

## **CAMPBELL COUNTY HEALTH**

### **ADMINISTRATIVE POLICY AND PROCEDURE**

**SUBJECT: CODE OF CONDUCT**

#### **PURPOSE**

This Code of Conduct has been adopted by the Campbell County Health Board of Trustees to provide standards by which employees of the hospital, nursing home, and all other owned entities will conduct themselves in order to protect and promote organization-wide integrity and to enhance Campbell County Health's ability to achieve the organization's mission.

#### **LEADERSHIP GOALS AND VALUES**

At Campbell County Health, our mission is to provide a lifetime of care with dedication, skill and compassion. Our vision is that Campbell County Health will be the first choice for healthcare and wellness in Wyoming by providing Excellence Every Day. To accomplish our mission and vision, the Board of Trustees has developed the following pillars and core values:

People - Fairness and Dedication

Care - Constant Pursuit of Safety and Quality

Service - Care and Compassion

Business - Integrity and Transparency

Campbell County Health recognizes that to be a safe and quality patient centered organization, a commitment to ethics, values and compliance with the laws and regulations forms the foundation for a strong organization.

#### **INTRODUCTION**

The Code of Conduct contains Principles articulating the policy of the organization and Standards which are intended to provide additional guidance to persons functioning in managerial or administrative capacities and to all employees. The Code will be provided as part of the employee annual mandatory education. The Principles and Standards shall be disseminated annually to Trustees, officers, employees, volunteers and medical staff members. The Principles and Standards shall be available to all employees as part of the administrative policies manual. All employees are responsible to ensure that their behavior and activities are consistent with the Code of Conduct.

As used in this Code of Conduct, the term "Campbell County Health" means Campbell

County Hospital District and each of its divisions, subsidiaries and operating or business units. The terms "trustee", "officer," "director," "employee," and "volunteer" include any person who fills such a role or provides services on behalf of Campbell County Health or any of its divisions, subsidiaries, or operating or business units, e.g. CCH Home Health.

## **QUALITY OF CARE**

Campbell County Health is committed to providing our patients high quality of care by striving for excellence every day. The organization is committed to providing health care services that meet the needs of our patients, and their families, in a safe and productive environment. Patients will be given information necessary for them to give informed consent prior to the start of any non-emergency procedure or treatment. Our providers have a responsibility to inform patients about their proposed plan of care, including the risks, benefits and alternatives. CCH will honor patients decisions about treatment as well as any advanced directives.

Compassion and care are part of our commitment to the community we serve.

## **PRINCIPLE 1 - LEGAL COMPLIANCE**

Campbell County Health will strive to ensure all activity by employees or an agent of the organization is in compliance with applicable laws.

The following Standards are intended to provide guidance to employees and management in administrative positions to assist them in their obligation to comply with applicable laws. These standards are neither exclusive nor complete. Employees are required to comply with all applicable laws, whether or not specifically addressed in these policies. If questions regarding the existence of interpretation or application of any law arise, they should be directed to the legal counsel of Campbell County Health.

### ***Standard 1.1 — Antitrust***

All employees must comply with applicable antitrust and similar laws which regulate competition. Examples of conduct prohibited by the laws include (1) agreements to fix prices, bid rigging, collusion (including price sharing) with definite non-competitors; (2) boycotts, certain exclusive dealing and price discrimination agreements; (3) tying arrangements where the purchaser is required to buy an additional product in order to buy the desired product or service; and (4) unfair trade practices including bribery, misappropriation of trade secrets, deception, intimidation and similar unfair practices. Employees are expected to seek advice from their Manager, the Corporate Compliance Officer, or the Hotline when confronted with business decisions involving a risk of violation of the antitrust laws.

### ***Standard 1.2 - Tax***

As a governmental entity, Campbell County Health has a legal and ethical obligation to act in compliance with applicable laws, to engage in activities in furtherance of its charitable

purpose, and to ensure that its resources are used in a manner which furthers the public good rather than the private or personal interests of any individual. Consequently, Campbell County Health and its employees will avoid compensation arrangements in excess of fair market value, will accurately report payments to appropriate taxing authorities, and will file all tax and information returns in a manner consistent with applicable laws.

### ***Standard 1.3 - Fraud and Abuse***

Campbell County Health expects its employees to refrain from conduct which may violate the fraud and abuse laws. These laws prohibit (1) direct, indirect or disguised payments in exchange for the referral of healthcare patrons; (2) the submission of false, fraudulent or misleading claims to any government entity or third party payor, including claims for services not rendered, claims which characterize the service differently than the service actually rendered, or claims which do not otherwise comply with applicable program or contractual requirements; and (3) making false representations to any person or entity in order to gain or retain participation in a program or to obtain payment for any service.

All employees of CCH are protected as to their whistleblower rights under Section 6032 of the Deficit Reduction Act of 2005. Employees will not be punished bringing forward truthful information or evidence of Fraud and Abuse.

CCH does not waive insurance co-payments or otherwise provide financial benefits to patients in return for admission. Under certain circumstances, CCH may provide for appropriate financial arrangements (such as allowing monthly payments over time) to patients based purely on their financial need.

### ***Standard 1.4- Lobbying/Political Activity***

Campbell County Health expects each of its employees to refrain from engaging in activity which may jeopardize the tax exempt status of the organization, including a variety of lobbying and political activities.

1. No individual may make any agreement to contribute any money, property, or services of any officer or employee at Campbell County Health's expense to any political candidate, party, organization, committee or individual in violation of any applicable law. Officers and employees may personally participate in and contribute to political organizations or campaigns, but they must do so as individuals, not as representatives of Campbell County Health, and they must use their own funds.
2. Where its experience may be helpful, Campbell County Health may publicly offer recommendations concerning legislation or regulations being considered. In addition, it may analyze and take public positions on issues that have a relationship to the operations of Campbell County Health when the Hospital's experience contributes to the understanding of such issues. Recommendations concerning legislation or regulations may only be made with the authorization of

the Chief Executive Officer or the Board of Trustees.

3. Campbell County Health has many contacts and dealings with governmental bodies and officials. All such contacts and transactions shall be conducted in an honest and ethical manner. Any attempt to influence the decision-making process of governmental bodies or officials by an improper offer of any benefit is absolutely prohibited. Any requests or demands by any governmental representative for any improper benefit should be immediately reported to the Department Manager, the Campbell County Health Corporate Compliance Officer, or the Hotline.
4. Employees of Campbell County Health shall not be compelled to make political contributions, including contributions to political action committees.

***Standard 1.5- Environmental***

It is the policy of Campbell County Health to manage and operate its business in the manner which respects our environment and conserves natural resources. Campbell County Health employees will strive to utilize resources appropriately and efficiently, to recycle where possible and otherwise dispose of all waste in accordance with applicable laws and regulations, and to work cooperatively with the appropriate authorities to remedy any environmental contamination for which Campbell County Health may be responsible. (For additional guidance, please refer to the Campbell County Health Hazardous Materials Policies and Procedures.)

***Standard 1.6 – Alcohol and Drugs***

- A. Search and Surveillance. Employees, their possessions and CCH issued equipment and containers under their control are subject to search and surveillance at all times while on CCH premises or work sites, or while conducting CCH business.
- B. Working and Drugs. Employees are not permitted to work when they are under the influence of drugs or alcohol. Supervisors who reasonably believe that an employee is under the influence of drugs or alcohol while at work should immediately report the matter to Human Resources, who will take action as appropriate under the circumstance.
- D. Prohibition of Alcohol or Illegal Drugs

CCH will maintain a workplace that is free from the effects of drug or alcohol abuse. Employees are prohibited from using, selling, distributing, possessing or manufacturing illegal drugs, controlled substances, narcotics or alcoholic beverages on CCH premises, including parking lots. In addition, CCH prohibits off-premises use of alcohol or controlled substances, as well as the possession, use or sale of illegal drugs, when these activities adversely affect job performance. CCH may permit the moderate consumption of alcohol at CCH sponsored events approved by the CEO of the company.

### ***Standard 1.7 – EMTALA***

CCH shall abide by all applicable requirements of the Emergency Medical Treatment and Active Labor Act (“EMTALA”). CCH will provide medical screening examinations to any individual who comes into the emergency department and requests such examination, regardless of ability to pay. CCH will provide appropriate stabilizing treatment or appropriate transfer if the receiving hospital has the specialized capabilities and capacity to treat the individual to be transferred that CCH lacks. CCH will also accept EMTALA transfers if CCH has the capabilities and capacity to treat transferred individuals.

### ***Standard 1.8 - Discrimination***

Campbell County Health believes that the fair and equitable treatment of employees, healthcare patrons and other persons is critical to fulfilling its vision and goals.

It is a policy of Campbell County Health to treat healthcare patrons without regard to the race, color, religion, sex, ethnic origin, age or disability of such person, or any other classification prohibited by law.

It is a policy of Campbell County Health to recruit, hire, train, promote, assign, transfer, layoff, recall and terminate employees based on their own ability, achievement, experience and conduct without regard to race, color, religion, sex, ethnic origin, age or disability, or any other classification prohibited by law.

Campbell County Health will not permit its employees or agents to engage in any form of harassment or discrimination on basis of sex, race, color, disability, age, religion, or ethnic origin or any other classification prohibited by law. Each allegation of harassment or discrimination by an employee or agent will be promptly investigated in accordance with applicable human resource policies and procedures.

## **PRINCIPLE 2 - BUSINESS ETHICS**

In furtherance of Campbell County Health's commitment to the highest standards of business ethics and integrity, employees will accurately and honestly represent Campbell County Health and as hospital employees or agents will not engage in any activity or scheme intended to defraud anyone of money, property or honest services.

The Standards set forth below are designed to provide guidance to ensure that Campbell County Health's business activities reflect the high standards of business ethics and integrity. Employee conduct not specifically addressed by these standards must be consistent with Principle 2.

### ***2.1- Honest Communication***

Campbell County Health requires candor and honesty from individuals in the performance of their responsibilities and in communication with our attorneys and auditors. No employee shall make false or misleading statements to any patient, person or entity doing business with Campbell County Health about other healthcare patrons, persons or entities doing business or competing with Campbell County Health, or about the products or services of Campbell County Health or its competitors.

### ***2.2- Misappropriation of Proprietary Information***

Campbell County Health employees shall not misappropriate confidential or proprietary information belonging to another person or entity nor utilize any publication, document, computer program, information or product in violation of a third party's interest in such product. All Campbell County Health employees are responsible to ensure they do not improperly copy for their own use documents or computer programs in violation of applicable copyright laws or licensing agreements. Employees shall not utilize confidential business information obtained from competitors, including customer lists, price lists, contracts or other information in violation of a covenant not to compete, prior employment agreements, or in any other manner likely to provide an unfair competitive advantage to Campbell County Health.

### ***2.3- Fraud and Abuse (Standard 1.3 above)***

### ***2.4 – Contracts***

All contracts must be reviewed in accordance with established CCH policy. CCH's policy is that every agreement between CCH and a physician or other supplier or person in a position to influence referrals, must be in writing and approved by the CEO prior to entering into the agreement. Under no circumstances should agreement be tied, expressly or by implication, or by "private understanding" to referrals of any business.

## **PRINCIPLE 3 - CONFIDENTIALITY**

CCH treats our patient's information with care, respecting our patient's privacy. We will only use patient information for treatment purposes, to obtain payment and for other healthcare operations, including administrative purposes or evaluation of the quality of care of our patients.

CCH collects information, including a patient's medical condition, history, medication, and family illnesses in order to provide the best possible care. Although there may be emergent or other situations where it is necessary to disclose a patient's information (such as instances where the disclosure is required by law), CCH takes care to maintain the confidentiality of patient information by sharing patient information only with those individuals who have a need to know for the purposes of treatment, payment or other healthcare operations.

CCH employees only discuss or share protected patient information only with those who have a right or need to know, only if necessary authorizations have been received, and only in a manner consistent with legal requirements. CCH will avoid discussing protected patient information in public areas. CCH strictly follows HIPAA regulations and CCH privacy and

security policies. CCH employees must never use or disclose confidential patient information in a manner that violates the privacy rights of CCH patients. Wrongful disclosure of confidential medical information may result in disciplinary action up to and including immediate termination.

Campbell County Health and its employees are in possession of and have access to a broad variety of confidential, sensitive and proprietary information, the inappropriate release of which could be injurious to individuals, Campbell County Health's business partners and Campbell County Health itself. Every Campbell County Health employee has an obligation to actively protect and safeguard confidential, sensitive and proprietary information in a manner designed to prevent the unauthorized disclosure of information.

Any CCH employee who receives a subpoena or other written request for information shall deliver that subpoena to the medical records department for guidance on the propriety of releasing the information.

### ***3.1—Patient Information***

All of Campbell County Health employees have an obligation to conduct themselves in accordance with the principle of maintaining the confidentiality of patient information in accordance with all applicable local, state, and federal laws and regulations which would include the Health Information Portability and Accountability Act. Employees shall refrain from revealing any personal or confidential information concerning healthcare patrons or members unless supported by legitimate business or patient care purposes. If questions arise regarding an obligation to maintain the confidentiality of information or the appropriateness of releasing information, employees should seek guidance from their Department Manager, the Risk Manager or the Compliance Officer.

Private patient information that is stored in electronic format is protected explicitly under the HIPAA regulations. It is every employee's responsibility to safeguard the confidentiality, availability and integrity on information stored in electronic format. Access to systems that contain protected healthcare information requires each user to log on to that system with a unique identifier. Access to information is limited to the amount necessary to perform the functions of each employee's position. A user's unique identifier needs to be protected because it is used to determine the identity of personnel who violate this policy. Employees must not share their log on with other employees or use it to provide access to outside agencies or individuals.

### ***3.2 – Media Inquiries***

The Community Relations Department or the Chief Executive Officer are responsible for all contact with media. All requests for information from the media should be referred to the Community Relations Department.

### ***3.3- Proprietary Information***

Information, ideas and intellectual property assets of Campbell County Health are important to organizational success. Information pertaining to Campbell County Health's

competitive position or business strategies, payment and reimbursement information, and information relating to negotiations with third parties should be protected and shared only with employees having a need to know such information in order to perform their job responsibilities. Employees should exercise care to ensure that intellectual property rights, including patents, trademarks, copyrights and software are carefully maintained and managed to preserve and protect its value. Employees are not allowed to copy hospital software for personal use nor should they bring in their own software for use on CCH computers without obtaining permission from the Information Technology Manager.

### ***3.4- Personnel Actions/Decisions***

Benefit and other personal information relating to employees shall be treated as confidential as provided by state and federal law. Personnel files, payroll information, disciplinary matters, employee protected health information, and similar information shall be maintained in a manner designed to ensure confidentiality in accordance with applicable laws. Employees will exercise due care to prevent the release or sharing of information beyond those persons who may need such information to fulfill their job function.

### ***3.5 – Communication Systems***

All communication systems, including but not limited to, electronic mail, Intranet, Internet, telephones or voice mail are the property of CCH and are to be used primarily for business purposes. Limited reasonable use of communication devices is permitted, but the employee should not assume the communications on hospital systems are private nor presume the expectation of privacy in anything they create, store, send or receive on computer or telephonic systems. The communication systems may not be used to post any threatening materials; knowingly, recklessly or maliciously create or send false materials; obscene materials; political materials; or anything constituting or encouraging a criminal offense.

### ***3.6 – Executive Session Information***

Trustees of the Hospital Board and others may receive information not available to the general public as a result of operating the hospital. Executive session information shall not be disclosed outside of executive session.

## **PRINCIPLE 4-CONFLICTS OF INTEREST**

Trustees, officers, committee members and key employees, who are in a position to influence decision-making, owe a duty of undivided and unqualified loyalty to the organization. Persons holding such positions may not use their positions to profit personally or to assist others in profiting in any way at the expense of the organization. (Please refer to the Campbell County Health Conflict of Interest Policy for further guidance.)

Trustees, officers, committee members, and key employees, who are in a position to influence decision-making, will be referred herein as "covered persons." All covered persons are

expected to regulate their activities so as to avoid actual impropriety and/or the appearance of impropriety which might arise from the influence of those activities on business decisions of Campbell County Health, or from disclosure or private use of business affairs or plans of Campbell County Health.

#### ***4.1- Outside Financial Interests***

While not all inclusive, the following will serve as a guide to the types of activities by a covered person, or household member of such person, which might cause conflicts of interest:

1. Ownership in or employment by any outside concern which does business with Campbell County Health. This does not apply to stock or other investments held in a publicly held corporation, provided the value of the stock or other investments does not exceed 5% of the corporation's stock. Campbell County Health may, following a review of the relevant facts, permit ownership interests which exceed these amounts if management concludes such ownership interests will not adversely impact Campbell County Health's business interest or the judgment of the covered person.
2. Disclosure or use of confidential, special or inside information of or about Campbell County Health, particularly for personal profit or advantage of the covered person or a household member.
3. Competition with Campbell County Health by a covered person, directly or indirectly, in the purchase, sale or ownership of property or property rights or interests, or business investment opportunities.

#### ***4.2- Services for Competitors/Vendors***

No covered person shall perform work or render services for any competitor of Campbell County Health or for any organization with which Campbell County Health does business or which seeks to do business with Campbell County Health outside of the normal course of his/her employment with Campbell County Health without the approval of the immediate supervisor and written authorization of the appropriate Vice President, or, Executive Officer of Campbell County Health. Nor shall any such covered person be a director, officer, or consultant of such an organization, nor permit his/her name to be used in any fashion that would tend to indicate a business connection with such organization.

#### ***4.3- Participation on Boards of Directors/Trustees***

1. A covered person must obtain written authorization from his/her supervisor prior to serving as a member of the Board of Directors/Trustees of any organization whose interests may conflict with those of Campbell County Health.

2. A covered person who is asked, or seeks to serve on the Board of Directors/Trustees of any organization whose interest would not impact Campbell County Health (for example, civic [non-governmental], charitable, fraternal and so forth) will not be required to obtain such approval.
3. All fees/compensation (other than reimbursement for expenses arising from Board participation) that are received for Board services provided during normal work time shall be paid directly to Campbell County Health.
4. A covered person must disclose all Board of Directors/Trustees activities in the annual Conflict of Interest disclosure statement.
5. Campbell County Health retains the right to prohibit membership by any covered person on any Board of Directors/Trustees where such membership might conflict with best interest of Campbell County Health.
6. Questions regarding whether or not Board participation might present a conflict of interest should be discussed with a covered person s supervisor.

#### ***4.4- Honoraria***

Campbell County Health will provide community education programs that are consistent with its mission, vision, and values. Where an employee provides an education program as part of his or her employment and is provided an honorarium or fee for that program, the honorarium or fee shall be paid to the Hospital. However, an employee may keep the honorarium or fee if all of the following requirements are met:

1. The preparation of the education program, the travel, and the actual program presentation/consultation were not performed on Hospital time and were not reimbursed by the Hospital;
2. The education program or consultation must not compete with Hospital programs or services;
3. No Hospital resources (personnel time, materials, computer resources, etc.) were used in the preparation or presentation of the program;
4. The primary consulting opportunity and knowledge of the subject matter was not obtained as a result of employment at Campbell County Health; and
5. The educational program/consulting opportunity does not violate any other hospital policies or agreements.

### **PRINCIPLE 5 - BUSINESS RELATIONSHIPS**

Business transactions with vendors, contractors and other third parties shall be transacted free from offers or solicitation of gifts and favors or other improper inducements in exchange for influence or assistance in a transaction.

The Standards set forth below are intended to guide key employees in determining the appropriateness of the listed activities or behaviors within the context of Campbell County Health business relationships, including relationships with vendors, providers, contractors, third part) payors and government entities. It is the intent of Campbell County Health that this policy be construed broadly to avoid even the appearance of improper activity. If there is any doubt or concern about whether specific conduct or activities are ethical or otherwise appropriate; you should contact your Department Manager, the Corporate Compliance Officer, or the Hotline.

### ***5.1- Gifts and Gratuities***

It is Campbell County Health's desire to at all times preserve and protect its reputation and to avoid the appearance of impropriety.

1. Gifts from Healthcare Patrons. Employees are prohibited from soliciting tips, personal gratuities or gifts from healthcare patrons and from accepting monetary tips or gratuities. Employees may accept gifts of a nominal value from healthcare patrons. If a patient or another individual wishes to present a monetary gift, he/she should be referred to the appropriate business unit development office.
2. Gifts Influencing Decision-Making. Employees shall not accept gifts, favors, services, entertainment or other things of value to the extent that decision-making or actions affecting Campbell County Health might be influenced. Similarly, the offer or giving of money, services or other things of value with the expectation of influencing the judgment or decision making process of any purchaser, supplier, customer, government official or other person by Campbell County Health is absolutely prohibited. Any such conduct must be reported immediately either to the Corporate Compliance Officer.
3. Gifts from Existing Vendors. Employees may retain gifts from vendors which have a nominal value. (Campbell County Health has made no attempt to define "nominal" as a specific dollar value. Rather, Campbell County Health expects its employees to exercise good judgment and discretion in accepting gifts). If an employee has any concern whether a gift should be accepted, the employee should consult with his/her supervisor. To the extent possible, these gifts should be shared with the employees co-workers. Employees shall not accept excessive gifts, meals, expensive entertainment or other offers of goods or services which have more than a nominal value nor may they solicit gifts from vendors, suppliers, contractors or other persons.
4. Vendor Sponsored Entertainment. At a vendor s invitation, an individual may accept meals or refreshments at the vendor's expense. Occasional attendance at a local theater or sporting event, or similar entertainment at vendor expense may

also be accepted. In most circumstances, a regular business representative of the vendor should be in attendance with the employee.

Nothing in this policy shall prohibit a business unit or supervisor from establishing stricter rules relating to the acceptance of gifts, gratuities or other things of value from vendors.

### ***5.2- Workshops, seminars and training sessions***

Attendance at local, vendor sponsored workshops, seminars and training sessions is permitted. Attendance, at vendor expense, at out of town seminars, workshops and training sessions is permitted only with the approval of an employee s supervisor, after consulting with the Chief Compliance Officer.

### ***5.3- Contracting***

Employees may not utilize "insider" information for any business activity conducted by or on behalf of Campbell County Health. All business relations with contractors must be conducted at arm's length both in fact and in appearance and in compliance with Campbell County Health policies and procedures. Employees must disclose personal relationships and business activities with contractor personnel who may be construed by an impartial observer as influencing the employees performance or duties. Employees have a responsibility to obtain clarification from management employees on questionable issues, which may arise, and to comply, where applicable, with the Campbell County Health's conflict of interest policy .

### ***5.4- Business Inducements***

Campbell County Health employees shall not seek to gain any advantage through the improper use of payments, business courtesies or other 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 Campbell County Health management and that they do not constitute illegal or unethical payments. Any such payments must be reasonable in value, competitively justified, properly documented, and made to the business entity to which the original agreement or invoice was made or issued. Such payments should not be made to individual employees or agents of business entities.

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

### ***5.5 Former and Current Government Employees***

The recruitment and employment of former or current U.S. Government employees is subject to a complex set of rules which change frequently and vary by employee. Care should

be exercised in strict compliance with United States Government conflict of interest laws.

## **5.6 Billing**

Campbell County Health will bill the patient, or when appropriate the insurance company or governmental agency. Campbell County Health is committed to providing accurate, honest and complete claims and bills to patients and payors.

All claims and requests for reimbursement, and all documentation supporting such claims, must be complete and accurate. The services provided must reflect reasonable and necessary services ordered by appropriately licensed medical professional who are participating providers. CCH only bills for services rendered.

Employees of Campbell County Health will not bill for items or services not rendered or not medically necessary, misrepresent the type or level of service rendered, bill for non-covered services, bill for services rendered by other providers or misrepresent a diagnosis in order to obtain payment.

1. Errors. If a billing error is identified subsequent to the submission of a claim to Medicare, Medicaid or other government payor, then steps should be taken to submit a corrected claim. The error should be reported using the following process:
  - a. CCH will use best efforts to quantify the overpayment as soon as practicable.
  - b. The business office will immediately report to the Compliance Officer all potential or actual payments from governmental payors in excess of \$25,000.
  - c. Within 60 days after identification of any overpayment from any government payor, CCH will repay the overpayment unless such overpayment would be subject to reconciliation and/or adjustment pursuant to routine policies and procedures established by the government payor or fiscal intermediary.
  - d. CCH will take remedial steps to correct the problem and prevent overpayment from recurring.
2. Billing Questions or Conflicts. When employees receive a question from a patient or third party payor about an invoice or charge, the employee will promptly review and address the question, or refer the matter to someone who is authorized to review the question.

## **5.7 Nepotism**

The Wyoming Ethics and Disclosure Act prohibits an official or employee from:

- Advocate or Authorizing the employment, appointment, promotion, transfer or advance of a family member;
- Supervising or managing a family member
- Participating in an official capacity regarding a matter relating to the employment or discipline of a family member.

An official or employee is prohibited from hiring a family member in any employment position, including a full-time, part-time, temporary or permanent position.

An official or employee may not vote or take an official action in a matter affecting a person with whom the public official is negotiating for prospective employment

In most situations, the Wyoming Ethics and Disclosure Act does not prohibit family members from being employed by the same public agency, as long as no official has secured a job, or job-related benefits, for the family member.

A "public official" means an individual elected to a state or local office, including a special district such as a hospital district. W.S. 9-13-102(vii) and (xiv).

An official has hired a family member when the employment could not have been awarded without the approval of the official. In other words, under this section, an official is prohibited from making the final decision about whether a family member should be hired. For example, an official is prohibited from voting to hire a family member.

If the official makes the final hiring decisions for the public agency she serves, the family members cannot be employed by the public agency. For example, a county office holder cannot hire a family member and cannot delegate the authority to hire the family members to a subordinate employee, which means that the family members cannot be hired by the office.

However, a person who worked in the office before the relative is elected is not prohibited from continuing to work for the office, as long as the terms and conditions of employment are not changed through promotion or other actions described below.

An official is also prohibited from taking an official action using the authority or influence of the public position to secure a job for a family member. Even if an official abstains from decisions, the law prohibits the official from discussing, recommending, or otherwise using the prestige of the office, formally or informally, to get a family member a job. A public official is prohibited from using an official from using the influence with other public officers or employees, especially subordinates, to persuade them to hire a family member.

The prohibitions continue after an official's family member has been employed. An official is prohibited from participating in any decision, or using the position to secure any decision, that affects the continuation, implementation, or terms and conditions of a family member's employment. For example, an official is prohibited from participating in matters

related to the renewal, modification, or termination of a family member's public employment. An official is prohibited, formally or informally, in any matter that directly affects a family member's employment. For example, an official is prohibited from securing any employment-related benefits for a family member. For example, a public official is prohibited from participating in matters affecting the family member's employment including: (1) changes in compensation or benefits; (2) assignment of duties; (3) evaluations; and (4) actions involving promotions, disciplinary actions, lay-offs, removal or change of supervisor. The statute also prohibits an official from influencing the decisions or actions of other officials or employees, particularly subordinates, regarding a family member's job with the public agency or any job related benefits.

Actions that are not prohibited include: An official is not prohibited from participating in certain matters in which a family member has an indirect interest or from which a family member may indirectly benefit. An official is not prohibited from approving a budget item including a merit raise for all employees when the relative may receive the raise, but the determination of merit rests with someone else.

The law generally does not prohibit a public official from voting on a motion or resolution to fix the compensation of a class of employees, one of whom is a relative of the official. However, an official is prohibited from voting on a motion setting compensation for employees if the motion: (a) establishes compensation on a basis other than membership in the class of employees; (b) affects the family member's compensation in a differential manner than other members of the class; or (c) secures, renews, modifies, or renegotiates the terms of the family member's job.

The law also does not prohibit an official from participating in a general budgetary appropriation that includes money to fund a family member's compensation and benefits, or from participating in budgetary appropriations to a department that employs a family member. However, the appropriation cannot provide the official or employee with the authority or discretion to alter the compensation and benefits for the family member, and must provide compensation and benefits that are identical for all members in the class.

Where an official's spouse is employed by the public agency, and the official is covered under health insurance provided by the agency to the spouse, there is an additional restriction. In that case, the official is receiving a thing of value. While the official is not prohibited from receiving the health insurance coverage, the official is prohibited from taking any action to approve the contract if it includes health insurance benefits and the official is covered under those benefits.

Finally, while the Ethics Law does not absolutely prohibit relatives from working for CCH, questions of fairness and impartiality may arise in such situations. Further, such hires may present the appearance of impropriety to the public, even where the public official fully and completely removes himself from participating in the hiring process, as described above. CCH will work to minimize these concerns by conducting all hiring activity in a fair, open, and impartial manner.

The Ethics Law and related statutes are criminal laws and civil laws. If a person is convicted of violating an ethics law, that person may receive a fine of \$1000. Additionally, violations of the Wyoming Ethic and Disclosure Act constitutes grounds for removal of both the public official, and the public official's employed family member from the position with CCH.

## **PRINCIPLE 6 - PROTECTION OF ASSETS**

All employees will strive to preserve and protect the Hospital's assets by making prudent and effective use of Campbell County Health resources and properly and accurately reporting its financial condition.

The Standards set forth below are intended to guide key employees by articulating Campbell County Health's expectations as they relate to activities or behaviors which may impact Campbell County Health's financial health or which reflect a reasonable and appropriate use of the assets of a nonprofit entity.

### ***6.1- Internal Control***

Campbell County Health has established control standards and procedures to ensure that assets are protected and properly used and that financial records and reports are accurate and reliable. All employees of Campbell County Health share the responsibility for maintaining and complying with required internal controls.

### ***6.2- Financial Reporting***

All financial reports, accounting records, financial analyses, expense accounts, time records, and other documents must accurately and clearly represent the relevant facts or the true nature of a transaction. Improper or fraudulent accounting, documentation or financial reporting is contrary to the policy of Campbell County Health and may be in violation of applicable laws. The U.S. Sarbanes-Oxley Act of 2002 (SOX) was passed in response to the failure of publicly held companies to preserve the public financial trust. In response, CCH, a non-profit health system, has chosen to voluntarily implement the Internal Audit role section of the SOX act within its organization. CCH's Internal Audit department is an independent, objective assurance and consulting activity within CCH designed to add value, improve organizational operation and offer financial assurance. The Internal Audit department helps accomplish its objectives by internal audits, evaluating financial and operational risk, and helps strengthen internal controls.

### ***6.3- Travel and Entertainment***

Travel and entertainment expenses should be consistent with the employees job responsibility and the organization's needs and resources. It is Campbell County Health's policy that an employee should not suffer a financial loss or a financial gain as a result of business travel and entertainment. Employees are expected to exercise reasonable judgment in the use of Campbell County Health's assets and to spend the organization's assets as carefully as they would spend their own.

Where expenses are incurred in relationship to an employee's attendance at an education seminar, the employee's Department Manager may have the employee pay a portion of the cost of the educational program in accordance with Campbell County Health's policy on Travel/Education Requests.

Employees must also comply with Campbell County Health policies relating to education workshop pay and reimbursement requests.

#### ***6.4- Personal Use of Corporate Assets***

All employees are expected to refrain from converting assets of the organization to personal use. All property and business of the organization shall be conducted in the manner designed to further Campbell County Health's interest rather than the personal interest of an individual employee. Employees are prohibited from the unauthorized use or taking of Campbell County Health's equipment, supplies, materials or services. Prior to engaging in any activity on company time which will result in remuneration to the employee or the use of Campbell County Health's equipment, supplies, materials or services for personal or non-work related purposes, employees shall obtain the approval of the appropriate business unit or other management of Campbell County Health.

### **ADMINISTRATION AND APPLICATION OF THIS CODE OF CONDUCT**

Campbell County Health expects each person to whom this Code of Conduct applies, to abide by the Principles and Standards set forth herein and to conduct the business and affairs of Campbell County Health in a manner consistent with the general statement of principles set forth herein.

Failure to abide by this Code of Conduct or the guidelines for behavior, which the Code of Conduct represents, may lead to disciplinary action. For alleged violations of the Code of Conduct, Campbell County Health shall, if indicated and at the discretion of the CEO, initiate an investigation within 72-business hours of learning of a suspected violation, weigh relevant facts and circumstances, including, but not limited to, the extent to which the behavior was contrary to the express language or general intent of the Code of Conduct, the egregiousness of the behavior, the employee's history with the organization and other factors which Campbell County Health deems relevant. Discipline for failure to abide by the Code of Conduct may, in Campbell County Health's discretion, range from verbal counseling to termination. In the event that an employee is covered by the terms of a contract, discipline shall be in accordance with the provisions of the contract.

Nothing in this Code of Conduct is intended to nor shall be construed as providing any additional employment or contract rights to employees or other persons. The employment relationship between the Campbell County Health and employees is at-will. The Campbell County Health retains the absolute right to terminate an employee at any time with or without good cause.

While Campbell County Health will generally attempt to communicate changes

concurrent with or prior to the implementation of such changes, Campbell County Health reserves the right to modify, amend or alter the Code of Conduct without notice to any person or employee.

Employees must report to their Supervisor or the Compliance Officer, actual or suspected violations of the Code of Ethics, applicable law, rules or regulations. Employees have the same reporting responsibility for actual or suspected violations committed by vendors or contractors.

Employees have been provided a number of places to go for assistance with compliance matters. Employees may contact their supervisor, administration and/or the compliance officer. There will be no reprisals against employees for good faith reporting of compliance concerns.

### **GOVERNMENT INVESTIGATIONS**

CCH will cooperate with all government investigations. If a CCH employee is contacted by any person who identifies themselves as a government investigator, the employee should notify the employee's supervisor.

CCH employees must never, under any circumstances: (1) destroy or alter any CCH document or record in anticipation of a request for the document or record by a government official, agency or court; (2) lie or make false or misleading statements to government investigator; or (3) attempt to persuade another CCH employee, or any person, to provide false or misleading information to a government investigator or fail to cooperate with a government investigation.

Initiated: 5/2005  
Revised: Tom Lubnau, 7/18/19  
Reviewed: Compliance Committee, 7/23/19  
Reviewed: Leadership Council, 7/23/19  
Approved: Board of Trustees, 8/22/19