



## **VENDOR REPRESENTATIVE CODE OF CONDUCT**

At HonorHealth, our Code of Conduct is a critical component of our overall compliance program. HonorHealth expects our Vendor Representatives to conduct themselves in a professional and ethical manner at all times. Vendors must comply with the laws and regulations that apply to the health care industry. Review “Code on Interactions with Healthcare Professionals” published by Pharmaceutical Research and Manufacturers of America (PhRMA).

**All Vendor Representatives are expected to be familiar with HonorHealth’s policy on relationships with suppliers and other business partners as follows:**

### **Entertainment, Gifts, Food, Favors:**

HonorHealth has a no gift policy without exception.

The above requirements do not apply to meals and refreshments provided in connection with a (CEU or CME) conference or educational program sponsored by a supplier for the benefit of all attendees.

### **Sponsored Events**

HonorHealth colleagues may attend supplier-sponsored local or out-of-town programs, workshops, seminars and conferences that have a legitimate educational purpose or support a HonorHealth business objective (e.g. product training) provided such events are no more than once per year. HonorHealth, not the supplier, must pay for any related travel and overnight lodging costs.

### **Conflicts of Interest**

Conflicts of interest must be avoided. We recognize there are circumstances in which a member of a HonorHealth colleagues' family or household may work for a supplier. HonorHealth requires our colleagues and suppliers to disclose such relationships promptly. HonorHealth employees are not permitted to work for a supplier, if HonorHealth is a customer of the Supplier.

### **Sexual Harassment Policy**

HonorHealth expects all Suppliers to establish and maintain a written sexual harassment policy and to inform their employees of the policy. This policy must include that sexual harassment will not be tolerated during any interaction with any supplier’s customers and employees, nor will HonorHealth condone personal relationships as an incentive to purchase goods and/or services from the Supplier. Any implication of sexual harassment will result in discipline actions as outlined in our non-compliance program.

### **Compliance with Laws**

Suppliers are required to conduct their business activities in compliance with all applicable laws and regulations, including laws that are applicable to individuals and entities receiving Medicare, Medicaid and other federal funds.

### **Confidentiality**

In the course of the Vendor Representative's relationship with HonorHealth, the Vendor Representative may witness incidental disclosures of Confidential Information. Federal and State law protect the privacy and confidentiality of a patient's Personal Health Information. The improper **Use** or **Disclosure** of such information may result in substantial civil liability and criminal penalties.

Vendor Representatives who are responsible for providing services to HonorHealth are accountable for the requirements of both the Health Insurance Portability and Accountability Act (HIPAA) Privacy and Security Rules and state laws that provide more stringent protection of **Personal Health Information (PHI)**.

Vendor Representatives are prohibited from accessing HonorHealth computers or electronic medical records. HonorHealth requires treating all patients with respect and protecting their privacy. Accordingly, the Vendor Representative's access to HonorHealth is contingent upon continuously meeting these requirements:

- Treat all Confidential Information as private, privileged, and confidential.
- Abide by the applicable policies and procedures furnished to Vendor Representative by HonorHealth
- Not make any Use or Disclosure of Confidential Information without prior authorization from HonorHealth including, but not limited to, Use or Disclosure for marketing or other commercial purpose.
- Not contact any present or former patient of HonorHealth for marketing or any other purpose without HonorHealth's prior authorization.
- Not remove from or in any way divulge copy, release, sell, loan, review, alter or destroy any Confidential Information of Entity.

Breach of the aforementioned may result in immediate termination of Representative's access to HonorHealth and subject them to further legal action. Representative's obligations under this Agreement shall survive the expiration or termination of Representative's relationship with HonorHealth as a Vendor.

### **Eligibility to Participate in Federal and State Health Care Programs**

HonorHealth will not conduct business with any supplier excluded, debarred, or ineligible to participate in federal or state health care programs such as Medicare and Medicaid, or whose officers, directors or employees are excluded from participating in federal or state health care programs. Suppliers are responsible for taking all necessary steps to ensure personnel involved in providing goods and services to HonorHealth, directly or indirectly, remain eligible to participate in federal and state health care programs.

### **Fraud, Waste and Abuse (“FWA”)**

HonorHealth will promptly investigate any reports of alleged violations of law, regulations or HonorHealth policies involving a supplier or a supplier’s personnel, including allegations of FWA involving federal or state health care programs. Suppliers are expected to fully cooperate in such investigations and, where appropriate, in taking corrective actions in response to confirmed violations. The Federal False Claims Act states it is a crime to present a false claim to the government for payment. This law also protects whistleblowers from retaliation. HonorHealth policy prohibits retaliation of any kind against individuals exercising their rights under the Federal False Claims Act or similar state laws.

### **Deficit Reduction Act of 2005 (“DRA”) Requirements**

The DRA requires HonorHealth to provide detailed information to its employees, contractors and agents regarding the Federal False Claims Act and applicable state false claims laws. Suppliers are responsible for reviewing the False Claims Act (<http://www.gpo.gov/fdsys/pkg/PLAW-109publ171/pdf/PLAW-109publ171.pdf>) and for sharing this information with their representatives conducting business with HonorHealth.

### **Environmental Purchasing Policy**

HonorHealth is committed to purchasing products and services that have a positive impact on the environment and human health. HonorHealth expects suppliers to develop price competitive, environmentally sound, and safe products and services that help to achieve this objective.

### **Supplier Diversity Program**

HonorHealth has always supported programs that foster diversity in our organization and in our community. HonorHealth expects its suppliers to mirror this commitment, through subcontracting opportunities with diverse businesses. Suppliers are expected to provide information to HonorHealth on supplier diversity when requested.

### **Publicity**

Suppliers are not permitted to distribute advertising, press releases, or any other general public announcement regarding its products or services to HonorHealth facilities. This is unless you obtain approval in writing from an authorized HonorHealth manager.

### **Business Record Retention**

HonorHealth requires suppliers to retain and make available records related to business with HonorHealth in accordance with applicable law, regulation, and contract requirements.

### **Government Contractor Requirements**

HonorHealth is not a federal government contractor. However, some of our individual affiliates may be federal government contractors. For those HonorHealth affiliates which are federal government contractors, the supplier must acknowledge that the clauses regarding equal employment opportunity and affirmative action contained in 41 CFR 60-1.4(a), 41 CFR 60-300.5(a), and 41CFR 60-741.5(a) apply. These regulations prohibit discrimination against all individuals based on their race, color, religion, sex, or national origin. Moreover, these regulations require that covered federal government contractors

and subcontractors take affirmative action to employ and advance individuals without regard to race, color, religion, sex, national origin, protected veteran status or disability.

### **Physician Owned Distributorships**

HonorHealth will not purchase or enter into agreements for the purchase of products or supplies, including, but not limited to pharmaceuticals, implants, instruments and other medical devices, from Physician-Owned Distributorships ("PODs") or similar entities that maintain ownership or investment interests held by physicians and/or immediate family members of physicians on the medical staff of a HonorHealth organization. Suppliers are required to disclose to HonorHealth any such ownership or investment interests in their companies.

### **Smoking**

Vendor representatives will not smoke on HonorHealth System property.

### **Illness**

Vendor Representatives will refrain from visiting a HonorHealth facility if they are ill.

### **Recording Devices**

The use of any recording device is strictly prohibited by Vendor Representatives in any area of the hospital and hospital property without the expressed written consent of a hospital Director or Administrator. Recording devices may be noted as the below but are not limited to these devices:

- a. Digital Recorders.
- b. Cell phones prohibited with the exception in public areas.
- c. Cameras (i.e. conventional, digital, camera phones etc.)
- d. Tape recorders

### **Electronic Devices**

The use of electronic devices (cell phones, lap top computers, IPADS etc.) within a HonorHealth facility should not be used in any areas where patients or visitors are present. All electronic devices must be turned off prior to entering any procedural areas. **You are not to conduct business in any public areas such as facility main lobbies, waiting rooms, cafeterias or cafes.**

### **Reporting Code of Conduct Violations**

The HonorHealth **Code of Conduct** applies to every person who represents the HonorHealth System: staff, providers, officers, Board members, volunteers, residents and students, and many contractors. The **Code of Conduct** can be located on the HonorHealth.com internet site. The Integrity & Compliance Line is available 24 hours a day, 365 days a year. Hotline callers and web reporters remain anonymous unless they voluntarily disclose their identity. All reports to the Hotline must include enough information to investigate concerns raised.