

**CookChildren's**<sup>®</sup>

Code of Conduct

2021-2022



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## Welcome message

Cook Children's enjoys a reputation of honesty and trustworthiness. This reputation stems from the way we provide health care services to children, the way we interact with patients and families, the way we conduct business and the way we treat each other. Our reputation is a valuable resource which we must vigilantly protect.

Our success in the ever-demanding, increasingly competitive world of health care depends on our commitment to an environment of public stewardship. We ask that the public trust us with their families, with their gifts of time and resources, as well as with their financial gifts. In return, we are guided by our Promise and values, and we are committed to compliance with laws and ethical business practices.

This Code of Conduct provides overall guidance in upholding the ethical and legal requirements of Cook Children's. It is impossible to identify and address every possible situation; therefore, it is each person's responsibility to have knowledge of laws and policies affecting his or her responsibilities. It is each employee's responsibility to exercise good judgment and appropriate behavior at all times, and to seek guidance when needed.

The Code of Conduct has been approved by the Cook Children's Board of Trustees and may be revised as needed. If you have questions or need more information, please ask your supervisor or call the confidential employee hotline at **800-273-8452**.

## About Cook Children's

Cook Children's Health Care System embraces an inspiring Promise: Knowing that every child's life is sacred, it is the Promise of Cook Children's to improve the health of every child through the prevention and treatment of illness, disease and injury. Based in Fort Worth, Texas, we're proud of our long and rich tradition of serving our community.

Our health care system includes a medical center, two surgery centers, a physician network, home health services and a health plan. It also includes the Child Study Center and Cook Children's Health Foundation. With more than 60 primary, specialty and urgent care locations throughout Texas, families can access our top-ranked specialty programs and network of services to meet their unique needs.

We've worked to improve the health of children from across our primary service area for more than 100 years. Based on the exceptional care we provide, patients travel to Cook Children's from around the country and the globe to receive lifesaving pediatric care built on leading technology, extraordinary collaboration and the art of caring.

## Requirements for the chief executive officer (CEO), the CEO's direct reports and financial officers

The CEO, entity presidents and financial officers are bound by all provisions of this Code of Conduct and particularly those provisions relating to ethical conduct, conflicts of interest, compliance with laws and internal reporting of violations of the Code of Conduct. Financial officers include the Cook Children's Health Care System executive vice president of Finance, the Cook Children's Health Care System chief financial officer and each entity's chief financial officer and controller or principal accounting officer. The CEO, the CEO's direct reports and financial officers also have responsibility for full, fair, accurate, timely and understandable disclosure in the periodic reports and submissions filed by Cook Children's with our lenders or other stakeholders, as well as other public communications made by Cook Children's. Accordingly, it is the responsibility of the CEO, entity presidents and each financial officer to promptly bring to the next regularly scheduled meeting of the Cook Children's senior executives responsible for the review of Cook Children's periodic reports any information of which he or she may become aware that materially affects the disclosures made by Cook Children's in its public communications. The CEO, entity presidents and each financial officer also shall bring promptly to the attention of the Cook Children's senior executives and to the Audit Committee of the Board of Trustees any information he or she may have concerning significant deficiencies in the design or operation of internal controls which could adversely affect Cook Children's ability to record, process, summarize and report financial data; or any fraud, whether or not material, that involves management or any other employees.

The Audit Committee of the Board of Trustees will determine appropriate actions to be taken in the event of violations of the Code of Conduct by the CEO. The CEO will determine the appropriate actions to be taken in the event of violations of the Code of Conduct by his/her direct reports and Cook Children's financial officers and will submit these actions to the Audit Committee of the Board of Trustees. Such action shall be reasonably designed to deter wrongdoing and to promote accountability for adherence to the Code of Conduct. In determining what action is appropriate in a particular case, the Audit Committee of the Board of Trustees and/or the CEO will take into account all relevant information, including the nature and severity of the violation, whether the violation involved a single occurrence or repeated occurrences, whether the violation appears to have been intentional or inadvertent, whether the individual in question had been advised prior to the violation as to the proper course of action and whether the individual has committed other violations in the past.

### Leadership responsibilities

While all Cook Children's employees are obligated to follow our Code of Conduct, Cook Children's expects leaders to be, in every aspect, a role model. Cook Children's expects everyone in the organization with supervisory responsibility to exercise



that responsibility in a manner that is kind, sensitive, thoughtful, respectful and mindful of our commitment to quality, safe patient care. Cook Children's expects each supervisor to create an environment where all employees feel free to raise concerns and propose ideas.

Cook Children's also expects that leaders provide their employees sufficient information to comply with laws, regulations and policies, as well as the resources to resolve ethical dilemmas. Leaders must help to create a culture within Cook Children's which promotes the highest standards of ethics, compliance, stewardship and trustworthiness. This culture must encourage everyone in the organization to share concerns when they arise. Cook Children's must never sacrifice ethical and compliant behavior in the pursuit of business objectives.

## Compliance requirements

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

Each employee 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 alter or falsify information on any record or document. Records must never be destroyed in an effort to deny governmental authorities that which may be relevant to a government investigation.

Medical and business documents and records are retained in accordance with the law and our record management policy. It

is important to retain and destroy records only according to our policy. Employees must not tamper with records, and no one will remove or destroy records prior to the specified date without first obtaining permission as outlined in the Cook Children's Records Management Policy, CC 827.

### Antitrust

Antitrust laws are designed to create a level playing field in the marketplace and to promote fair competition. These laws could be violated by discussing Cook Children's business with a competitor, such as disclosing terms of supplier relationships or agreeing with a competitor to refuse to do business with a particular supplier.

In general, employees must avoid discussing sensitive topics with competitors or suppliers, unless they are proceeding with the advice of the Legal department. Employees will not provide any information in response to an oral or written inquiry concerning an antitrust matter without first consulting the Legal department.



## Behaviors that promote a culture of security

Information security is everyone's responsibility. Employees are our best defense in maintaining the information security of the organization, and should report any suspicious computer activities to the Cook Children's Service Desk. We each have a personal responsibility as to how we manage our "online" presence and the security of our computing devices. Cook Children's Information Security policies help to define how we can fulfill this responsibility and comply with state and federal requirements, such as privacy laws and Health Insurance Portability and Accountability Act (HIPAA)..

## Behaviors that undermine a culture of safety

Intimidating and disruptive behaviors include overt actions such as verbal outbursts and physical threats, as well as passive activities such as refusing to perform assigned tasks or quietly exhibiting uncooperative attitudes during routine activities. Such behaviors include reluctance or refusal to answer questions, return phone calls, reply to emails or respond to texts or pages; condescending language or voice intonation; and impatience with questions. Overt and passive behaviors undermine team effectiveness and can compromise the safety of patients. All intimidating and disruptive behaviors are unprofessional and will not be tolerated.

## Brand standards

One of Cook Children's most valuable assets is our well-established and respected brand. Our brand is more than a logo – it's a reflection of our strong and inviting culture and is often the first step of our patient experience. It's the story of our century-old past and the foundation for the present and future. Cook Children's employees must abide by brand standards to ensure consistency across the thousands of points of interaction between our system and our patient families, members, donors,

employees and the general public. Just like other renowned companies, Cook Children's is fiercely dedicated to upholding our brand, as well as protecting our image, name and reputation through all materials, communications and messaging. This is detailed in Cook Children's Logo Use and Brand Identity Policy, AD 170. As employees, we are all responsible for shaping the perception of Cook Children's. We are the Cook Children's brand.

## Coding and billing for services

Cook Children's has instituted policies, procedures and systems to facilitate accurate billing to government payers, commercial insurance payers and patients. These policies, procedures and systems conform to pertinent federal and state laws and regulations. Cook Children's prohibits any employee or agent of Cook Children's from knowingly presenting or causing to be presented claims for payment or approval which are false, fictitious or fraudulent.

In support of accurate billing, medical records must provide reliable documentation of the services rendered. It is important that all individuals who contribute to medical records provide accurate information and do not destroy any information considered part of the official medical record. Accurate and timely documentation also depends on the diligence and attention of physicians, other independent practitioners and allied health professionals who treat patients in Cook Children's facilities. Cook Children's expects those individuals to provide complete and accurate information in a timely manner.

Any subcontractors engaged to perform billing or coding services are expected to have the necessary skills, quality control processes, systems and appropriate procedures to assure all billings for government and commercial insurance programs are accurate and complete. Cook Children's requires such entities to have their own compliance programs and Code of Conduct or to adopt Cook Children's code as their own.

## Community activities

Cook Children's has a commitment to be a good corporate citizen and to support and encourage employee involvement in community activities and organizations. These interests should be undertaken in a responsible manner that will reflect favorably upon the individual employee and Cook Children's.

## Confidentiality of information

Employees are expected to use resources with good judgment and access only information that is appropriate and in accordance with the performance of job duties. Employees are not to inappropriately access and/or disclose patient information (including that of their own family members), employee personnel records, departmental reports, donor records, gift discussions, files or other information that may be sensitive or confidential. Employees shall not use personal email, file/storage and/or computing devices when working with sensitive or confidential information. Information that must be made available to appropriate authorities will be released by designated personnel within the limits of established Cook Children's policies and state and federal laws or upon receipt of a signed authorization form.

## Conflict of interest

A conflict of interest may occur in a Cook Children's employee's outside activities, personal financial interests or other personal interests which may influence or appear to influence his or her ability to make objective decisions in the course of the employee's job responsibilities. A conflict of interest also may exist if the demands of any outside activities hinder or distract an employee from the performance of his or her job or cause the individual to use Cook Children's resources other than for Cook Children's purposes. Cook Children's employees are obligated to ensure they remain free of conflicts of interest in

the performance of their responsibilities at Cook Children's. In fulfilling that obligation, employees should be guided by the definitions contained in the Cook Children's Conflict of Interest Policy, CC 170. Employees must disclose any potential conflict of interest to the chief compliance officer, who will then initiate the process of obtaining approval from the appropriate decision-making body. For nonphysician employees below the level of assistant vice president, the chief compliance officer will make the determination of whether an actual conflict of interest exists and whether any mitigating measures should be implemented, in consultation with the president and/or a senior vice president of the entity that employs the person with the potential conflict. For physicians and employees at or above the level of assistant vice president, those decisions will be made following the processes set forth in the Cook Children's Conflict of Interest Policy, CC 170. Such approval must be obtained before the person can pursue the activity or obtain or retain the interest. Clinical decisions will be made without regard to compensation or financial risk to Cook Children's leaders, managers, clinical staff or licensed independent practitioners.



## Contractor status

Services are provided under certain agreements that qualify Cook Children's as a federal contractor. This status requires Cook Children's to abide by certain requirements, one of which is to post the following statement in employee handbooks and manuals:

## Pay transparency policy statement

The contractor will not discharge or in any other manner discriminate against employees or applicants because they have inquired about, discussed or disclosed their own pay or the pay of another employee or applicant. However, employees who have access to the compensation information of other employees or applicants as a part of their essential job functions cannot disclose the pay of other employees or applicants to individuals who do not otherwise have access to compensation information, unless the disclosure is (a) in response to a formal complaint or charge, (b) in furtherance of an investigation, proceeding, hearing or action, including an investigation conducted by the employer or (c) consistent with the contractor's legal duty to furnish information.

## Copyright and intellectual property

Cook Children's expects all employees to follow the requirements of copyright protection laws. If you have a question concerning the use of copyrighted material, please contact the Legal department or the Edwin G. Schwarz Health Sciences Library for clarification.

Except as otherwise provided in Cook Children's Intellectual Property and Patent Policy, AD 175, any work of authorship, invention or other "copyrightable" creation that is created by

an employee during the scope of the individual's employment with Cook Children's will be considered the property of Cook Children's, including any patent, trademark, copyright, trade secret or other intellectual property right in the work product. If any work product created is "copyrightable," then it will be considered a "work for hire" under the United States Copyright Act, with Cook Children's considered to be the author and owner of such work, unless the provisions of Cook Children's Intellectual Property and Patent Policy, AD 175, provide otherwise. Any works or inventions created by an individual prior to employment with Cook Children's will be disclosed to Cook Children's at the time of employment, and management and Legal department approval must be obtained prior to any use of such items in a product or material for Cook Children's.

## Cost reports

Cook Children's is required by federal and state laws and regulations to submit certain reports of our operating costs and statistics. Cook Children's is committed to compliance with federal and state laws, regulations and guidelines relating to all cost reports. These laws, regulations and guidelines define what costs are allowable and outline the appropriate methodologies to claim reimbursement for the cost of services provided to program beneficiaries.

## Electronic media

All communications systems, including but not limited to email, intranet, internet access, telephones and voicemail, are the property of the organization and are to be used primarily for business purposes in accordance with electronic communications policies and procedures. Limited reasonable personal use of Cook Children's communications systems is permitted; however, users should assume these communications are not private. Users of computer and

telephonic systems should presume no expectation of privacy in anything they create, store, send or receive on the computer and telephone systems, and Cook Children's reserves the right to monitor and/or access communications usage and content consistent with Cook Children's policies and procedures.

Employees may not use communication channels to share Cook Children's information with recipients that are not explicitly authorized to receive this information without an appropriate agreement in place. For example, protected health information may not be shared with a third party without a Business Associate Agreement in place or such disclosure is otherwise permitted by HIPAA. Additionally, employees may not use access to the internet at work to post, store, transmit, download or distribute any threatening materials; knowingly, recklessly or maliciously false materials; obscene materials; or anything constituting or encouraging a criminal offense, giving rise to civil liability or otherwise violating any laws. Further, these channels of communication may not be used to send chain letters, personal broadcast messages or copyrighted documents that are not authorized reproductions. Finally, employees may not send Cook Children's information, even information they are authorized to access at work, to a personal or non-Cook Children's provided email account.

Employees who abuse Cook Children's communications systems or use them excessively for nonbusiness purposes will lose these privileges and be subject to disciplinary action.

## Emergency treatment

Cook Children's Medical Center follows the Emergency Medical Treatment and Active Labor Act (EMTALA) in providing an emergency medical screening examination and necessary stabilization to all patients, regardless of ability to pay. Provided Cook Children's Medical Center has the capacity and capability, anyone with an emergency medical condition will be treated. In

an emergency situation, Cook Children's Medical Center will not delay the medical screening and necessary stabilizing treatment in order to seek financial and demographic information.

Cook Children's Medical Center does not admit, discharge or transfer patients with emergency medical conditions simply based on their ability to pay or any other discriminatory factors.

Patients with emergency medical conditions are transferred to another facility only at the patient's request or if the patient's medical needs cannot be met and appropriate care is knowingly available at another facility. Patients are transferred only in strict compliance with state and federal EMTALA regulatory and statutory requirements.

## Employment practices

Cook Children's is an equal opportunity employer. As such, Cook Children's offers equal employment opportunities without regard to race, color, religion, sex, national origin, physical or mental disability, pregnancy, protected veteran status, sexual orientation, transgender status, gender identity or gender expression, genetic information, age or any other characteristic



protected by law. These opportunities include terms, conditions and privileges of employment, including but not limited to hiring, job placement, training, compensation, discipline, advancement and termination.

## Endorsements

No Cook Children's employee will be allowed to publicly endorse or recommend a product, service, vendor, supplier, customer or any other entity with whom Cook Children's does business or which seeks to do business with Cook Children's in a manner that could be attributed to Cook Children's unless authorized by the chief administrative officer, the president and chief executive officer of Cook Children's Health Care System or the chief legal officer of Cook Children's Health Care System.

## Environmental practices

Cook Children's business will be conducted in an environmentally conscientious manner. This includes complying with environmental laws and regulations and working to prevent damage to the environment. Cook Children's employees will give careful attention to the proper handling, treatment and disposal of wastes and emissions.

## False claims acts

The federal and state governments each have false claims acts in place. The false claims acts prohibit claims for payments under the various federal and state health care programs for any item or service provided by a person who: (a) has knowingly or willfully made or caused to be made any false statement or representation of a material fact in application for payment; (b) has furnished services or supplies determined to



be substantially in excess of those needed or so lacking as to be worthless; (c) billing for a more expensive covered item than the one provided; (d) misrepresentation of a patient's condition for billing purposes; (e) claiming costs for noncharitable services or (f) billing for services that fail to meet the applicable standard of care. A violation of either state or federal false claims law may lead to significant fines of more than \$21,000 for a federal violation and \$10,000 for a state violation. Additionally, a violation may be a Class A misdemeanor or a third-degree felony, which could result in imprisonment.

Cook Children's relies on you and your fellow employees to perform your duties and responsibilities in accordance with Cook Children's policies and procedures and in accordance with state and federal laws, especially in the prevention and detection of fraud, waste and abuse in any federal health care program. Cook Children's provides various mechanisms to assist and encourage you to come forward in good faith with reports or concerns about suspected compliance issues. Under federal law, you may be entitled to protection from retaliation and may report suspected noncompliance issues without fear of reprisal.

If you become aware of a potential or actual material violation of Cook Children's policies or procedures, you should report such potential or actual conduct, regardless of whether you are personally involved in the matter. It would, in fact, be considered a violation of this Code of Conduct to turn a blind eye to the noncompliant conduct of others that you are aware of. Please report concerns or suspected violations immediately to the Cook Children's compliance office at 682-885-4481 or the confidential employee hotline at 800-273-8452.

Please refer to the Cook Children's Reporting Suspected Misconduct, Fraud or Abuse (Whistleblower) Policy, CC 160, for more information.

## **Financial reporting and records**

Cook Children's has established and maintains a high standard of accuracy and completeness in documenting, maintaining and reporting financial information. This information serves as a basis for managing our business and is important in meeting our obligations to patients, employees, stakeholders, suppliers and others. It is also necessary for compliance with tax and financial reporting requirements.

All financial information must reflect actual transactions and conform to generally accepted accounting principles. All funds or assets must be properly recorded in the books and records of Cook Children's. Cook Children's maintains a system of internal controls to provide reasonable assurance that all transactions are executed in accordance with management's authorization and are recorded in a proper manner so as to maintain accountability of the organization's assets.

Cook Children's diligently seeks to comply with all applicable auditing, accounting and financial disclosure laws. Senior financial officers receive training and guidance regarding auditing, accounting and financial disclosures relevant to their job responsibilities. They are also provided the ability to discuss issues of concern with the Audit Committee of the Board of Trustees. Anyone having concerns regarding questionable accounting or auditing matters should report such matters to the Audit Committee of the Board of Trustees by contacting the confidential employee hotline at 800-273-8452.

## **Firearms and weapons**

The promotion, sale, transportation, possession and/or use of firearms or weapons on Cook Children's property is prohibited, except as follows: an employee who holds a license to carry a concealed handgun or who otherwise lawfully possesses a firearm may store the firearm in their locked, privately

owned motor vehicle in the parking garage as state law permits. However, the firearm may not be removed from the vehicle or taken any other place on Cook Children's property. Cook Children's Security personnel are the only employees authorized to carry firearms on Cook Children's properties.

## **Fraudulent or illegal activities**

Employees will not conduct any fraudulent or illegal activities involving Cook Children's, its patients, other employees, vendors, any party with which Cook Children's conducts business and/or its professional staff members. All management personnel are responsible for being aware of the potential for fraudulent or illegal activities in their areas of responsibility and for reporting suspected wrongdoing.



## **Gifts and business courtesies**

Employees should never accept in their personal capacity cash from suppliers, customers, patients, patients' families or others with whom Cook Children's does business or seeks to do business. Employees should also ensure that they do not accept in their personal capacity entertainment, travel, favors, gifts or anything else of substance from suppliers, customers, patients, patients' families or others with whom Cook Children's does business or seeks to do business with anything more than a nominal value, which generally means a value of \$25 or less. Where feasible, if items of more than nominal value are offered in a face-to-face encounter, the employee should politely and graciously decline the request, indicating that it is against Cook Children's policy (see the Interactions with Industry, Vendors and Other Outside Business Representatives Policy, CC 1000). Where items of more than nominal value are not offered in a face-to-face encounter (such as being sent through the mail) or if refusal is otherwise not feasible, the employee should report receipt of the item to the corporate compliance officer, who will review the matter and provide further guidance on what to do with the item. Employees should be aware of the requirements related to the provision of these items from other organizations or associations with whom they conduct business.

Employees receiving gifts on behalf of Cook Children's must follow appropriate Cook Children's Health Foundation protocol for turning over, recording and recognizing gifts. Employees involved in soliciting/cultivating donors for Cook Children's may not accept gifts or inheritances from those they have met by virtue of this responsibility. Any such bequest should be turned over to Cook Children's.

Cook Children's recognizes there will be times when a current or potential business associate, including a potential referral source, may extend an invitation to attend a social event in order to further develop a business relationship. A Cook Children's

employee may accept such invitations, provided: (1) the cost associated with such an event is reasonable and appropriate (no more than \$150 per person); (2) no expense is incurred for any travel costs (other than for a private vehicle) or overnight lodging; and (3) such events are infrequent. The limitations of this policy do not apply to business meetings at which food (including meals) may be provided.

There may be times when a Cook Children's employee wishes to extend to a current or potential business associate (other than someone who may be in a position to make a patient referral) an invitation to attend a social event (e.g., reception, meal, sporting event or theatrical event) to further or develop a business relationship. The cost associated with such an event must be reasonable and appropriate. As a general rule, this means the cost will not exceed \$150 per person. Moreover, such business entertainment with respect to any particular individual must be infrequent, which, as a general rule, means not more than three times per year.

Any entertainment or gift involving physicians or other persons who are in a position to refer patients to Cook Children's must be undertaken in accordance with corporate policies. Cook Children's employees must consult Cook Children's Business Courtesies to Potential Referral Sources Policy, CC 140, prior to extending any business courtesy to a potential referral source. All business courtesies provided to a potential referral source must be reported to the compliance officer on a quarterly basis.

## **Government relations**

Cook Children's strives to comply with federal, state and local laws and regulations. Respecting the responsibilities of government agencies and cooperating with them in good faith as they execute established guidelines and policies is essential. Payments, gifts, promises of employment or other

forms of compensation to government officials for the purpose of influencing a decision or obtaining business, either directly or through a third party, are prohibited.

## **Harassment**

Harassment of an employee in the workplace by supervisory personnel, co-workers or nonemployees on the basis of race, color, religion, sex, national origin, physical or mental disability, pregnancy, protected veteran status, sexual orientation, transgender status, gender identity or gender expression, genetic information, age or any other characteristic protected by law is a form of discrimination that violates the law and Cook Children's policy (see the Anti-Discrimination/Anti-Harassment Policy, HR 660). Harassment is prohibited and will not be tolerated.

## **Health and safety**

Cook Children's is committed to protecting the health and safety of its employees and to complying with federal, state and local health and safety laws and regulations. Employees are responsible for the prevention of accidents to themselves, co-workers, patients and their family members and the public. Employees are required to comply with Cook Children's safety rules, which are set forth in organizational safety manuals. Employees are also responsible for bringing to their supervisor's attention any unsafe acts or hazardous conditions in the workplace.

## **Interactions with physicians**

Federal and state law and regulations govern the relationship between hospitals and physicians who may refer patients to Cook Children's. The applicable federal laws include the Anti-Kickback Law and the Stark Law. It is important that those employees who interact with physicians, particularly regarding

making payments to physicians for services rendered, leasing space, recruiting physicians to the community and arranging for physicians to serve in leadership positions in facilities, are aware of the requirements of the laws, regulations and policies that address relationships between Cook Children's and physicians.

If relationships with physicians are properly structured, but not diligently administered, failure to administer the arrangements as agreed may result in violations of the law. Any business arrangement with a physician must be structured to assure compliance with legal requirements, our policies and procedures and with any operational guidance that has been issued. Most arrangements must be in writing and approved by the Legal department.

Keeping in mind that it is essential to be familiar with laws, regulations and policies that govern our interactions with physicians, two overarching principles apply to these actions:

- Cook Children's does not pay for referrals. Cook Children's accepts patient referrals and admissions based solely on the patient's medical needs and our ability to render the needed services. Cook Children's does not pay or offer to pay anyone – employees, physicians or other persons or entities – for referrals of patients.
- Cook Children's does not accept payments for referrals that are made. No Cook Children's employee, independent physician groups that practice at Cook Children's, contracted physician groups that practice at Cook Children's or contracted management company operating a Cook Children's facility or any other person acting on behalf of Cook Children's is permitted to solicit or receive anything of value, directly or indirectly, in exchange for the referral of patients.

## Legal compliance

Cook Children's is committed to complying with all applicable laws regulating the environment or business practices involved in the delivery of health care services.

These laws include, but are not limited to, antitrust laws, compliance with Medicaid/Medicare Conditions of Participation, laws affecting tax-exempt corporations, laws affecting the regulation of the delivery of health care, including licensing, laws affecting employment, environmental laws and regulations and other laws affecting the relationship between Cook Children's and its physician affiliates. Cook Children's has developed policies and procedures to address many legal and regulatory requirements; however, it is impractical to develop policies and procedures that encompass the full body of applicable law and regulations. Employees whose positions with Cook Children's may impact the organization's compliance with such laws are expected to attend educational programs offered by Cook Children's or other organizations and to certify their intention to comply with the legal requirements and ethical standards of business behavior as required by this Code of Conduct.

## License and certification renewals

Employees, independent contractors and privileged practitioners in positions which require professional licenses, certifications or other credentials are responsible for maintaining the current status of their credentials and will comply at all times with federal and state requirements applicable to their respective disciplines. Cook Children's will not allow any employee, independent contractor or privileged practitioner to work without a valid current license, certification or registration that is required by their position or function.

## Personal use of Cook Children's resources

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

## Political activities

Employees are encouraged to take an active interest in the political affairs of the state and the nation. Participation as a precinct chairman, election judge or convention delegate is seen as an exercise of the employee's personal convictions as a citizen and not as a representative of Cook Children's. Such participation will be on the employee's personal time.

Participation in an elected capacity at a local, county, state or federal government level can represent a conflict of interest. Any employee who wishes to serve in such a capacity must obtain written approval from the Cook Children's Health Care System president/CEO. Time away from work in such a capacity or to campaign for office will not be compensated.

## Quality of care

In the event that an employee or member of the medical staff has concerns about the safety or quality of care provided within the organization, the employee is encouraged to contact their immediate supervisor, the Risk Management department, or

administrator on call. The employee or medical staff member may also report concerns related to safety or quality of care to The Joint Commission (TJC) if the concern relates to an area that is surveyed by TJC. TJC can be reached by calling the Office of Quality Monitoring at 800-994-6610, by email at [complaint@jointcommission.org](mailto:complaint@jointcommission.org) or in writing to the Customer Service Center, The Joint Commission, One Renaissance Blvd., Oakbrook Terrace, IL 60181. The employee can also utilize any of the other reporting methods described in the Code of Conduct.

## Relationships with subcontractors and suppliers

Cook Children's must manage its subcontractor and supplier relationships in a fair and reasonable manner, free from conflicts of interest and consistent with all applicable laws and good business practices. Cook Children's promotes competitive procurement to the maximum extent practicable. Our selection of subcontractors, suppliers and vendors will be made on the basis of objective criteria, including quality, technical excellence, price, delivery, adherence to schedules, services 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.

Cook Children's employs the highest ethical standards in business practices in source selection, negotiation, determination of contract awards and the administration of all purchasing activities. Cook Children's does not communicate to a third party confidential information given by our suppliers unless directed in writing to do so by the supplier. Cook Children's does not disclose contract pricing and information to any outside parties, except that supply and purchasing data shall be shared with Cook Children's contracted Group Purchasing Organization (GPO), contracted benchmarking vendors and with certain outside consultants.



In all cases, confidentiality statements regarding the use of the shared data shall be executed by the outside parties. The process of sharing data in these circumstances shall be disclosed in all vendor supply and service contracts entered into by Cook Children's.

## **Research, investigation and clinical trials**

We follow high ethical standards in full compliance with federal and state laws and regulations in any research, investigations and/or clinical trials conducted by our physicians, nurses and other multidisciplinary professional staff. We do not tolerate research misconduct, which includes activities such as making up or changing results, copying results from other studies without performing the clinical investigation or research, failing to identify and deal appropriately with investigators or institutional conflicts of interest and proceeding without Institutional Review Board (IRB) approval. Our first priority is always to protect the patients and human subjects and respect their rights during research, investigations and clinical trials.

Physicians, nurses and other research-authorized professional staff participating in research investigations and clinical trials are expected to fully inform every patient or legally authorized representative of their rights and responsibilities of participating in the research or clinical trial. Any individual applying for or performing research of any type must follow all applicable research guidelines and maintain the highest standards of ethics and accuracy in any written or oral communications regarding the research project. Any individual engaging in human subject research must do so in conjunction with IRB approval and be consistent with Cook Children's policies regarding human subject research.

## **Sanctioned persons**

Cook Children's Health Care System and its affiliated entities will not employ or conduct business with individuals or

organizations who have been convicted of a criminal offense related to health care or who are listed in the United States Health and Human Services (HHS) Office of Inspector General (OIG) Cumulative Sanctions Report ([exclusions.oig.hhs.gov](https://exclusions.oig.hhs.gov)), the United States System for Award Management (SAM) List of Parties Excluded from Federal Procurement and Non-Procurement Programs ([sam.gov](https://sam.gov)), the Texas Health and Human Services Office of Inspector General Sanctions List ([oig.hhsc.state.tx.us/Exclusions/Search.aspx](https://oig.hhsc.state.tx.us/Exclusions/Search.aspx)) or the United States Department of Treasury Specially Designated Nationals listing ([treasury.gov/ofac/downloads/t11sdn.pdf](https://treasury.gov/ofac/downloads/t11sdn.pdf)) as debarred, excluded or otherwise ineligible for participation in any federal or state-funded program.

Employees, vendors and privileged practitioners are required to report to us if they become excluded, debarred or ineligible to participate in federal or state health care programs or have been convicted of a criminal offense related to the provision of health care items or services.

## Social activities

All employees will conduct themselves in a professional and responsible manner when attending any social event that may be construed to be associated with Cook Children's. Behavior toward other employees and guests in attendance will be professional at all times.

## Social networking and social media use

Cook Children's has guidelines concerning the use of social networks and social media. These guidelines are found in Cook Children's Health Care System Social Networking and Social Media Use Policy, HR 670. This policy applies to all employees. In general, employees are expected to be truthful and respectful of – and should not disparage – Cook Children's, its affiliates, employees, vendors and suppliers, partners,

competitors and all other individuals or entities in any way related to Cook Children's in any internet posting or social media. Discussion and/or posting of personal identifiable information, protected health information or pictures of any specific patient or patient family in internet postings or social media is not allowed without appropriate authorization.

## Software and hardware purchases

The Information Services (IS) department is responsible for oversight of the websites, software and/or hardware that is used across the Cook Children's Health Care System. It is



Cook Children's policy that any websites, software, hardware, medical devices, data use agreements and other information technologies, regardless of cost, must be approved by the chief information officer and/or designee and the Information Technology Steering Committee (ITSC) prior to purchase, installation and/or use. Questions about information technology purchases should be directed to the IS service desk. Information Services will ensure that software and hardware purchases are compatible with existing technologies, licensed appropriately and undergo the necessary information security reviews pursuant to HIPAA. Borrowed, pirated, stolen or any otherwise improperly licensed software will not be tolerated under any circumstances.

## **Solicitation and distribution**

Solicitation and distribution are terms that have specific meaning in the area of labor and employment law. The specifics of Cook Children's restrictions on solicitation and distribution are set forth in Cook Children's Solicitation and Distribution Policy, HR 680. Generally speaking, employees, as well as nonemployees, are prohibited from soliciting any patients, guests or family members and are prohibited from distributing any materials to any patients, guests or family members on Cook Children's property. Employees may not solicit or distribute non-work-related written materials or items during working time for any purpose. Employees may not solicit another employee unless both the employee soliciting and the employee(s) being solicited are both on non-working time (breaks, meal time, before or after work) and may solicit and/or distribute only in those areas permitted by Cook Children's Solicitation and Distribution Policy, HR 680.

## **Substance abuse**

Cook Children's prohibits any of the following when occurring on the job:

- Reporting to work or performing job duties while under the influence of alcoholic beverages. The consumption of alcoholic beverages on Cook Children's property is prohibited at any time other than at a sanctioned event that has been approved by the president/CEO of Cook Children's Health Care System.
- The possession, manufacturing, dispensing, use or sale of illegal drugs or the paraphernalia which are used to consume or make illegal drugs.
- Reporting to work or performing job duties while under the influence of illegal drugs. Any employee whose drug tests result in a confirmed positive will be deemed in violation of Cook Children's policy (see the Substance Abuse/Fitness for Duty Policy, HR 720).
- Reporting to work or performing other job duties while under the influence of drugs, including prescription or over-the-counter drugs, when there is any possibility that such use may adversely affect the employee's ability to safely perform his or her job, or may adversely affect his or her safety or that of patients or other employees. Any work restrictions to be observed while taking prescription or over-the-counter drugs must be reviewed by the employee's supervisor. Prescription drugs must be in the original container which identifies the drug, dosage, employee's name, prescription date and prescribing physician.

## Workplace violence

Cook Children's is dedicated to maintaining a safe environment for its employees, as well as patients and their families. Violence or intimidation of any type on any campus of Cook Children's will not be tolerated. Employees will report to their supervisor(s) and to the Security department, where applicable, any violent behavior by any person. In addition, employees will make their supervisor(s) and Security, where applicable, aware of any potential violence that may be the result of off-premise activities.

## Conduct requirements

### Responsibilities

To carry out Cook Children's commitments to patients, families, employees, vendors, professional staff members and our community, each employee has certain responsibilities. The following summary describes those responsibilities:



## Employees

The primary responsibility for maintaining an environment of ethical and legal behavior rests with the individual employee through a demonstrated commitment to compliance with the Code of Conduct and with legal and regulatory requirements relevant to Cook Children's business.

To carry out this responsibility, employees will:

- Read, understand and abide by the Code of Conduct.
- Seek advice from appropriate Cook Children's sources if uncertain about the meaning or application of the Code of Conduct.
- Learn and comply with laws and regulations applicable to their work responsibilities.
- Follow all established policies and procedures of the organization as outlined in the policies and procedures manuals.
- Contribute to a workplace environment that is conducive to and encourages compliance with the Code of Conduct and with laws and regulations.
- Maintain sensitivity to alleged, actual or suspected illegal, unethical or improper conduct by any Cook Children's employee, contractor, vendor, consultant or any other person or organization with whom Cook Children's has a business relationship, and report such conduct to appropriate Cook Children's officials (e.g., management, Corporate Compliance officer, Legal department) or to the confidential employee hotline.

## **Leadership and management**

In addition to their responsibilities as employees, Cook Children's leadership and management personnel must maintain a workplace environment that stresses commitment to compliance with the Code of Conduct and with laws and regulations. Cook Children's leadership and management will:

- Provide employees under their supervision access to the Code of Conduct and ensure they understand its requirements.
- Discuss with employees their affirmative duty to report actual or suspected Code of Conduct violations and the procedures and mechanisms available to them for reporting.
- Provide employees with appropriate training in the meaning and application of the Code of Conduct.
- Maintain a workplace environment that prevents retaliation or reprisals against the employee reporting actual or suspected Code of Conduct violations.

## **Corporate Compliance Committee**

The Corporate Compliance Committee is utilized to assure compliance with the Code of Conduct and legal and regulatory requirements relevant to Cook Children's business. It also has the authority to interpret or clarify this Code of Conduct if interpretation or clarification becomes necessary. The members of the committee are designated in the Corporate Compliance Program Policy, CC 210. The committee is chaired by the corporate compliance officer (CCO), who is responsible for maintaining and supervising the Corporate Compliance program. With the support of each member of the committee, the CCO has the overall responsibility to:

- Approve and/or make modifications to the Code of Conduct as necessary.
- Review current and proposed corporate policies, practices and procedures for consistency with the Code of Conduct.
- Establish and maintain the means, methods and procedures for investigating reports of violations of the Code of Conduct.
- Monitor disciplinary measures taken for violations of the Code of Conduct.
- Provide training and educational programs to enhance employee awareness of and compliance with the Code of Conduct.
- Report known violations of law to the appropriate authorities.
- Provide periodic reports to the Audit Committee of the Board of Trustees regarding effectiveness of and compliance with the Code of Conduct and Corporate Compliance program.

## **Reporting**

Employees who believe they have observed a violation of the Code of Conduct will report it to their immediate supervisor, to their next level of management or to any other manager within Cook Children's or to a member of the Corporate Compliance Committee. An employee may also report a violation anonymously to the confidential employee hotline (800-273-8452). Calls received on this line will be referred to the appropriate Cook Children's department for investigation. Employees may also call the confidential employee hotline to check on the status of previously reported allegations. There will be no retaliation taken against any employee for making such a report in good faith. However, failure to report such violations will be considered a violation of this Code of Conduct.

## Interpretation/clarification

Covering the spectrum of potential situations with a single Code of Conduct is impossible. Employees bear the responsibility to exercise appropriate behavior and maintain high ethical standards. If an employee has doubts about how to handle a particular situation, the employee has the obligation to seek clarification from his or her supervisor. If an employee does not wish to discuss the situation with his or her immediate supervisor, the employee will consult with another member of management, Talent Management, Internal Audit or Legal departments.

From time to time, the need for an interpretation or clarification of a provision in this Code of Conduct may arise. Such requests must be provided to the corporate compliance officer, who will then present the request to the Corporate Compliance Committee. The committee will make a determination based on the information provided, including laws and regulations that may impact the decision. If the individual(s) requesting the interpretation or clarification disagrees with the decision of the committee, the individual(s) has the right to appeal the decision to the Audit Committee of the Board of Trustees.

## Corrective measures

All employees are expected to comply with this Code of Conduct. Failure to comply with the Code of Conduct will result in corrective action, up to and including discharge. An employee is in violation of the Code of Conduct if he or she assists in activities, has knowledge of and does not report activities or directs or authorizes others to perform activities which violate the Code of Conduct.

## Acknowledgment

As a condition of employment, employees must acknowledge the Code of Conduct when hired, and then each year thereafter, as part of the annual evaluation process. This acknowledgment will be done primarily on an electronic basis but may be done manually. The following statement is used for the acknowledgment of the Code of Conduct:

“I certify that I have received and read the Cook Children’s Code of Conduct and have been provided the opportunity to ask questions. I understand that I am required to comply with the Code of Conduct and any revisions to the Code of Conduct. I understand that there are several sources within Cook Children’s that I can consult if I have additional questions concerning the meaning or application of the Code of Conduct or relevant legal and regulatory requirements. These include my supervisor, any member of management, Talent Management, Compliance, Legal or any member of the Corporate Compliance Committee.” Employees are encouraged to periodically review the Code of Conduct to assure a continuous understanding of the conduct expected of them.

## Frequently asked questions

The Code of Conduct is not intended to and cannot provide answers to every question an employee may have about Cook Children’s policies or the laws and regulations by which we must abide. The following questions and answers are intended to provide you with a better understanding of how the Code of Conduct is applied.

***If I observe conduct that I believe is not appropriate or have a question about conduct in the workplace, whom should I contact for further information?***

There are several sources for you to contact for further guidance. You are encouraged to talk to your supervisor first. If you do not feel comfortable talking to your supervisor or your supervisor did not answer the question to your satisfaction, then you should contact another member of management or a member of the Corporate Compliance Committee. If you are uncomfortable with either of these options, then call the confidential employee hotline at 800-273-8452.

***I occasionally overhear employees discussing patients in the cafeteria. Is this appropriate?***

No. Only those caregivers who are actually involved in the care of a patient have the right and need to know information about a patient's health. Cook Children's is responsible for protecting the confidentiality of patient information from third parties, which includes members of the staff who are not involved in the care of the patient. Staff members are instructed not to discuss patient information or any other confidential information in public areas where others without a right or need to know might overhear the conversation.

***I received a call from a potential employer of a former Cook Children's employee asking me questions about the employee's performance while at Cook Children's. Should I answer these questions?***

No. Any information concerning former or current employees is confidential. Calls of this nature must be referred to Talent Management.

***A patient's family wanted to give each nurse caring for their child \$50. Is it permissible for caregivers to accept cash gifts?***

No. Cash gifts cannot be accepted for caring for a patient. If the family would like to make a donation to Cook Children's, they should be referred to Cook Children's Health Foundation (682-885-4105). Gifts that are consumable or perishable, such as cookies or flowers that are given to an entire department, can be accepted. Where feasible, if other items worth more than \$25 are offered in a face-to-face encounter, the employee should politely and graciously decline the request indicating that it is against Cook Children's policy. Where items worth more than \$25 are not offered in a face-to-face encounter (such as being sent through the mail) or if refusal is otherwise not feasible, the employee should report receipt of the item to the corporate compliance officer, who will review the matter and provide further guidance on what to do with the item.

***My sister is a candidate for a local political office. Can I send an email to my fellow employees about her campaign?***

No. Federal and state laws prohibit nonprofit institutions and their employees from using company assets (which includes company resources and employee services) for most political activities.

***I was walking down the hall on the first floor and noticed a spill. Should I have cleaned it up?***

You should contact the Environmental Services department, if necessary, and assist in the cleanup of the spill. You should not leave the location until the spill is cleaned up or the area has been blocked off to foot traffic.

***One of my co-workers constantly tells jokes and uses language that offends me. I feel uncomfortable when the co-worker does this. I'm afraid if I say something I'll be labeled as somebody who is not personable. Everybody likes this person, and I don't know what to do.***

One of the most effective ways to begin dealing with this is to first talk to your co-worker and let them know that

such jokes and language are offensive to you. You can do this discreetly, so that the discussion is confined to the two of you. If the co-worker continues to tell jokes or use offensive language when you are around, you should then discuss it with your supervisor, any manager or Employee Relations. Cook Children's is committed to providing you with a work environment that is free from harassment, and your supervisor has the responsibility to assure that offensive language is not used. Your supervisor will handle this with the employee confidentially, and no retaliation will be tolerated as a result of your complaint.

***I have a part-time business that I operate out of my home. Can I use my computer at work to maintain files for this business?***

Employees will not accept other employment or business opportunities that involve any activity during their hours of employment or the use of Cook Children's equipment, supplies or property.

***My sister owns a janitorial supply company that does business with Cook Children's. Is that permissible?***

Employees should report to the chief compliance officer any direct or indirect financial interest by themselves or their immediate family in any business that supplies Cook Children's with goods or services. If a vendor is directly or indirectly associated with a Cook Children's employee and is a potential candidate for a transaction with Cook Children's, the relationship with the Cook Children's employee must be reported, in writing, prior to any business transactions occurring. The vendor, in most circumstances, is allowed to make a bid as long as a minimum of two other competitive bids are also solicited. The person making the final decision must follow Cook Children's purchasing policies and procedures.

***A friend of mine recently asked me to participate in an activity that sounds like a pyramid scheme. What is the Cook Children's position on this type of activity?***

These types of activities inevitably "spill over" into the workplace and have the potential to impact many co-workers, often with a negative financial result. Accordingly, it is the policy of Cook Children's that employees may not participate in any such pyramid or endless chain schemes. This applies to all employees while at work and while off duty. Employees, as a condition of employment, agree that they will not engage in these activities.

***A vendor periodically drops off a meal for the office staff. Is this OK to accept?***

If the vendor is providing a bona fide training session on a product or service his/her company furnishes to the organization, then a modest meal for those attending the training session would be OK, but it must be approved in advance by the chief compliance officer. To obtain approval, you should submit the form attached to Cook Children's Interactions with Industry, Vendors and Other Outside Business Representatives, CC 100. Also refer to the Code of Conduct sections on (1) gifts and (2) receiving and extending business courtesies.



## Acknowledgment form

As a condition of employment, employees must sign this acknowledgment form.

“I certify that I have received and read the Cook Children’s Code of Conduct and have been provided the opportunity to ask questions. I understand that I am required to comply with the Code of Conduct and any revisions to the Code of Conduct. I understand that there are several sources within Cook Children’s that I can consult if I have additional questions concerning the meaning or application of the Code of Conduct or relevant legal and regulatory requirements. These include my supervisor, any member of management, Talent Management, Compliance, Legal or any member of the Corporate Compliance Committee.”

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Signature

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Printed name

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Date

### ***A patient’s mother asked to friend me on a social media site. What should I do?***

According to Cook Children’s Professional Relationships with Patients and Families Policy, HR 610, an employee must graciously decline the request by indicating that it is against Cook Children’s policy.

### ***I found a website on the Internet that allows me to manage the unit schedule. I like the website better than Kronos.***

#### ***Can I use it?***

**OR**

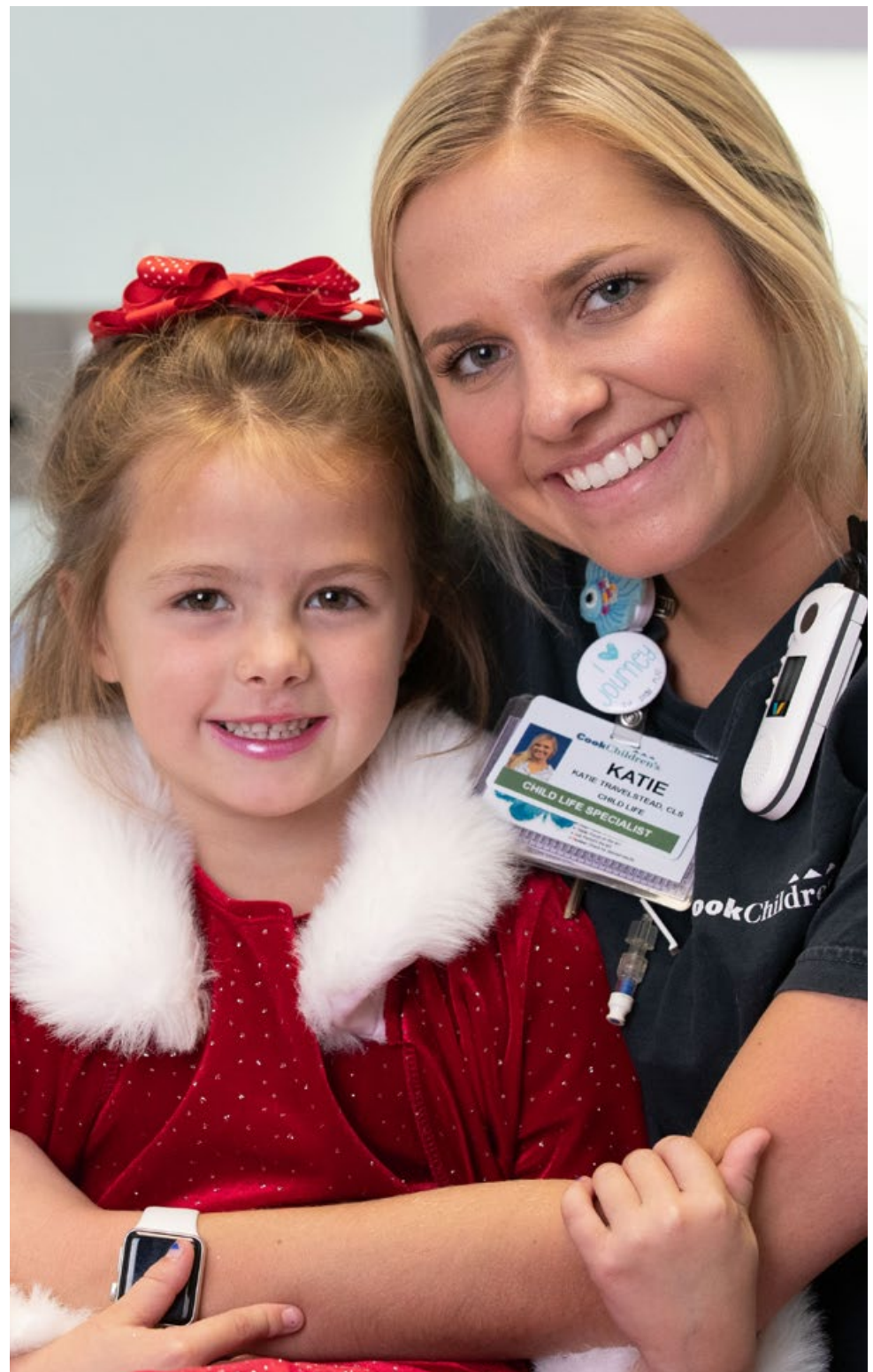
### ***I have a free software application that I found on the Internet that can help me do my job better. Can I download it and use it?***

**OR**

### ***A donor has agreed to purchase a new system for our department to use. The vendor is ready to start installation.***

#### ***Is it OK for us to proceed?***

Not without prior approval from IS. Cook Children’s Computer Products and Services Procurement Policy, IS 200, requires any technology (including but not limited to hardware, software, websites and/or data) acquired and/or used at Cook Children’s to be approved in advance by Information Services and the chief information officer. This policy applies to any technology, whether it is free or donated. The policy helps ensure that any technology investments are compatible with our existing systems and that we have allocated resources and/or a project team to support the new acquisition. We also have to perform information security reviews so that we are compliant with applicable federal and/or state regulations. You can contact the Information Services Service Desk at 682-885-5799 or [servicedesk@cookchildrens.org](mailto:servicedesk@cookchildrens.org) to start the required review process.





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