited. Any such conduct must be reported immediately to the vice president of the business unit, the TMC HealthCare Corporate Compliance Officer or the TMC HealthCare Legal Department.

Travel
Travel expenses should be consistent with the employee’s job responsibility and the organization’s needs and resources. It is TMC HealthCare policy that an employee should not suffer a financial loss nor obtain a financial gain as a result of business travel. Employees are expected to exercise reasonable judgment in the use of the organization’s assets and to spend the assets as carefully as they would spend their own. Employees must also comply with the organization’s policies relating to travel expense.

Contracting
All business relations with contractors must be conducted at arm’s length both in fact and in appearance and in compliance with TMC HealthCare policies and procedures.

• An employee must disclose personal relationships and business activities with contractor personnel that may be construed by an impartial observer as influencing the employee’s performance or duties.

• Employees have a responsibility to obtain clarification from management on questionable issues that may arise and to comply, where applicable, with the TMC HealthCare conflict of interest policy.
Business Inducements

TMC HealthCare employees shall not seek to gain any advantage through the improper use of payments or other inappropriate inducements.

- Offering, giving, soliciting or receiving any form of bribe or other improper payment is prohibited.
- Appropriate commissions, rebates, discounts and allowances are customary and acceptable business inducements, provided that they are approved by TMC HealthCare management, and that they do not constitute illegal or unethical payments or inducements.
- Any such payments must be reasonable in value, competitively justified, properly documented, and made to the business entity with which the original agreement or invoice was made or issued.
- Such payments shall not be made to individual employees or agents of business entities nor should such payments be made for a purpose otherwise prohibited, such as inducements for referrals.

In addition, employees may provide gifts, entertainment and meals to TMC HealthCare customers, current and prospective business partners and other persons when such activities have a legitimate business purpose are reasonable and consistent with all applicable laws.

Conflicts of Interest

All covered persons owe a duty of undivided and unqualified loyalty to the organization. All covered persons are expected to regulate their activities so as to avoid actual impropriety or the appearance of impropriety that might arise from the influence of those activities on business decisions of TMC HealthCare, or from disclosure or private use of business affairs or plans of TMC HealthCare. A covered person is defined for purposes of this document as managers and above (any who have purchasing authority) and other employees as deemed appropriate; physicians whose role as chair or member influences purchasing decisions; and officers, trustees, and board committee members.

Outside Financial Interests - Covered persons shall avoid any employment, activity, investment or other interest, which might involve obligations which may compete with or be in conflict with the interests of TMC HealthCare, and shall promptly disclose the same as they may exist upon becoming subject to this Code.

Every covered person who may be engaged in any activity described above shall prepare a full written disclosure of the matter and shall deliver the written disclosure to the chief legal officer for TMC HealthCare for review before entering into the same. The chief legal officer for TMC HealthCare shall advise the person(s) if there is a reasonable belief that a conflict of interest exists.

Services for Competitors/Vendors - Covered persons shall avoid employment with any competitor or organization with which TMC HealthCare does business or seeks to do business with TMC HealthCare, if such employment will place the covered person into circumstances that may be in conflict with the interests of TMC HealthCare.
• Every covered person who may be engaged in any activity described above shall prepare a full written disclosure of the matter and shall deliver the written disclosure to the covered person’s vice president, the hospital administrator or the chief executive officer, who shall determine in his or her sole and absolute discretion whether to permit or prohibit the activity.

• In the event of any uncertainty, the applicable vice president, hospital administrator or chief executive officer shall consult with chief legal officer for TMC HealthCare.

Health And Safety

TMC HealthCare is committed to providing a healthy and safe workplace. TMC HealthCare complies with federal, state and local laws, regulations and rules that promote the protection of health and safety. Our policies have been developed to protect staff from potential hazards, and all employees are expected to abide by them. All employees should understand how these requirements apply to specific job responsibilities and seek advice from a supervisor or compliance officer whenever there is a question or concern.

• We will consider the safety and security of patients and employees in all of our activities.

• We comply with applicable laws and regulations relating to the environment, including those laws and regulations regarding the handling, storage, use and disposal of hazardous materials and infectious wastes.

• We comply with permit requirements for the safe discharge of pollutants into the air, sewage systems, water and land.

• We become familiar with and follow emergency and safety plans and procedures.

• We report any possible violation of the organization’s safety policies and procedures, laws, regulations or standards to the manager or supervisor of the worksite.

• If we are not satisfied that the issue has been addressed, we notify the individuals responsible for safety or the compliance officer.

Patient Information

• We respect the privacy of our patients and colleagues. We recognize we have access to the information of others on a “need to know” basis in accordance with our assigned responsibilities.

• We take reasonable steps to limit the use of, disclosure of, and requests for health information to the minimum necessary to accomplish the intended purpose, unless otherwise permitted by law.

• We will not discuss patient information in any public area, including hallways, elevators and dining areas.

• We do not reveal medical, clinical or business information unless such release is supported by a legitimate clinical or business purpose, patient authorization or acknowledgement of receipt of Privacy Notice, or court or agency order and is in compliance with applicable laws, rules, regulations, as well as our policies and procedures.
• We maintain security of the information stored on paper and electronically on our computer systems.
• We will maintain computer passwords and access codes in a confidential and responsible manner. We report violations to the HIPAA Security Officer.
• We report confidentiality violations to the HIPAA Privacy Officer or to those who can properly assess and resolve the issues.

Business Information

Information, ideas and intellectual property assets of TMC HealthCare are important to the organization’s success. Information on the organization’s competitive position or business strategies, payment and reimbursement information and information relating to negotiation with employees or other organizations is confidential.

• We will disclose business information only as required in the performance of our job or as expressly authorized to do so by TMC HealthCare.
• We will exercise care to ensure that confidential and proprietary information is carefully maintained and managed to protect its value.
• We will not disclose information regarding the institution’s financial performance without appropriate approval.
• We treat individual salary, benefits, payroll, personnel files and information on disciplinary matters as confidential information.

Resource Management

• We will protect our assets and the assets of others entrusted to TMC HealthCare, including physical and intellectual property, and protect information against loss, theft or misuse.
• All managers should establish appropriate internal controls over all the areas of their responsibility to ensure the safeguarding of organizational assets and the accuracy of financial records and reports.
• We follow applicable copyright, patent, trademark and marketing laws and license agreements when we use computer software and printed publications.
• We do not install, share or copy software programs, or perform any other acts that would be in violation of a vendor’s software license agreements or of organizational policies.
• We report all hours worked properly and accurately in accordance with our time and attendance policies and procedures.
• We devote our work time and our abilities to our assigned job responsibilities.
• We comply with the regulatory requirements, standards and organizational policy governing the creation, management, retention and destruction of records.

If you become aware of any improper use of TMC HealthCare resources, report the matter immediately. If you need clarification as to whether the matter violates established controls, contact the compliance officer.
Compliance With Laws And Regulations

• We are committed to operating in accordance with all applicable laws and regulations, to conduct business ethically and honestly, and to act in a manner that improves our standing in the community.

• We issue and maintain financial and cost reports, accounting records, research reports, expense accounts, time sheets and other documents that accurately and clearly reflect transactions and financial performance.

• We do not offer payment, bribes, kickbacks or other incentive to patients, physicians or others to encourage the referral of patients to our facilities or services.

• We do not accept payments for referrals that we make. Our physicians and other healthcare providers make patient referrals solely based on the patient’s clinical needs. No employee or any other person acting on behalf of TMC HealthCare is permitted to solicit or receive anything of value, directly or indirectly, in exchange for the referral of patients.

• We do not allow personal interests to influence referrals. Our policy is to inform patients of their options and to promote patient freedom of choice in selecting any services they may require.

• We do not waive insurance co-payments or otherwise provide for financial benefits to patients in return for admission.

• We handle all patient drugs and controlled substances according to applicable laws and regulations.

Antitrust

Antitrust laws are designed to preserve and foster fair and honest competition within the healthcare industry. To accomplish this goal, the language of these laws is deliberately broad, prohibiting such activities as “unfair methods of competition” and agreements “in restraint of trade”. Such language gives enforcement agencies the right to examine many different business activities to judge the effect on competition.

• The TMC HealthCare policy requires full compliance with all antitrust laws. No employee, under any circumstances, has the authority to approve a violation of the law. Anyone who willingly violates, or knowingly permits a subordinate to violate any antitrust law, is subject to disciplinary action, including dismissal.

• The greatest danger for violations of antitrust laws comes from contacts with competitors; therefore, you should not disclose any information concerning the demographic information of the patients, services provided by TMC HealthCare, future business plans of TMC HealthCare, prices, reimbursements or employee salaries.
Agreements With Physicians

Introductory note: the use of the term “physician” in this section means not only physicians, but also other non-physician referral sources (such as psychologists and social workers) and the members of a physician’s family.

Review of Agreements with Physicians — Every agreement with a physician who constitutes a referral source or a potential referral source for TMC HealthCare must be in writing and reviewed in advance by (and is subject to the approval of) an attorney in the TMC HealthCare Legal Department. No employee is allowed to offer or grant any benefit to a potential or actual referring physician on the condition that such physician agrees to refer any patients to Tucson Medical Center or other TMC HealthCare patient facility. Physicians may be required to maintain membership on the medical staff of the hospital in order to receive certain permitted benefits. Also, it is proper for the medical staff bylaws of a hospital to require that, as a condition of membership, physicians admit or provide services to a minimum number of patients at the hospital or perform a certain number of procedures or patient contacts in order that the hospital may evaluate competence and quality of care.

Cautions for Physician Agreements — TMC HealthCare employees are urged to use caution when engaging in transactions that involve physicians or other potential or actual referral sources. Services or assets purchased from physicians must reasonably be needed at the TMC HealthCare facility, and amounts paid by the organization must not exceed fair-market value. Large payments to physicians, high hourly payment rates, multiple agreements with the same physicians (including without limitation, multiple medical directorships at the same or more than one hospital) are inherently suspect. Attorneys in the TMC HealthCare Legal Department have prepared numerous memoranda and other materials that describe in greater detail transactions in which TMC HealthCare may lawfully engage with referral sources. Employees are encouraged to carefully review these materials and solicit the advice of lawyers in the TMC HealthCare Legal Department with respect to transactions with physicians or other potential or actual referral sources.

Anti-Kickback

The term “kickback” is defined as the giving of remuneration, which is interpreted under the law as anything of value. TMC HealthCare must scrupulously avoid being the offeror or the recipient of an improper inducement. Any questions concerning these statutes of any questionable business practice, which may be subject to the anti-kickback statute, should be directed to the compliance officer.

Nonprofit Tax Status

TMC HealthCare and its affiliates are nonprofit organizations and are therefore exempt from taxation by federal, state and local governments. In order to maintain this exemption, TMC HealthCare must operate for the benefit of the community it serves, and must avoid “private inurement” and “private benefit.”
• All nonexempt individuals or entities must pay fair market value for the use of TMC HealthCare services and property.
• Care must also be taken that the TMC HealthCare sales tax exemption is used only for legitimate organizational activities.

Political Activity & Lobbying

It is important to separate personal and TMC HealthCare political activities in order to comply with the appropriate rules and regulations relating to lobbying or attempting to influence government officials.

• Certain management personnel may periodically be called upon by TMC HealthCare to make contact with members of the county, state or federal legislative bodies and other officials to set forth and advocate for the organization’s positions on issues.
• These persons are expected to abide by all applicable laws and established policies at all times.
• Any person who attempts to influence any legislative, executive or other governmental action, official or employee on behalf of TMC HealthCare may be required to register as a lobbyist and file reports concerning their activities.

Doing Business With The Government

Very specific rules exist to eliminate the appearance of a conflict of interest by former government employees who upon termination of their government service seek employment with those entities who are regulated by government agencies.

• If a former government employee or consultant becomes an employee or consultant to TMC HealthCare, care should be exercised to insure no violations of federal conflict-of-interest laws.
• You may not provide or pay for meals, refreshments, travel or lodging expenses for government employees. Very strict guidelines prohibit any type of gratuity, with very few exceptions, and your strict compliance is required.

Fundraising

As a nonprofit organization, TMC HealthCare relies heavily on contributions from donors to support many of its activities. Employees are encouraged to support these fundraising efforts, but are required to coordinate all activities through the TMC Foundation.

Grants

TMC HealthCare’s commitment to integrity encompasses all grants received through either government-funded programs or private sources. TMC HealthCare has established policies and procedures to ensure that all grants received and their use is consistent with federal, state, local and organizational rules and regulations.
Social Media

In general, what TMCH employees do on their own time is their business. However, activities that affect an employee’s job performance, the job performances of other employees, TMCH’s patients, and/or TMCH’s business interests must be conducted within the parameters of the TMCH Social Media policy.

When discussing TMCH and/or its employees, patients, contractors or vendors, employees may not engage in or use improper or derogatory ethnic, religious, racial, gender-related, age-related, disability-related, or any other inappropriate comments or slurs based upon another employee’s, patient’s, contractor’s and/or vendor’s protected class status, nor use personal insults, obscenities, or any other conduct that would not be acceptable in the workplace.

Employees may not identify or obviously reference other employees, patients, vendors, or other persons/entities with whom the employee is familiar as a result of TMCH work, without the other’s knowledge and written approval; nor may they disclose, use, or publish TMCH’s Confidential information and/or patient information protected by HIPAA.

Employees are personally responsible for all actions and content published by them during social networking or social media activities. Employees should be careful to ensure that any profile that identifies TMCH and/or TMCH-related content is consistent with how the individual wishes to present themselves professionally and consistent with how TMCH expects employees to represent the business.

Compliance With The Code Of Conduct

DUTY TO COMPLY
It is the duty of all employees to comply with applicable laws, rules, regulations and the Code of Conduct. Failure to do so may subject employees to disciplinary action.

DUTY TO REPORT ACTUAL OR SUSPECTED VIOLATIONS
Employees must report to their supervisor or to the compliance officer actual or suspected violations by employees of applicable law, rules, regulations or the Code of Conduct.

NON-RETIATION
We will not permit retaliation for reporting a perceived or potential violation of the Code of Conduct, TMC HealthCare policies/procedures or laws/regulations, or for participation in an investigation of an alleged violation.

- No disciplinary action or other types of retaliation will be taken against any employee who, in good faith, reports a concern, issue, problem, or violation of law, regulation or the Code of Conduct to a manager or supervisor, the compliance officer or the Compliance Hotline.
- Any employee who believes that he or she has suffered retaliation for making a report should contact the compliance officer or call the Compliance Hotline.
- Knowingly making a false accusation is a serious violation of organizational policy.
INDIVIDUAL JUDGMENT
As you contemplate a particular situation, consideration of the following factors may help you arrive at a satisfactory answer:

• Is my action consistent with TMC HealthCare policy?
• Could my action give the appearance of impropriety?
• Will the action bring discredit to any employee or to TMC HealthCare if disclosed fully to the public?
• Can I defend my action to my supervisor, other employees and to the general public?
• Does my action conform to the spirit of this Code of Conduct?

Where To Go For Help
Employees have been provided with a number of places to go for assistance with compliance matters. If an employee suspects that another employee, including management, has violated the Code of Conduct, policies, procedures or any applicable local, state or federal statute, regulation, guideline or law, the employee should immediately report his or her concern following the established chain of command. All reports of suspected violations will be treated in a confidential manner to the extent allowable by law.

1 - Immediate Supervisor or Manager or Director
The employee’s immediate supervisor or manager should be contacted first if possible. If appropriate, others in the chain of command can be contacted.

2 - Compliance Officer
A compliance issue or concern should be reported to the compliance officer if one of the following applies:
• The employee does not feel comfortable reporting the concern to the immediate supervisor or manager.
• The employee is not satisfied with the response received from management to a compliance concern raised.

The compliance officer should not be used as a substitute for the Human Resources Department nor should the established chain of command for Human Resource issues be bypassed.

3 - Compliance Hotline
If, for whatever reason, the employee feels unable to report the compliance concern using the internal chain of command, the employee is to contact the Compliance Hotline. Employee participation in raising work-related concerns is important to the effectiveness of the compliance program. The toll-free Compliance Hotline, (877) 635-4645, provides a confidential and anonymous way to report concerns or violations of the Code of Conduct, operational policies or applicable laws or regulations. Employees are not required to identify themselves when reporting a concern.
Compliance Investigation And Resolution

The Compliance Office will ensure the prompt and thorough investigation of all suspected violations and will coordinate appropriate follow-up action and resolution as indicated. All investigations will be conducted following established procedures for confidentiality. Confidentiality will be maintained at all times insofar as it is legal and practical, informing only those personnel who have a need to know. Employees cannot exempt themselves from the consequences of wrongdoing by self-reporting, although self-reporting may be taken into consideration in determining the appropriate course of action.

List Of Contacts

Corporate Compliance Hotline ....................... (877) 635-4645 (toll-free)

Compliance Officer/Privacy Officer ..................... (520) 324-1962

HIPAA Security Officer .................................... (520) 324-2280

Executive Management
(including Hospital Administrator) ....................... (520) 324-2535

Chief Legal Officer (Tim Hartin) ......................... (520) 324-3404

TMC HealthCare Human Resources ..................... (520) 324-2775

Approved: Board Audit and Compliance Committee 10/24/07
TMC HealthCare Initial Compliance Certification and Acknowledgement

I certify that I have received the TMC HealthCare Code of Conduct. I understand that I am responsible for knowing and following it. I also understand that I am responsible for reporting any violations of the Code of Conduct to the appropriate management representative, Human Resources, the compliance officer or the Compliance Hotline toll-free (877) 635-4645.

I understand that violation of TMC HealthCare policies and standards described in the Code of Conduct may lead to disciplinary action, including termination.

I further understand that I am responsible for attending annual or other regular training sessions or workshops on issues related to compliance or the Code of Conduct.

Signature: ____________________________________________________________

Print Name: __________________________________________________________

Facility: _____________________________________________________________

Department: _________________________________________________________

Date: ________________________________
TMC HealthCare Annual Compliance Certification and Acknowledgement

I certify that I have received the TMC HealthCare Code of Conduct. I understand that I am responsible for knowing and following it. I also understand that I am responsible for reporting any violations of the Code of Conduct to the appropriate management representative, Human Resources, the compliance officer or the toll-free Compliance Hotline (877) 635-4645.

I understand that violation of the TMC HealthCare policies and standards described in the Code of Conduct may lead to disciplinary action, including termination.

To the best of my actual knowledge:

I certify that in the past year I have not violated any standard in the Code of Conduct.

I certify that in the past year I have no knowledge of any violations in the Code of Conduct except as reported according to the TMC HealthCare standard.

I certify that in the past year I have had no conflicts of interest except as reported on the conflict of interest form.

I certify that I am not listed on the U.S. Office of Inspector General Sanctions or Excluded List nor am I involved in a potential listing.

I further understand that I am responsible for attending annual or other regular training sessions or workshops on issues related to compliance or the Code of Conduct.

Signature: ____________________________________________

Print Name: _____________________________________________

Facility: ________________________________________________

Department: _____________________________________________

Date: ___________________________________________________

NOTE: This page to be completed online by employee during annual computer-based training (CBT).