



**Brattleboro Memorial Hospital**  
EXCEPTIONAL CARE FOR OUR COMMUNITY

# **Code of Conduct**

## Message from President and Board Chair:

Ethics and accountability are central to the core values and mission of BMH. Our patients and their families put their trust in us, as do our personnel, clinicians, vendors, business partners, investors and others, including the communities we serve. We share the important responsibility to continuously strive to achieve the highest standards of ethical conduct.

The Board of Directors and senior management of BMH are committed to compliance and ethical behavior. BMH has written this Code of Conduct to provide guidance on expectations for acceptable behavior for those who work on behalf of BMH. It provides a broad overview of compliance concepts and builds on the policies and procedures of our Compliance Program.

The Code of Conduct is one of the most important communications you will ever receive. It is the cornerstone of all BMH practices. You will need to read it from cover to cover. We expect you to understand and follow the Code of Conduct and help to make sure others do as well. Although no single document can provide all the answers, the Code of Conduct is a valuable resource designed to give guidance on where to turn if you see any inappropriate or unethical conduct or decisions being made.

Lead by example, ask questions if you don't know the answer, and report any problems or concerns about inappropriate or unethical actions. You can go to your supervisor, to management, to your facility compliance officer, BMH Compliance Office, or use other avenues described in this document, including the Compliance Hotline (802-257-8480) or email at [compliance@bmhvt.org](mailto:compliance@bmhvt.org). BMH will not retaliate or tolerate any retaliation against you for reporting in good faith.

If we work together, we can achieve our goals — a work environment that puts patient care first and fosters service excellence, compassion, and the ethical and fair treatment of all.

Sincerely,



**Steven R Gordon**  
President



**William Daley**  
Chair, Board of Directors

## Introduction:

BMH is dedicated to adhering to the highest ethical standards. Common sense, good business judgment, ethical personal behavior, as well as compliance with applicable laws, policies and procedures are what we expect from all BMH personnel. The Code of Conduct details the fundamental principles, values and framework for action within the organization. It is intended to deter wrongdoing and promote:

- Honest and ethical conduct
- Compliance with all applicable governmental laws, rules and regulations
- Prompt internal reporting of violations and compliance concerns

The Code of Conduct is intended to provide a general overview of basic compliance concepts and to give guidance on acceptable behavior for BMH personnel, including all those who work on behalf of BMH — our personnel, vendors, physicians, and others affiliated with us or doing business in BMH facilities or offices. The Code of Conduct is not intended to fully describe the laws that apply to personnel or to detail company policies and procedures.

## Mission, Vision Statement and Guiding Principles:

The mission of BMH is “To provide community based quality health services delivered with compassion and respect.” Our vision is “The best patient experience all the time, for every patient. The best place to work for employees, physicians and volunteers.” We will realize this mission and vision through our commitment to the following guiding principles.

*Service Excellence:* We will provide timely, professional, effective and efficient service to all of our customer groups.

*Continuous Improvement in Measurable Ways:* We will identify the key needs of our customers, assess how well we meet those needs, continuously improve our services, and measure our progress.

*Employee Development:* We understand that the professionalism and drive of our people are the most important factors in the quality of the service BMH provides. We will hire talented people, increase their skills through training and experience, and provide opportunities for personal and professional growth within the company.

*Ethical and Fair Treatment of All:* We are committed to forming relationships of fairness and trust with our patients, the physicians, purchasers of our services, and our personnel. We will conduct our business according to the highest ethical standards.

*Teamwork:* We will work together to provide ever-improving customer service. This team approach to our work will supersede traditional departmental organization and create a true customer focus. People at all levels of the organization will participate in decision-making and process improvement.

*Compassion:* We will never lose sight of the fact that we provide care and comfort to people in need. The patients and families who rely upon us are fellow human beings, and they will receive respectful and dignified treatment from all of our people at all times.

*Innovation in Service Delivery:* We will invest in the development of new and better ways of delivering our services.



### Patient Care:

BMH is committed to providing high-quality patient care in the communities we serve, and advocates a responsive management style and a patient-first philosophy based on integrity and competence. We treat our patients with respect and dignity, providing high-quality, compassionate care in a clean, safe environment.

The Code of Conduct applies to all BMH personnel, including those who work on behalf of BMH — personnel, vendors, healthcare professionals, and all other personnel affiliated with BMH or doing business in our facilities and offices.

### Healthcare Professionals:

The Code of Conduct applies to healthcare professionals who work with or are affiliated with BMH facilities. In addition to the guidelines set forth in the Code of Conduct, healthcare professionals are expected to carry all required licenses and follow the ethical and professional standards dictated by their respective professional organizations and licensing boards.

### Leadership Responsibilities:

We expect our leaders to set the example — to be in every respect a role model. Our leaders should help to create a culture that promotes the highest standards of ethics and compliance. We must never sacrifice ethical and compliant behavior in the pursuit of business objectives.

### Compliance:

BMH is committed to full compliance and expects its personnel to obey all applicable state, federal and local laws, to comply with BMH and facility policies and procedures, and to follow the guidelines in this Code of Conduct. Compliance will be an important aspect of performance evaluations. A violation of this Code of Conduct, BMH or facility policies and procedures, or any law or regulation will be handled through normal disciplinary procedures, and may lead to serious disciplinary action, up to and including immediate termination.

***BMH and Facility Policies and Procedures:*** BMH personnel are required to understand and follow all policies and procedures that apply to their work at BMH. If anyone has a question about the applicable legal, policy or procedural requirements, they should ask their supervisor. The BMH Compliance Program policies and procedures are available on the Hospital's Sharepoint intranet or by contacting the BMH Compliance Officer.

***Code of Business Conduct and Corporate Standards:*** BMH personnel are expected to perform their duties in good faith to the best of their ability and not engage in any illegal, unfair or deceptive conduct relating to business practices, conforming with the standards for business conduct set forth in the BMH Standards of Business Conduct Policy

***Laws and Regulations:*** BMH expects its personnel to fully comply with all applicable laws and regulations federal, state, and local. Failure to comply with legal requirements can lead to serious disciplinary action, up to and including immediate termination. Key healthcare compliance laws which are addressed in more detail in the BMH Standards of Business Conduct Policy include the following:

The physician self-referral law, known as the Stark Law, which prohibits hospitals from submitting any claim for certain services called designated health services if the referral comes from a physician with whom the hospital has a prohibited financial relationship.

The federal anti-kickback statute and similar state statutes, which prohibit payments (direct or indirect), made to induce or reward the referral or generation of government healthcare program business.

The Emergency Medical Treatment and Labor Act (EMTALA), which contains requirements for the evaluation and treatment of emergency patients.

Laws authorizing the Office of Inspector General (OIG) to exclude healthcare providers from participation in federal healthcare programs that provide unnecessary or substandard items or services provided to any patient.

Privacy and security laws and regulations that protect patient information, including protected health information (PHI) under the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and the Health Information Technology for Economic and Clinical Health (HITECH) Act of 2009.

Federal and state false claims statutes and whistleblower protections that serve a key role in preventing and detecting fraud, waste, and abuse in the federal healthcare programs.

***Coding and Billing Integrity:*** All billing practices as well as the preparation and filing of cost reports must comply with all federal and state laws and regulations as well as BMH and facility policies and procedures. Personnel will assist BMH in identifying and appropriately resolving any coding and billing issues or concerns. BMH will refund overpayments made by a federal healthcare program or other payers in accordance with applicable law.

***Relationships with Federal Healthcare Beneficiaries:*** Federal fraud and abuse laws prohibit offering or providing inducements to beneficiaries in government healthcare programs and authorize the OIG to impose civil money penalties (CMPs) for these violations. Government healthcare programs include Medicare, Medicaid, Veterans Administration and other programs. BMH personnel may not offer valuable items or services to these patients to attract their business (including gifts, gratuities, certain cost-sharing waivers, and other things of value).

***Fraud and Abuse, the False Claims Act and Whistleblower Protections:*** BMH intends to fully comply with the federal False Claims Act (FCA) and any similar state laws that fight fraud and abuse in government healthcare programs. The FCA contains a qui tam or whistleblower provision, which permits a private person with knowledge of a false claim for reimbursement by a government agency to file a lawsuit on behalf of the U.S. government. In addition, there are individual state laws providing that persons who report fraud and abuse by participating healthcare providers in the Medicaid program may be entitled to a portion of the recovery. Under both the FCA and similar state laws there are protections against retaliation.

***Ineligible Persons, Excluded Individuals and Entities:*** BMH does not do business with, hire, or bill for services rendered by excluded or debarred individuals or entities. BMH personnel must report to their supervisor or human resources department immediately if they become excluded, debarred or ineligible to participate in any government healthcare program, or become aware that anyone doing business with or providing services for BMH has become excluded, debarred or ineligible.

***Monitoring and Investigation:*** BMH is committed to monitoring and investigating compliance concerns relating to laws, regulations and/or BMH or facility policies. When a violation is substantiated, BMH will initiate corrective action including, as appropriate, resolving overpayments, making required notifications to government agencies, implementing systemic changes to prevent recurrences, and instituting disciplinary action.



## Medical Records

BMH strives to ensure facility medical records are accurate and to provide information that documents the treatment provided and supports the claims submitted. Tampering with or falsifying medical records, financial documents or other business records of BMH will not be tolerated. The confidentiality of patient records and information must be maintained in accordance with privacy and security laws and regulations that protect patient information, including protected health information (PHI) under HIPAA and HITECH and applicable state laws.

## Employment

BMH promotes diversity and strives to provide a workplace environment that is in full compliance with all applicable employment-related laws as well as BMH and facility policies and procedures. It is BMH policy to provide equal employment opportunities to all personnel, prospective and current, without regard to race, color, religion, sex, age, national origin, marital status, disability, or veteran status, and BMH will do its best to make reasonable accommodations for known disabilities. BMH personnel who have questions concerning, or are aware of, any breach of the Equal Employment Opportunity (EEO) guidelines, should contact the applicable human resources department. BMH prohibits workplace violence, threats of harm, and harassment of any kind of its personnel.

## Workplace Behavior

We choose to be honest in all of our interactions and remain steadfast when challenged. We are, first and foremost, honest in all of our dealings with one another and with our patients, customers, vendors and the community in which we operate. We show respect for everyone by what we say and do, and we value our diverse workforce. We excel at everything we do. We strive aggressively for the highest standard of quality, in order to achieve superior outcomes for our customers. We own up to our words and actions. When we commit to do something, we do it decisively and responsibly, so that others can rely on us consistently. These expectations are set forth in the Workplace Behavior Policy.

## Environment and Workplace Safety

BMH expects its personnel to obey all state, federal and local environmental and workplace safety laws, regulations and rules, including those promulgated by the Environmental Protection Agency and the Occupational Safety and Health Administration (OSHA).

## Reporting Suspected Wrongdoing

BMH is committed to complying with all applicable laws and regulations, including those designed to prevent and deter fraud, waste and abuse. BMH personnel with knowledge of or who in good faith, suspect any wrongdoing are expected to promptly report the matter, using one of the processes described below.

- In most cases, concerns should be brought to the attention of your immediate supervisor or department manager first.
- Complete an incident report using the Quantros incident reporting system.
- Speak directly with the Human Resource Director, or the BMH Compliance Officer.
- Use the Compliance Hotline (802-257-8480) or email [compliance@bmhvt.org](mailto:compliance@bmhvt.org).

Self-reporting is encouraged — anyone who reports their own wrongdoing or violation of law will be given due consideration in potential mitigation of any disciplinary action. Retaliation in any form against anyone who makes a good faith report of actual or suspected wrongdoing or cooperates in an investigation is strictly prohibited. Anyone who feels that they have been retaliated against should report this immediately, using any of the methods described above.