

Policy Name:	Code of Ethical Conduct
Policy Content Owner:	Compliance Officer
Last Review Date:	Last Review Date: 06/03/2022
Policy Approver:	Executive Assistant
Committee:	Governance Nominating Committee of the Board of Trustees

Scope of Policy Related to Location:

Mary Free Bed policy applies to:, MFB Home and Community, MFB IP Grand Rapids Campus, MFB IP Network Partners, MFB OP Grand Rapids Campus, MFB OP Off-Site/Network Partners , MFB Orthotics & Prosthetics + Bionics, MFB Subacute Rehab Unit

I. Purpose

The purpose of this Code of Ethical Conduct (“the Code”) is to promote: (i) the honest and ethical conduct of the Mary Free Bed Rehabilitation Hospital workforce; and (ii) compliance with all applicable laws, rules and regulations that apply to the organization.

II. Responsibilities

Mary Free Bed Rehabilitation Hospital Workforce members.

III. Definitions

Workforce Members: workforce to mean employees, volunteers, students, researchers, trainees, contractors, and other persons under the direct control of Mary Free Bed Rehabilitation Hospital, including persons providing labor on an unpaid basis.

IV. Policy



CODE OF ETHICAL CONDUCT

Restoring Hope and *Freedom*
Mary Free Bed
Rehabilitation Hospital

Message from Leadership

The foundation of our mission relies on every member of our community to be committed to the highest standards of ethics and integrity.

To meet this challenge, we have a corporate compliance program that is designed to set standards that uphold our vision while fully complying with all the laws and regulations we work under.

Each member of Mary Free Bed's workforce brings the Code of Ethical Conduct to life as we understand and apply these principles to every duty.

As CEO, on behalf of the Board of Trustees, and our guiding Mary Free Bed Guild we fully endorse the Compliance Program. It demonstrates our commitment to carry out our mission with the utmost goal of doing the right thing every step of the way.

Thank you on behalf of the entire MFB community!



Kent Riddle, CEO

Our Mission, Vision, and Values Drive our Code of Ethical Conduct

OUR MISSION Restoring hope and freedom through rehabilitation.

OUR VISION To be a national leader in high-value rehabilitation and post-acute care and to develop an integrated system of care throughout the Midwest.

OUR COMMITMENT

We'll embrace Diversity, Equity and Inclusion, by:

- **T**reating everyone with dignity and respect
- **O**pening more doors to opportunities for underrepresented cultures
- **G**rowing talent and people
- **E**valuating and eliminating disparities
- **T**aking action against injustices, bias and racism
- **H**onoring our differences and how to collaborate
- **E**ducating staff, patients and the communities we care for
- **R**estoring Hope and Freedom, **together**.

OUR VALUES

In order to restore hope and freedom, we'll:

Work collaboratively

Innovate to offer unique possibilities

Be **T**ruthful and respectful

Heal with our hands and treat with our hearts

Approach our work **WITH JOY!**

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INTRODUCTION

Mary Free Bed Rehabilitation Hospital (“MFB”) workforce members including all employees, volunteers, subsidiaries, and affiliates must conduct its business truthfully, ethically and within all state and federal healthcare mandates. At its heart, our reputation is the collection of our conduct and behavior. Therefore, every member of the organization must conduct themselves to the highest standards of moral, legal and ethical behavior.

Each member of the MFB organization must follow the Code of Ethical Conduct and Corporate Compliance Program. Our business partners are an extension of our organization and are expected to act in a manner that embodies the spirit of our Code of Ethical Conduct.

The Code of Ethical Conduct does not cover all potential issues. Employees should use good judgment when making decisions not specifically addressed by this Code. To help employees, guidance is provided in Mary Free Beds’ policies and procedures and there is an open door to our leadership and compliance team to assist with questions or concerns at any time.

Be accountable for your actions. Violating our Code of Ethical Conduct, applicable laws, or our company policies is grounds for corrective action, up to and including dismissal.

REPORTING CONCERNS

You do not have to be sure that you are right to raise concerns about potential violations of the Code of Ethical Conduct, policies, procedures, laws, or regulations. The compliance team will investigate all good faith reports of possible misconduct.

Failure to report potential misconduct violates the code of conduct.

4 Ways to Report Compliance Concerns	
1. Immediate Leader	4. Compliance Hotline 616-840-8706 Confidential and Anonymous (if desired)
2. Higher Level Manager/Director/VP	
3. Compliance Officer Jennifer McWain 616-840-8173 or x 58173 Jennifer.mcwain@maryfreebed.com	

Zero Tolerance for Retaliation

If you ask a question, report possible misconduct, or take part in an investigation of an ethics and compliance matter, you are complying with our Code of Ethical Conduct and doing the right thing. Under no circumstances will retaliation against you be tolerated. Retaliation can take many forms, from being unfairly dismissed, to being the target of bullying or derogatory comments in social media. We take all claims of retaliation seriously, investigating each one thoroughly and taking appropriate action. We consider acts of retaliation to be acts of misconduct which, if substantiated, could result in disciplinary action up to, and including, dismissal.

SUPPORT EACH OTHER

Standards of Behavior:

This set of standards was written by a MFB employee task force and adopted by the entire community as we believe the true measure of how we view our work starts with how we treat each other and those around us. These standards help us achieve the Best Patient Experience, the Best Employee Relations and the Best Community Experience.

A. CARE: I will

- a) Help patients and visitors find their way by escorting and/or finding someone who is able to assist
- b) Show concern and empathy in every interaction
- c) Remain calm and caring at all times

B. COMMUNICATION: I will

- a) Be intentional to acknowledge others and greet them with a smile at all times
- b) Interact with patients using **AIDET**:
 - 1) **A**cknowledge the patient
 - 2) **I**ntroduce myself by name and role
 - 3) **E**xplain **D**uration
 - 4) **E**xplanation of services and results
 - 5) **T**hank them
- c) Communicate in a manner that reflects caring, dignity, compassion and promotes a positive work environment
- d) Communicate at eye level
- e) Give feedback that builds confidence, recognizes accomplishments and encourages others to overcome challenges
- f) Collaborate and problem-solve together, assuming the good intentions of others
- g) Adhere to Mary Free Bed policies on phone and email etiquette

C. RESPECT: I will

- a) Ask permission to enter before going into a patient's room or a co-worker's workspace
- b) Ask "is there anything else I can help you with?" after every encounter
- c) Show support for my co-workers by being punctual and ready to work
- d) Listen carefully during all interactions: I will not assume I already know
- e) Have awareness of my surroundings and those that may be affected by my behaviors or actions
- f) Begin and end on time for meetings and appointments and provide a timed agenda

D. PROFESSIONALISM: I will

- a) Demonstrate professionalism in appearance and actions
- b) Wear nametag and keep visible at chest level
- c) Speak positively of Mary Free Bed and co-workers
- d) Be accountable/follow through on what I say I am going to do
- e) Be the best I can be with patients and my co-workers all day, every day
- f) Actively participate in achieving individual, departmental and organizational goals
- g) Take initiative to continuously enhance skills and expertise
- h) Be flexible and embrace change, knowing that change for improvement is vital to our success

E. SAFETY AND QUALITY: I will

- a) Address safety issues immediately by attending to them myself and/or asking for help
- b) Actively maintain a clean and safe environment
- c) Routinely explore best practices and new ways to be more effective, efficient and safe
- d) Adhere to Mary Free Bed infection control policies, including washing in and washing out
- e) Support and champion a culture of safety in my work at Mary Free Bed

Harassment, Discrimination, and Bullying

MFB prohibits discrimination, harassment and bullying in any form – verbal, physical, sexual or other offensive behavior.

Fairness & Equal Opportunity

We believe that everyone should be treated with fairness, respect, and dignity. MFB is an equal opportunity employer. MFB values diversity and inclusion among patients, families, and staff. We are committed to following all laws and regulations concerning non-discriminatory employment practice and providing reasonable accommodations for team members and job applicants with disabilities.

Safety, Health, and the Environment

MFB is committed to providing a safe and healthy workplace for our workforce, patients, and visitors to our facilities. We are also committed to wisely managing and sustaining natural resources and minimizing the impact of our operations on the Earth. These commitments are met only through your cooperation. Each of us has a responsibility to:

- Follow safe operating procedures
- Guard your own and your fellow employees' health and safety

Hazardous Waste: MFB must follow numerous laws enforced by federal, state and local agencies concerning the handling, release, reporting, transporting and disposal of hazardous materials/waste. It is our policy to obey these laws and to cooperate with inspection and enforcement personnel. You are encouraged to report any conditions that you believe to be unsafe, unhealthy or hazardous to the environment to Plant Services or Housekeeping immediately.

Weapons: Weapons are not permitted while on any property owned, leased or controlled by MFB, including anywhere business is conducted. Weapons include, but are not limited to, guns, knives or swords with blades over four inches in length, explosives, and any chemical which purpose is to cause harm to another person. The MFB Threat Response Team are exempt from this policy. Please refer to Firearms or Weapons on Campus policy.

Alcohol and Drugs: Consumption of alcohol, drugs, or any substance that impairs your job performance is strictly prohibited while you are on the job. If a leader has reasonable suspicion to believe that an employee's job performance is affected by any substance the leader may request an alcohol and/or drug screening. A reasonable suspicion may be based on objective symptoms such as the employee's appearance, behavior, or speech.

PROTECTION OF PRIVACY

Maintain Confidentiality of Patient Information and Records

The HIPAA Privacy Rule gives individuals a right to know the privacy practices of their health care providers, and to know their privacy rights with respect to their personal health information (PHI). MFB provides our patients with a clear explanation of these rights and practices. All employees are required to maintain the privacy of every patient's PHI. If you have questions regarding use or disclosure of PHI please contact the Privacy Officer or HIPAA Security officer.

- Know who is and is not permitted to access confidential or otherwise protected information.
- Prevent unauthorized disclosures of confidential information
- Safeguard usernames and passwords
- Access, use, and share only the minimum information necessary to complete your job duties
- Never leave confidential or protected information unattended—paper, computer or any other device.

Public Communications & Social Media

Social media refers to online communities and personal blogs in which users post information, personal messages and other content.

- Do not post protected health information (PHI).
- Do not post pictures of patients or any of their support members (family, friends, caregivers or others).
- Do not speak on behalf of Mary Free Bed Rehabilitation Hospital unless authorized by MFB External Relations Department personnel to do so. We need a clear consistent voice when providing information to the public, including the media. Requests for information should be referred to the External Relations department.
- Do not engage in online social relationships with current or former patients unless an in-person friendship predates the healthcare relationship.
- Do not answer health related questions on social networking sites.
- Do not use your MFB work email on social networking sites.
- Do not post comments of any kind about current or former patients. This applies even if the individual's name is not mentioned.
- Do be professional, use good judgment, be accurate and be honest in what you say.

Boundaries and the Healthcare Worker: All Healthcare workforce members have a responsibility to delineate and maintain boundaries. The healthcare provider should work within the therapeutic relationship. All employees should examine any boundary crossing, be aware of its potential implications and avoid crossing. The employee should avoid situations where he or she has a personal or outside MFB business relationship with the patient served. Post-service relationships between patients and healthcare providers are complex because the patient may need additional services. It may be difficult to determine when the provider-patient relationship is completely terminated. Most third party payors do not allow a healthcare worker to provide services to an immediate family member. Clinical leaders should be informed when you (provider) are in a position to provide healthcare services to a patient that you have or had a personal relationship with to assist with mitigation of any potential or real problems.

MAINTAIN THE HIGHEST STANDARDS OF BUSINESS ETHICS AND INTEGRITY

Conflicts of Interest

Mary Free Bed Rehabilitation Hospital employees must not do anything where their personal interests could conflict or reasonably appear to conflict with the interests of MFB. For example, if you were to participate in any business opportunity where you might receive personal financial gain apart from your normal wages, you could be in a conflict of interest situation. You should not take any financial or other benefit separate from your normal wages that could affect your decision-making abilities as a MFB employee such as:

- You or a family member taking money from a company that does business with MFB
- You or a close family member having ownership in a business that competes with MFB

Contact human resources (HR) to fill out a conflict of interest form prior to engaging in any activity that could be considered a conflict of interest. Human resources, leadership, and the compliance team will help manage and/or resolve the situation with you.

Property

- **Company Property:** Mary Free Bed Rehabilitation Hospital and network equipment, furniture, money, office supplies, ideas, plans, and other information about our business are to be used for the benefit of MFB.
- **Assets:** Assets include but are not limited to equipment, furniture, office supplies, linens, medical supplies, housekeeping items, and money. You may not take, borrow, or loan MFB assets for your personal gain. Property that is no longer needed by MFB may be sold to employees at fair cost through our Central Supply Manager.
- **Trade Secrets:** You should always protect MFB confidential and private business information. This includes information not generally made known to the public or information that could be useful to MFB competitors. This could include:
 - Financial data
 - Planned new projects or expansions
 - Employee information
 - Capital investment plans
 - Contract information
 - Liability coverage issues

You should only discuss MFB business information on a need-to-know basis. MFB business information should only be disclosed to persons outside of MFB when an approved disclosure agreement has been obtained. Do not discuss MFB confidential information in social or routine business relations.

- **Personal Property**
All workforce members shall respect and safeguard the personal property of patients, visitors, and other workforce members as well as the property of MFB. Theft and destruction of property may be addressed through disciplinary action, and/or by contacting law enforcement, as appropriate.

Gifts & Entertainment

- **Gifts**
To sustain the health of our relationships with our patients, community, and business partners no employee may ever ask for or accept cash or cash-equivalent gifts (e.g. gift cards) from patients, contractors or vendors/suppliers. Any cash or cash-equivalent gift

must be returned to the patient, contractor, vendor or other supplier with an explanation of Company policy.

Receiving gifts: Employees may accept non-cash equivalent gifts of small value (e.g. a fruit basket or food items) not to exceed a total value of \$25. In the event you receive a spoilable food gift you may accept the gift but make sure to share the gift with your team or department.

Giving gifts: Gifts to individuals who refer patients to MFB cannot be cash or cash equivalents; they should only be given infrequently; and must never exceed an aggregate value of \$50/calendar year. Additionally, the amount of the gift cannot be determined in a manner that takes into account the volume or value of referrals and the gift must not violate the Anti- Kickback Statute.

If you have a question regarding whether you should or should not accept or give a gift or if you believe it would be truly insulting (culturally or otherwise) to a client or business partner to decline a gift, contact your manager, human resources or the compliance officer who will help you decide how the situation should be best handled.

- **Entertainment**

You may not ask for or receive entertainment-type gifts from any individual with whom MFB does business.

On a very limited basis, a vendor could provide a modest meal if it is tied to staff education and takes place in a business reasonable location. The vendor may not pay for travel to/from the location or lodging.

Improper Payments, Corruption, and Bribes

MFB will not offer, pay, or accept bribes or kickbacks at any time for any reason, nor will we offer or accept any kind of improper payment. Bribes and kickbacks include cash, gifts, services, entertainment and/or anything of value.

If MFB receives an overpayment of funds for services provided, the overpayment when discovered will be returned according to the timeframes required by federal and/or state regulations and with proper notification to the payor.

The use of MFB funds or assets for any unlawful or unethical purpose is not allowed. Making payment to a third party for any purpose other than that which is clearly documented in MFB records is prohibited.

False Claims

The federal government and many states have False Claims Act laws to punish billing fraud, waste and abuse crimes. Examples of actions that could cause a violation of these laws include:

- Charging for a service that was not provided or not ordered by a physician or other appropriately licensed person
- Charging for a service that differs in any way from the actual service provided.

If you suspect billing errors are occurring, you have a duty to report these to management or the Compliance Officer. Employees who report in good faith are protected and do not need to fear that anyone will attempt to “get even.” The MFB Whistleblower Policy prohibits any retaliation for reporting.

Record Truthfulness and Retention

- **False Information in Records**

Federal law requires that MFB financial and medical records correctly reflect the true nature of the transactions represented. You must not create or be a part of the creation of any records intended to mislead or to hide anything.

- Do not make records appear as though payments were made to one person when payments were made to another
- Do not submit expense accounts which do not accurately record the real expense.
- Do not create any records that do not truthfully show what occurred.
- Permanent entries in MFB records must never be altered, only amended.
- Payment may not be made if any amount will be used for a purpose other than that described in the documents supporting the transaction

- **Retention of Records**

MFB records and files must not be destroyed until it is determined that they have been kept long enough to meet the holding period required by law. There are federal and state laws which require that certain records be kept for specific periods of time, particularly records related to:

- Contracts
- Employees
- Health, safety and the environment
- Patients
- Research
- Taxes and finances

Records relating to any pending lawsuit, government investigation, or audit must not be destroyed until the entire matter is fully settled and closed. Destroying records to avoid discovery in a legal proceeding may be a criminal offense. For more information refer to the Records Retention Policies for guidance on retention periods and restrictions.

Business Partners

We seek interactions with the community and business partners that align with our core values. We perform due diligence and know our business partners, consultants, and all those permitted to have privileges for working with our patients are vetted and committed to following the spirit of our Code of Ethical Conduct, policies, and procedures. All arrangements require an agreement with MFB to ensure our standards and policies regarding conduct are upheld. We terminate those relationships that demonstrate continued violations of our standards.

Marketing

While we work hard to be a leader in our industry, we do so by maintaining high standards of honesty and fairness when engaging in marketing, promotional, and advertising activities. We will not enter into any arrangement that is unlawful or could harm our reputation. Mary Free Bed staff conduct data collection using accepted methods for gathering and analyzing data and maintaining its confidentiality. Mary Free Bed staff do not share data that does not originate at Mary Free Bed unless they obtain the permission of the owner.

OUTSIDE ACTIVITIES

Community activities

Our workforce is encouraged to become involved in the life of our local communities by supporting causes and events, especially those that advocate for the clients we serve. It is important to remember that we should not pressure others to contribute to or participate in our preferred charitable organizations. You should avoid outside work or actions that could conflict with this Code of Ethical Conduct.

Political Activity

Workforce members are encouraged to participate in the political process outside of the work place but you are not allowed to take part in political activities during work hours. It is against MFB policy and may be illegal for you to:

- Enter, directly or indirectly, any political donation on your expense account that causes MFB to reimburse you for that expense. This includes the cost of fundraising tickets for political functions.
- Use any MFB property, facilities, employee time or intranet for any political activity. Examples of prohibited actions include: using secretarial time to send invitations for political fundraising; using MFB telephones to make political solicitations; or allowing any candidate to use meeting rooms for political campaigning.
- Some exceptions may apply for supporting legislation that MFB is engaged in. Contact the Compliance officer if you have questions.
- Regardless of the role you hold, take care not to exert pressure on others to accept or support your political point of view.

Be honest.

Follow the law.

Comply with the Code.

Be accountable.

Act with integrity.

MFB Corporate Compliance Core Team

Compliance Officer: Jennifer McWain CHC, MHS, PT
Jennifer.Mcwain@maryfreebed.com

Privacy Officer: Jill Bustin MPA, RHIA
Jill.Bustin@maryfreebed.com

HIPAA Security Officer: Will Sparks
Will.Sparks@MaryFreeBed.com

Orthotics, Prosthetics & Bionics Compliance Officer: Rob Tuck CPO
Rob.Tuck@maryfreebed.com

Director of Quality & Risk: Rosalie Glowney RN, BSN, MSHLP, CPHRM, NE-BC
Rosalie.Glowney@maryfreebed.com

V. Procedure
As above

VI. References

1. Code of Federal Regulations 2635.107-, 2635.902 "Standards of Ethical Conduct of Employees of the Executive Branch," revised January 1, 2020
2. American Medical Association, "Principles of Medical Ethics," June 2001.
3. Encyclopedia of Bioethics, 3rd Edition, Volume 4, "Professional-Patient Relationship," 1995.

4. Journal of Psychosocial Nursing & Mental Health Services, "Professional Boundaries," April 2002.
5. Federation of State Medical Boards of the United States, Inc., Ad Hoc Committee on Physician Impairment, "Report on Sexual Boundary Issues," April 1996.
6. U.S. Dep't of Justice, Criminal Division, Fraud Section, Evaluation of Corporate Compliance Programs, www.justice.gov/criminal-fraud/page/file/937501/download (last visited July 6, 2020).
7. U.S. Sentencing Commission Sentencing Guidelines Manual § 8B2.1
8. Pub. L. No. 107-204 (Sarbanes-Oxley), 116 Stat. 745 (codified in scattered sections of titles 11, 15, 18, 28, and 29 U.S.C.).
9. Sarbanes-Oxley § 301, 302, 402, 406, 15 U.S.C. § 7264.
10. 15 U.S.C. §§ 78a, 78m, 78dd-1, 78dd-2, 78ff.
11. Corporate Compliance Answer Book 2018
12. False Claims Act, 31 U.S.C.
13. Anti-Kickback Statute, 41 U.S.C
14. Civil Rights Act of 1964, 42 U.S.C. § 2000e; Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101–213.
15. Civil Rights Act of 1991, 42 U.S.C. § 1981.
16. 17 C.F.R. §§ 228.406, 229.406.

Title/Committee	Date Approval	Revision Comments (3 years of revisions)
Compliance Officer	7/2020	Added references, updated positions, definitions, responsibilities, purpose
Compliance Officer	11/2020	Updated DE&I vision, corrected weapons info, corrected team members
Compliance Officer	10/25/21	Update compliance team information
Compliance Officer	6/2/2022	Added modest adjective to meal description under conflict of interest.