

 <b>Samaritan</b> <small>Health</small> 830 Washington Street Watertown, NY 13601	<b>Compliance Code of Conduct</b>		<b>Document No.</b> 3007
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<b>Business Units:</b>	Medical Center, Samaritan Home Health, Samaritan Keep Home, Samaritan Summit Village Assisted Living, Samaritan Summit Village Skilled Nursing, Centers and Clinics		

## COMPLIANCE CODE OF CONDUCT

This Compliance Code of Conduct is applicable to Samaritan Medical Center and its Affiliates, Samaritan Keep Home, Samaritan Medical Practice, Samaritan Summit Village, and Samaritan Home Health (collectively, “Samaritan”).

### PURPOSE:

Mission Statement: Samaritan’s Compliance Program was established to identify, correct, and prevent unlawful conduct, including conduct that does not adhere to federal and state laws, rules and regulations, as well as Samaritan’s policies, and to promote a strong and just culture of compliance and honest, ethical behavior in the day-to-day operations throughout the organization.

### SUMMARY:

Safeguard Resources

Accurately Authenticate, Retain and Dispose of Documents and Records

Maintain Confidentiality

Avoid Conflict of Interest

Report Possible Violations

Integrity of Billing & Payor Relationships

Train and Educate

Avoid Inappropriate Acceptance of Gifts

Non-Intimidation/Non-Retaliation

### POLICY:

It is the policy of Samaritan, apart from applicable laws and regulations, to conduct its business with integrity and in accordance with the highest ethical standards. Honesty, integrity, dignity, respect and justice are expected in dealing with patients, physicians, fellow employees, visitors, vendors, students, auditors and other persons or entities with which Samaritan has a business relationship. Failure to act in accordance with these principles will be treated as a serious matter.

All persons affected by Samaritan's risk areas, including employees, the chief executive officer of SMC and other senior administrators, managers, and contractors, agents, subcontractors, independent contractors, and governing body and corporate officers of Samaritan ("Affected Individuals"), as appropriate, must comply with the Code of Conduct set forth herein and more fully described in the Compliance Plan, as well as applicable laws and regulations. Affected Individuals are expected to conduct business in a manner that supports integrity in Samaritan's operations and any conduct contrary to this expectation will be considered a violation of this policy, the Compliance Program, and its related policies and procedures.

**Safeguard Resources** – Every Affected Individual ("you") of Samaritan is required to safeguard all patients', residents', and employees' protected health information, including, but not limited to, electronic, written, oral or otherwise. You are also expected to maintain technical and physical safeguards in protecting Samaritan's electronic information systems, equipment and buildings from natural hazards, environmental hazards, theft and unauthorized users or intruders.

**Accurately Authenticate, Retain, and Dispose of Documents and Records** – You are responsible for the integrity and accuracy of Samaritan's medical and business documents and records in order to comply with regulatory and legal requirements and to ensure that records are available to defend Samaritan's business practices and actions. You may not alter or falsify information on any record or document.

Medical and business documents and records are retained in accordance with applicable laws, rules and regulations and Samaritan's document management policy. Any information entered into a patient's or resident's medical record is only to be modified by the authorized individual (e.g., originator or Health Information Management, and only in accordance with policy). Any destruction of Samaritan records or business documents will be handled in accordance with applicable federal, state, and local laws, rules and regulations by approved personnel in Health Information Management and/or the Compliance Department and in accordance with applicable record retention and destruction policies and procedures of Samaritan.

**Maintain Confidentiality** – You are required to follow applicable federal, state and local laws, rules and regulations, and Samaritan's policies regarding confidentiality, which can be found on our intranet under HIPAA. Before access to any protected health information is given, you are required to sign a confidentiality acknowledgement statement.. This acknowledgment must be signed annually thereafter as part of the mandatory compliance education and training process. Failure to comply will result in disciplinary action up to and including termination.

**Avoid Conflict of Interest** – A conflict of interest may occur if your outside activities or personal interests influence or appear to influence your ability to make objective decisions in the course of your responsibilities for Samaritan, including conflicts related to patient care. A conflict of interest

may exist if the demands of any outside activities or relationships hinder, distract, or cause you to use Samaritan's resources for purposes other than those necessary to exercise your responsibilities for Samaritan. It is your obligation to ensure that you remain free of conflicts of interest in the performance of your responsibilities at Samaritan. If you have any question about whether an outside activity or relationship might constitute a conflict of interest, contact the Chief Compliance Officer, or any member of the Compliance Oversight Committee or Compliance Core Groups, or your supervisor, who can seek direction from the Chief Compliance Officer, before pursuing the activity or relationship. Board members and officers and certain employees will be required to annually complete a Conflicts of Interest Disclosure Form, copies of which shall be provided to the Compliance Department and used to monitor future conduct.

**Report Possible Violations** – You are required to report, in good faith, any activity that you reasonably believe to be violations of applicable federal, state and local laws, rules and regulations, executive orders or any judicial or administrative decisions, rulings or orders; ethical standards; Samaritan's Code of Conduct or policies; the Compliance Program; or that poses a substantial and specific danger to the public health or safety. Reporting enables Samaritan to investigate potential problems as they arise and to take prompt action to resolve them.

Reports may be made by Affected Individuals or Medicaid recipients of services, as applicable, in any one of the following ways:

- Directly to your supervisor and/or a member of the Compliance Oversight Committee or Compliance Core Groups, as well as other members of senior management, as appropriate (who in turn can seek assistance from the Chief Compliance Officer, if necessary);
- Directly to the Chief Compliance Officer via telephone at 315-779-5186 or,
- Via email to the Compliance Department at [compliance@shsny.com](mailto:compliance@shsny.com); or,
- Anonymously and confidentially to the Compliance Hotline at 315-779-5170 or 1-877-740-7070 (only the Chief Compliance Officer has access to retrieve these calls); or
- Anonymously on Samaritan's Intranet by submitting a Compliance Concern Form.

In the event your concerns are not addressed in a timely manner, concerns may then be brought to SMC's Chief Executive Officer, and if still not addressed, to the Board of Trustees.

Reports regarding violations of Samaritan's sexual harassment policy, fitness for duty policy, or other similar Human Resources policies may be made in person, in writing, or by telephone to any of the following:

- Your supervisor; or
- Vice President of Human Resources (315-755-3605).

**Integrity of Billing and Payor Relationships** – You shall ensure that reimbursements submitted for payment for any service(s) that have been provided to patients or residents have been provided as documented, were medically necessary, were provided by qualified persons, and are properly

documented. All data reported will be accurate and complete due to its impact on performance value based reimbursement. Please refer to Samaritan's *Reporting and Returning Overpayments Policy* in the event an overpayment is identified.

**Train and Educate** – You will receive compliance training and education that covers the operation of Samaritan's Compliance Program, including compliance issues and expectations, as part of orientation and annually thereafter. Upon completion of education and training, you will complete an Acknowledgment of Education confirming you have received and understood the required training and education. Samaritan conducts mandatory compliance education and training for all Affected Individuals, including employees, the Chief Compliance Officer, the Chief Executive Officer and other senior administrators, managers, and members of the Samaritan Boards of Trustees, on an annual basis, which includes a review of the content of Samaritan's Compliance Program. You will also receive periodic compliance education and training, including when any changes of federal, state, and local laws, rules and regulations are enacted and areas of concern are identified. You will timely participate in all required training and education.

**Avoid Inappropriate Acceptance of Gifts** – You will follow Samaritan's Acceptance and/or Solicitation of Gifts and Benefits Policy, and be mindful that gifts, gratuities, entertainment or benefits may be perceived to (1) influence your decision-making regarding purchases, contracts, or any other official duty, or offered with the intent to influence your decisions; (2) induce your disclosure of confidential information acquired based on your position; or (3) induce your exercise of official powers or duties in favor of another.

**Non-Intimidation/Non-Retaliation** – It is your responsibility to participate in good faith in Samaritan's Compliance Program, which includes promptly raising questions and concerns. Every Affected Individual of Samaritan who, reasonably believe and/or who, in good faith, raises a question or concern, including but not limited to reporting potential issues, investigating issues, self-evaluations, audits and remedial action, and reporting to appropriate officials as provided in New York State Labor Law Sections 740 and 741 will not be: fired, coerced to resign, be subject to an adverse employment consequence or threat of an adverse employment consequence, or otherwise intimidated or retaliated against. Intimidation or retaliation itself is a violation of Samaritan policy and it's Compliance Program, and will not be tolerated. Any suspected intimidation or retaliation should be reported immediately. Any individual found to have violated Samaritan's Non-Intimidation/Non-Retaliation/Whistleblower policy is subject to disciplinary action up to and including termination of employment or disassociation with Samaritan. You cannot exempt yourself from the consequences of wrongdoing by self-reporting, although self-reporting may be taken into account in determining the appropriate course of action.

**RELATED POLICIES:**

Corporate Compliance Manual  
Confidentiality  
Conflict of Interest  
Document Retention Schedule  
Acceptance/Solicitation of Gifts

Reporting and Returning Overpayments

**RELATED FORMS:**

None

**REFERENCES:**

US Sentencing Guidelines  
Part 363-d Social Services Law

**REVIEWED & REVISED:** 1/7/2022, 2/20/2023, 2/19/2024