



ROBERT WOOD JOHNSON
UNIVERSITY HOSPITAL

Leading With Integrity

Compliance Code of Conduct





Dear Robert Wood Johnson University Hospital Employee:

Robert Wood Johnson University Hospital's (RWJUH) commitment to providing exceptional, high-quality care to the communities we serve is rooted in our core values of care, outreach, research and education. These values serve as our guiding principles and it is important that they are supported by a strong commitment to upholding the highest standards of integrity, ethics and legal compliance. We will embody these beliefs in our daily work with patients, visitors, medical staff, fellow employees, vendors, community organizations and government representatives.

This commitment to corporate responsibility, which is a key element in RWJUH's culture of excellence, is governed by the standards outlined in this Code of Conduct.

As health care becomes a more complex industry with many new laws and regulations governing the services we provide, we must all stay informed and educated about the rules, laws and ethical standards which affect our roles and responsibilities at RWJUH. It is every employee's responsibility to support our organization's commitment to this important effort. The principles outlined in this Code of Conduct are essential to our present and future success.

The Code of Conduct is intended to help all of us make informed, ethical, and legally correct decisions at work, no matter how simple or difficult they may be. While it is not possible to cover every potential decision in this guide, the following information will serve as a resource to help guide you in making (educated, ethical, and legally correct) decisions in a variety of situations that may arise during your work at RWJUH.

Please remember that the Code of Conduct is just one of many resources available to you. Your supervisor, as well as RWJUH's senior management, compliance department and HelpLine, are all available to help you make ethical decisions and uphold our standards of integrity and compliance with all applicable legal requirements.

I am confident that together we can lead RWJUH with integrity and build a culture of compliance that supports our mission, vision and core values.

Sincerely,

A handwritten signature in black ink that reads "Stephen K. Jones". The signature is written in a cursive, flowing style.

Stephen K. Jones, FACHE
*President and Chief Executive Officer
Robert Wood Johnson University Hospital*

OUR MISSION, VISION AND CORE VALUES

ABOUT ROBERT WOOD JOHNSON UNIVERSITY HOSPITAL

RWJUH is a 610-bed academic medical center and the principal hospital of UMDNJ-Robert Wood Johnson Medical School in New Brunswick, NJ. Robert Wood Johnson is an innovative leader in advancing state-of-the-art care. Its Centers of Excellence include cardiovascular care from minimally invasive heart surgery to transplantation, cancer care, and women's and children's care including The Bristol-Myers Squibb Children's Hospital at RWJUH. The hospital is also a Level 1 Trauma Center and serves as a national resource in its ground-breaking approaches to emergency preparedness. The hospital has earned significant national recognition for clinical quality and patient safety. RWJUH has ranked among the top 50 hospitals in the nation for four consecutive year, according to *U.S. News & World Report's* rankings of "America's Best Hospitals." The American College of Surgeons' Commission on Cancer has rated RWJUH among the nation's best comprehensive cancer centers. The Leapfrog Group rated RWJUH as one of the 50 exceptional U.S. hospitals, as published in *Consumers Digest* magazine. Harvard University researchers, in a study commissioned by The Commonwealth Fund, identified RWJUH as one of the top 10 hospitals in the nation for clinical quality. RWJUH is also a recipient of the prestigious Magnet Award for Nursing Excellence for more than 10 consecutive years. To learn more, visit www.rwjuh.edu.

Vision Statement

RWJUH in partnership with UMDNJ-Robert Wood Johnson Medical School, will be a leading, nationally distinguished academic medical center.

Mission Statement

To improve the health and well-being of the patients and communities we serve by:

- Fostering an environment of excellence in all areas including the provision of the highest quality, evidenced based patient care in collaboration with the hospital's health care professionals
- Advancing patient care by the dissemination of medical knowledge
- Facilitating medical discovery that improves patient care
- Promoting and engaging in community outreach activities to enhance the health of the residents of our region
- Exhibiting stewardship of all available resources.

Values

- Continuous pursuit of excellence
- Service to community
- Respect for human dignity and the individual
- Effective stewardship of human and financial resources
- Collaborative approach to patient care
- Commitment to education, research and patient care
- Upholding the highest standard of ethics, integrity and compliance with legal requirements.

INTRODUCTION

It is RWJUH's policy to be ethical and legal in all that we do. It is the hospital's policy to act with integrity when working with patients, physicians, colleagues and members of our local community. RWJUH will provide high quality care to our patients while observing the highest standard of legal and ethical conduct. RWJUH will comply with all applicable laws, rules and regulations. The Corporate Compliance Code of Conduct, ("The Code"), is based on the principles outlined in our mission statement, and serves as the foundation of our corporate compliance program. It applies equally to everyone.

THE PURPOSE OF THE CODE OF CONDUCT

The RWJUH Code of Conduct is your guide to our compliance standards and expectations and is intended to be a day-to-day tool. It helps us tell right from wrong in the workplace and contains practical information and resources to utilize if confronted with a potential compliance issue.

The Code is intended to be easily understood. However, health care is a dynamic and growing field with increasing complexity. Our employees must make many decisions every day, and making the right decision is not always easy.

The information contained in the Code defines the basic expectations that are a part of our standards of conduct, which all employees must follow. The Code cannot address every potential situation or issue that may arise and it is not intended to replace or supersede any policy or procedure. Should you require additional information or clarification on a topic addressed in the Code, please ask your supervisor, manager, vice president, human resources or compliance department and/or refer to a more detailed policy and procedure. Remember, we are all responsible for reading, understanding and complying with the Code, as well as other rules, policies, procedures and regulations that affect our jobs.

THE CODE OF CONDUCT IS EVERYONE'S RESPONSIBILITY

The Code of Conduct defines RWJUH's expectations of ethical conduct and compliance for all employees, as well as those who do business with or on behalf of RWJUH, including trustees, medical staff members, vendors and volunteers.

The message of compliance starts at the top and the Code applies equally to RWJUH's Board of Directors and senior management. This includes our president and CEO, vice presidents and other members of senior management. The board and management has a fundamental responsibility for ensuring high ethical standards and actions. All management performance will be measured by the demonstration of active support of the Code of Conduct's implementation. Management must demonstrate this support by assuring that all current and new employees under its supervision receive Code of Conduct training, and by creating a workplace environment where ethical and legal concerns can be raised and openly discussed without fear of retaliation.

LEADING WITH INTEGRITY

RWJUH is a large and complex organization which must navigate a highly regulated and complex environment. RWJUH can only honor its values and fulfill its mission through people-its greatest resource. The RWJUH Code of Conduct represents a commitment to lead with integrity every time we interact with patients, employees, the medical staff, our volunteers, vendors, the government and members of the communities we serve.

To maintain high ethical standards and compliance with the law, each of us must act ethically and honestly as individuals; we must inspire our colleagues to "do the right thing," and we must strive each day to help the organization as a whole fulfill its ethical and legal responsibilities. Therefore, signing and acknowledging the Code is our vow:

- to know the rules that apply to our jobs

- to follow them at all times, and
- to speak up when we become aware of an ethical or compliance issue or concern.

Fulfilling this vow requires sound ethical decisions. Ethical decisions allow each of us to make the future better in an environment that potentially presents ethical conflicts every day. The Code helps us recognize and address such ethical conflicts.

Often the correct choice is to speak up. This is because each of us is responsible for bringing violations or suspected violations of the Code to the attention of someone in a position of authority. You might choose to speak to your supervisor, manager, vice president, human resources or compliance department. Or you may elect to contact the Compliance HelpLine at 1-800-238-4139 (see section "Voicing Your Concerns" below for more detail). Regardless of the approach taken, the choice is always the same: speak up and voice your concerns. Silence does not demonstrate integrity.

EMPLOYEE ISSUES AND CONCERNS: A CONDITION OF EMPLOYMENT

The principles found in this Code of Conduct reflect our core values, our mission and our overall commitment to excellence. In order to have an effective compliance program, we must all cooperate willingly and participate actively. We have a responsibility to report concerns or issues which we believe may involve noncompliance. It is our responsibility to understand and comply with applicable rules, regulations and laws that govern the hospital and its employees. We will also comply with the Code of Conduct. We understand that violation of the principles of the Code can result in disciplinary action, up to and including termination. To this end, the Code is meant to be part of what we do each day and part of the pride each of us feels about his or her job. Our success together depends upon it. Therefore, abiding by the Code of Conduct is also a condition of employment with RWJUH.

One way to abide by the Code is to raise potential compliance or ethical issues. If something you are told or something you see just doesn't "sit right," it is your responsibility to voice your concerns. And as discussed below, RWJUH supports speaking up, through its Compliance Program, its Compliance HelpLine and the culture of compliance our Code of Conduct helps create. We may report our concerns to any of the following individuals or departments: supervisor, manager, vice president, human resources, compliance department or compliance HelpLine. To preserve the meaning of the Code of Conduct, RWJUH encourages all persons to report issues or problems without fear of retaliation from anyone connected with the hospital. RWJUH will take disciplinary action for violations of the Code by an individual. Employees who fail to meet the standards of conduct explained in the Code will be subject to disciplinary action, up to and including termination. In particular, disciplinary action will be taken against anyone subject to this Code who retaliates against an employee who reports a violation or suspected violation of the Code or who cooperates in an investigation or a legal proceeding involving a suspected violation. Our commitment to maintaining a non-retaliatory workplace requires nothing less.

QUALITY OF CARE AND SERVICES: RIGHTS AND SATISFACTION

Guiding Principle: To improve the health, well-being, safety and security of the patients and communities we serve through the highest quality care, community outreach, scientific research, and education of health care professionals. RWJUH is dedicated to offering a comprehensive continuum of services to promote the health of New Jersey residents.

Patient Care and Satisfaction

At the center of the RWJUH mission statement is the basic organizational purpose: to provide the highest quality of care to our patients and to our community in a safe and healing environment.

Patient Rights

Upon admission, each patient receives a written statement of the Patient's Bill of Rights. Among the rights that patients of RWJUH possess are the rights to quality care; appropriate informed consent prior to the start of any treatment or procedure; treatment without discrimination; privacy and confidentiality of patient information, except as provided by law; to make decisions regarding care, including the right to refuse certain kinds of treatment; and to information about the patient bill.

If conflicts arise among patients, their families or their caregivers, assistance is provided to help resolve this conflict. We offer access to patient representatives, the patient satisfaction department, religious, bioethics consultations and medical and clinical professionals to answer questions and to resolve conflicts or concerns.

Emergency Treatment

RWJUH is committed to providing appropriate emergency medical care to all patients, as well as the seamless care of patients who are in need of a transfer to another facility.

The Emergency Medical Treatment and Labor Act (EMTALA) requires that we provide a screening examination and emergency medical treatment to any patient presenting to our facility regardless of their race, color, religion, age, gender, national origin, disability, sexual orientation, gender identification, ability to pay or source of income. When a patient presents to our emergency department, we perform a medical screening examination by qualified medical personnel and will stabilize any emergent condition according to applicable laws, rules, regulations and accepted medical practice. We do not delay the medical screening, or the necessary stabilizing treatment of any patient in labor or with any other emergency medical condition in order to seek financial and demographic information.

Patients are not admitted, transferred, or discharged based on their ability or inability to pay for care or source of payment. Patients will only be transferred

to another facility at their request or if RWJUH cannot meet their medical needs.

HIPAA – Protecting Patient Privacy

Patients under our care have entrusted us with confidential; personal and sensitive information. RWJUH is dedicated to honoring this trust by protecting patient information in an ethical and legal manner. RWJUH will educate its patients regarding their right of confidentiality: their right to restrict or limit the dissemination of identifiable medical information; and their right to access that information.

RWJUH is committed to maintaining the confidentiality of patient and other hospital information in strict accordance with legal and ethical standards when originating, entering, using, accessing, processing, distributing, transmitting, storing and disposing of information or data. Breaches of confidentiality are not tolerated. RWJUH shall maintain the privacy and confidentiality of patient records and information as appropriate under federal and state laws. The Health Insurance Portability and Accountability Act (HIPAA) provides enhanced privacy and security rights to patients. Every employee, physician, vendor and volunteer associated with RWJUH is expected to safeguard the privacy of protected health information (commonly referred to as PHI) by knowing and following RWJUH's HIPAA policies and procedures. These policies and procedures address the use and disclosure of PHI as well as measures necessary to protect the security of PHI. They are designed to ensure that PHI can only be used and disclosed for permissible health care purposes and they must be followed at all times. Unauthorized or impermissible use and access to PHI is a serious violation of the Code and will lead to discipline up to and including termination.

We expect RWJUH employees, physicians, vendors and volunteers also to use a common sense approach in the use and disclosure of PHI, to protect privacy and security and safeguard the rights and interests of our patients. For example, employees should lower their voices when discussing sensitive information, be careful not to leave confidential information in public places, and not share computer passwords with other people.

RWJUH will strive to protect its patients' information from identity theft by complying as required with RWJUH policies, procedures, directives and agreements pertaining to access, use, protection and disclosure of such information. Computer security, privacy of personal information, privacy of student information and privacy of patient information are also subject to New Jersey State law, federal laws including HIPPA, the Health Information Technology for Economic and Clinical Health Act (HITECH), the Identity Theft Red Flags and address discrepancies under the Fair and Accurate Credit Transaction Act of 2003, known as the "Red Flags Act."

WORKPLACE BEHAVIOR, EQUAL OPPORTUNITY AND SAFETY

***Guiding Principle:** RWJUH will treat all people with respect, dignity and courtesy. We recognize that our greatest strength lies in the talent of our staff who create the hospital's success and determine its reputation. We are committed to providing a workplace in which every employee is treated with respect and dignity in a professional and safe atmosphere that promotes the fair treatment of everyone.*

Fair Treatment of Employees

RWJUH is committed to maintaining a work environment that provides equal opportunity and fair treatment for all employees. These practices promote effective operations and create an environment where each individual can fulfill his or her potential. All employment-related decisions by RWJUH and its management will reflect this commitment. We believe that our success can only be accomplished when employees are treated with respect as unique individuals with individual talents, values, needs and concerns. RWJUH embraces the diversity of our workplace as well as the array of abilities that each staff member brings to his or her job.

Discrimination or harassment of any kind is prohibited – whether based on race, color, creed, age, pregnancy, religion, sex, natural origin, sexual orientation, gender identification, disability or handicapped status, veteran, citizenship or marital status, genetic information, atypical hereditary cellular or blood or any other characteristic protected by law. This policy extends to

all types of behavior, including the use of e-mail and voicemail. Our non-discrimination policy also applies to Board members, physicians, contractors, vendors, patients, patient families, volunteers, auxiliaries and visitors to our facilities. Any person who believes that he or she has been discriminated against or sexually harassed should report such concerns to his or her supervisor, manager, vice president, human resources or compliance department or compliance HelpLine, as appropriate.

ENVIRONMENTAL CONSIDERATIONS

Safe and Healthy Workplace

RWJUH is committed to providing a safe and secure environment for patients, staff and visitors. We are committed to providing a safe and healthy workplace for employees, patients and visitors, and are further committed to complying with all applicable rules and regulations designed to promote health and safety in the workplace. Each employee, including managers and officers, is responsible for being aware of the safety and infection control issues involved with his or her job. For example, personnel should know RWJUH's policies and procedures for proper handling and disposal of medical waste. It is the responsibility of each and every employee to report safety violations, injuries or situations that appear to be dangerous for fellow employees, patients or visitors to your supervisor, manager, vice president, human resources or compliance department, immediately.

In order to maintain a safe workplace, RWJUH will not tolerate threatening, aggressive or abusive behavior toward others. No weapons of any kind are allowed in the workplace or anywhere on the premises of RWJUH without explicit authorization.

RWJUH has a strict policy against the use of illegal or unauthorized drugs and the consumption of alcohol in the workplace. If you report to work while under the influence of alcohol or illegal or unauthorized drugs, you will be disciplined up to and including termination. Employees whose jobs involve handling controlled substances are responsible for knowing and adhering to policies governing those substances.

Qualifications of Our Employees and Medical Staff

RWJUH is committed to ensuring that our employees, as well as our medical staff, are honest and trustworthy and possess the necessary skills and credentials required of their health professions.

RWJUH will make reasonable inquiry into the backgrounds of all candidates for employment and physicians and other health care professionals applying for medical staff privileges, appropriate to the level of responsibility of the position sought by the applicant. This includes conducting a criminal background check and screening government-maintained databases to determine whether the person is eligible to participate in federal health care programs. Where specific credentials are required, these will be verified as well.

It is the employee's, physician's and other health care professional's ongoing responsibility to remain in compliance with all licensing and/or registration requirements and to immediately report any preliminary or final action that may negatively effect his or her license or eligibility to participate in federal health care programs.

BUSINESS ETHICS AND COMPLIANCE WITH LAWS AND REGULATIONS

Guiding Principle: RWJUH is committed to conducting its business and operations with honesty and integrity and in compliance with all laws, rules, regulations, policies and procedures that apply to us. We depend on our employees and those who do business with us to help us to ensure that we fulfill this commitment.

RWJUH will follow the letter and spirit of all applicable laws and regulations, conduct its business ethically and honestly, and act in a manner that enhances the hospital's standing in the community and is sensitive to those it serves.

Federal Health Care Program Requirements

Federal health care programs "FHCPs," including but not limited to Medicare and Medicaid, are very important to many of the people we serve and they are a large source of reimbursement to RWJUH. Additionally, FHCPs include numerous laws and regulations with which RWJUH must comply. Failure to do so can potentially subject the hospital or its employees to substantial penalties or sanctions both civil and criminal. Thus, we are committed to full compliance with FHCP requirements and we expect all employees to comply with these requirements. We also expect employees to report any suspected violations of FHCP requirements to supervisor, manager, vice president, human resources, compliance department or the compliance HelpLine as appropriate. The Code reflects this commitment by addressing specific FHCP requirements of special interest to the government.

Federal Deficit Reduction Act

In compliance with Section 6032 of the Federal Deficit Reduction Act of 2005, Robert Wood Johnson University Hospital maintains applicable policies and procedures to address the role of certain federal and state laws in preventing and detecting fraud, waste, and abuse in federal health care programs. These policies and procedures, and the laws that they implement, are described in the Employee Handbook. We expect RWJUH employees to comply with these policies, procedures and laws.

One of these laws, the Federal False Claims Act, 31 U.S.C. §§ 3729-3733 says that any person who does any of the following acts may be subject to both civil and criminal penalties:

1. knowingly files a false or fraudulent claim for payment to Medicare, Medicaid or any other federally funded health care program;
2. knowingly makes, uses, or causes to be made or used, a false record or statement to get a false or fraudulent claim paid or approved by the government;
3. knowingly and improperly retains an overpayment;

4. does any of the above to obtain federally funded health care program money regardless of whether the claim was submitted directly to the government;

5. conspires to violate any requirement of the Federal False Claims Act.

Both the Federal False Claims Act and these hospital policies and procedures provide individuals within the hospital protection from retaliation if those individuals observe activities or behavior that may violate the law in some manner and in good faith report their observations either to management or to governmental agencies are provided protections under certain laws.

Likewise, the New Jersey Conscientious Employee Protection Act (“CEPA”), N.J.S.A. §§ 34:19-1, et seq., prohibits an employer from retaliating against an employee because the employee:

1. discloses or threatens to disclose an activity that the employee reasonably believes violates the law, is fraudulent or criminal, or (for employees who are certified or licensed health care professionals) constitutes improper quality of patient care;

2. provides information to or testifies before a public body conducting an investigation, hearing, or inquiry into any violation of law, or (for employees who are certified or licensed health care professionals) into the quality of patient care;

3. objects to or refuses to participate in an activity that the employee reasonably believes to be a violation of law, fraudulent, criminal, incompatible with a clear mandate of public policy, or (for employees who are certified or licensed health care professionals) improper quality of patient care.

Robert Wood Johnson University Hospital will not tolerate any intimidating or retaliatory act against an individual who in good faith reports practices reasonably believed to be a violation of this policy.

Coding and Billing

RWJUH provides a wide array of health care services to our patients. RWJUH is also entitled to seek reimbursement for these services from numerous payment sources including government entitlement programs (e.g. Medicare, Medicaid and Tricare), commercial payors and patients. Every employee involved directly or indirectly in the coding or billing process must help to ensure that RWJUH seeks reimbursement from such payment sources only for services that are actually rendered, properly documented and coded and billed correctly.

RWJUH will assure that billing and coding is performed accurately and that appropriate documents exist to substantiate the services rendered and the amounts billed. Communication among the clinicians, the coders and the billers shall be required to ensure that accurate information is provided. We are committed to ensuring that billing and reimbursement practices comply with all federal and state laws, regulations, policies and procedures.

The claims we submit for payment must be accurate and complete. In this regard, each claim submission or re-submission (electronic or paper) contains a certification statement of accuracy and completeness. Employees who are involved in the billing of health care services are expected to be thoroughly familiar with billing requirements, claims filing procedures and supporting documentation requirements. Likewise, staff involved in abstracting medical records and performing coding assignments for submission of claims must be trained in coding and proper documentation procedures.

Remember: Always follow the principle that all coding and billing must be supported by appropriate documentation in the medical record.

Accurate and timely documentation also depends on the diligence and attention of all health care providers who treat patients in our facilities and make entries in our medical records. We expect physicians and others to provide us with complete and accurate information in a timely manner.

There are state and federal laws that prohibit health care providers from knowingly filing claims that are not true and correct. One of these laws, known as the False Claim Act, can subject RWJUH and/or its employees to severe penalties if it is violated. Employees involved in the claim submission process should ensure that they are familiar with our policies regarding claim submission and this law. We prohibit any employee from knowingly submitting claims for payment that are false or fraudulent or from falsifying documentation which results in billing and coding.

If you are not confident in your knowledge of the rules or regulations that apply to the coding or billing situation you face, contact your supervisor or manager. You may also contact the compliance department or the compliance HelpLine with any questions you might have. Employees who suspect improper billing or documentation is occurring, or are uncomfortable with the billing procedure they have been instructed to use, should immediately report this to their supervisor, manager, vice president, human resources, compliance department, or call the compliance HelpLine.

Remember: We have an obligation to return any monies we receive from Medicare to which we are not entitled, regardless of whether the overpayment occurred due to the government's error. Keeping overpayments that we know about could potentially raise false claims issues. Report the situation to your supervisor who will help resolve the problem with Medicare.

Physician Relationships, Improper Payments and Patient Referrals

Our physicians and other health care providers are expected and required to make patient referrals based solely on patient choice, the patient's clinical needs and the ability of RWJUH to provide the needed health care services.

Federal health care programs such as Medicare have very strict rules regarding financial relationships between providers (including hospitals) and sources of patient referrals (e.g. physicians) and entities to which hospitals refer patients (e.g. home health agencies). Specifically, there are federal rules

which prohibit the exchange of anything of value from one entity or person to another, in order to obtain patient referrals. These rules not only apply to payment of money, but anything else with financial value such as free services, gifts and entertainment. There are also state laws that govern such relationships. Together these laws are generally referred to as the “anti-kickback and self-referral” laws or sometimes “fraud and abuse” laws. Violation of these laws may expose RWJUH and others to significant penalties, including criminal prosecution.

We accept patient referrals and admissions based solely on the patient’s clinical needs and our ability to provide quality medical care to the patient. We will not provide anything of value to physicians, employees or others for patient referrals. No contract will be entered into that is linked either directly or indirectly to patient referrals. Nor will we accept anything of value in order to refer a patient to some other health care provider. We will preserve the patient’s freedom of choice regarding home health care and other ancillary health care services in accordance with applicable rules and regulations.

We expect all employees to be aware of the standards set forth in this Code of Conduct regarding the fraud and abuse laws. Additionally, we require all employees who are involved in financial interactions with physicians, such as contracting for physician services, leasing space, recruiting physicians and arranging for physicians to serve in leadership positions to be fully aware of these laws, their related regulations and the specific policies and procedures addressing these laws.

Antitrust and Competition

Antitrust laws are designed to create a “level playing field” in the marketplace and to promote fair competition. We compete with other health care systems and medical facilities in many of the communities we serve. We will not enter into agreements or take actions that restrain or reduce fair competition.

Employees that deal with customers and suppliers may face antitrust issues, particularly in areas where RWJUH has significant market share. You should be aware of situations that might present antitrust issues. For example, it is against policy and unlawful to enter into an agreement or attempt to agree with competitors to fix prices, divide customers or geographic markets, boycott another party or make any agreement that artificially raises the price of our services or improperly reduces competition. If you are unsure whether antitrust issues are raised by a certain situation, you should discuss it with your supervisor, manager, vice president or the compliance department.

Tax Issues

RWJUH is a not-for-profit organization which is granted tax-exempt status by the Internal Revenue Service (IRS), based upon our charitable health care mission. Maintaining this status is critical and the use of RWJUH tax exempt assets and revenues must meet all applicable IRS requirements. For instance, we must not engage in activities that inappropriately benefit private organizations or individuals, including employees. Nor may employees use RWJUH's tax-exempt status for personal benefit, even if they later reimburse the hospital.

Conflicts of Interest

Guiding Principle: RWJUH's Board of Directors, senior management and employees must understand their obligation to "put RWJUH first", free of inappropriate personal interests, and to disclose any instances where it appears that their personal interests might be in conflict with their obligation to "put RWJUH first." We will perform our duties on behalf of the hospital and its patients and not in our own personal interest. We will avoid conflicts of interest or the appearance of conflicts between our own interest or an outside interest and the interest of the hospital.

A conflict of interest occurs if an outside interest or activity, or relationship with a third party, influences, or appears to have the potential to influence, your ability to exercise objectivity or meet your job responsibilities for RWJUH.

That is, it interferes or creates the appearance of interfering with your ability to “put the hospital first.” This Code cannot cover every potential situation or issue. Some examples of potential conflicts of interests are (1) where you or a family member has an employment or consulting agreement with an organization that has business relationships with or competes with RWJUH; or (2) as a RWJUH executive, manager or supervisor, you participate in the hiring or supervision of a family member.

We must avoid conflicts of interest and also the appearance of conflicts of interest, between our responsibilities as RWJUH employees, officers, or trustees and any outside interests we may have. You may not use your position to profit personally or for others, at the expense of RWJUH. However, potential conflicts of interest, when properly disclosed to RWJUH, may be permitted if they do not jeopardize the interests of the hospital. Most importantly, if you believe a potential conflict of interests exists, disclose it. By following the RWJUH Conflicts of Interest policy, you will allow an appropriate decision to be made regarding the potential conflict.

Remember: Disclosure is the key to dealing with conflicts of interest. Use this rule of thumb: If you have any doubt as to whether a particular situation presents a potential conflict of interest, assume that a potential conflict does exist and then act accordingly.

Gifts and Business Courtesies

Giving and accepting gifts in the course of doing business can sometimes be interpreted as an attempt to influence the decision-making process. However, under certain circumstances offering or accepting gifts and business courtesies may be appropriate. Employees are responsible for complying with RWJUH policies, applicable laws and regulations governing gifts and business courtesies. We are committed to ensuring that all gifts and business courtesies, given and received, are appropriate and within the limits of the law and do not influence our decision-making on behalf of the hospital.

It is the policy of RWJUH that no employee may accept any unapproved gift or reimbursement from any third parties in conducting hospital business. Employees should not accept cash gifts under any circumstances. Disposable gifts (e.g., flowers or candy) of small dollar value may be accepted according to facility rules. RWJUH maintains a number of specific guidelines depending upon the gift or business courtesy. You should always consult these guidelines and your supervisor, manager, vice president, human resources, or compliance department, before accepting a particular gift or courtesy. Employees are not permitted, under any circumstances, to solicit gifts from vendors, business partners, patients, patient families or others.

Vendor Relationships

Our relationships with vendors, subcontractors, and suppliers will be based on fairness, honesty and trust. We will establish and maintain such relationships according to sound and ethical business decisions. We are fair and open in our dealings with vendors, suppliers and subcontractors. We will enter into contracts or relationships with vendors, suppliers, and subcontractors based on objective business criteria and not on personal relationships, family connections or friendships.

We will not knowingly enter into contracts with vendors, suppliers, or subcontractors who have been excluded from participation in any government program. Prior to entering into any contract with a third party we will make appropriate inquiries with the federal government to ensure that the entity or person is not excluded from participation in federal government programs. If a vendor, subcontractor, or supplier becomes excluded from any federal program while under a contract or relationship with RWJUH, the contact or relationship shall be terminated immediately.

Political Activities

RWJUH encourages all personnel to vote and be active in the political process; however, you may do so only during non-work time and as individuals, not as representatives of the hospital. Some examples of

prohibited activity would be to (1) include, directly or indirectly, any personal political contributions on your expense account, or in any other way that causes the hospital to reimburse you for that expense; (2) use hospital property or facilities or the work-time of RWJUH employees for any political activity, except as conducted by an appropriate department of the hospital charged with the initiative; or (3) use funds of RWJUH itself to make political contributions.

SAFEGUARDING ASSETS, BUSINESS ASSETS, INFORMATION AND INFORMATION SYSTEMS

Guiding Principle: RWJUH is an asset and information-rich environment; therefore, each of us will act as responsible stewards of the assets and information in our possession exercising care, prudence and trustworthiness at all times. To this end, RWJUH will protect its assets and the assets of others entrusted to the hospital, including physical and intellectual property and protect the information regarding such assets against loss, theft or misuse.

Accuracy, Retention and Destruction of Records

It is the responsibility of all RWJUH employees and others who conduct business with or on behalf of the hospital, to ensure that all medical and business records for which they are responsible are accurate, complete and properly maintained. This applies to electronic data as well as paper records.

You must not make, or cause others to make, false or fictitious entries in hospital records. You must not create inaccurate production and performance records, financial statements or payroll time and expense reports. Records may not be destroyed in violation of the document retention requirements. Under no circumstances may records be destroyed or altered to cover up an error or omission. When you discover clerical, accounting or reporting errors, you must correct them promptly and use the proper methods for doing so.

In the event of an outside investigation, or when an outside investigation appears likely, RWJUH legal counsel or compliance department should be notified and will advise employees regarding the retention of related records. If this happens, you must discontinue all record destruction and/or alteration until you receive specific direction from the legal or compliance department.

Protecting Confidential Business Information

We collect and maintain information that is sensitive and/or confidential in our day-to-day business dealings. This includes information that is generally not available to or known by the public. Common examples of this type of information include personnel files, patient lists, financial data, managed care and commercial payor contracts and fee schedules, marketing information, computer software, copyrighted material and other internal business data. All such information, as well as e-mail and other computer-generated communication, belong to RWJUH. Disclosure of this type of information violates hospital policy and can be damaging to the hospital's business operations and to its relationships with outside organizations.

If your job requires access to confidential information, you have an obligation to know how that information should or should not be used and under what circumstances it may be disclosed. Generally, you may not disclose this type of information to anyone outside the hospital. You should only discuss this information with employees who have a "need to know" to perform their jobs. You should also be careful not to discuss such information in public places or in situations where it might be passed inadvertently to someone else.

Should you end your employment with RWJUH, you may not take any sensitive, confidential or protected hospital information with you. Further, while employed and after your employment terminates, you may not use hospital information for your own personal gain or for the gain of another person or company.

Information About Outside Entities

Many of us have access to the confidential information of outside organizations with which we do business. Just as we value and protect our confidential business information, we must also respect the confidentiality of others. Thus, we must safeguard confidential information we receive from or about any other company, including our competitors, vendors and providers. We may not use confidential or proprietary information from other companies or individuals without specific written authorization. Nor should you act on information you receive in the course of doing business with an outside organization for personal gain or to the detriment of the outside organization.

Employee Information

Salary, benefits and other personal information relating to employees shall be treated as confidential. RWJUH will not release confidential employee information without proper authorization, or unless required by law. You are prohibited from disclosing to a third party another employee's salary, performance information, personal address and telephone number or any other confidential employee record unless you are expressly authorized to do so by your supervisor, manager, human resources and hospital policy. All requests for information pertaining to RWJUH employees, former employees and job applicants should be forwarded to the human resources department for an appropriate response.

Information Security

In today's computer-based workplace, ensuring that only authorized personnel have access to our computer systems is a vital responsibility of each employee. It is your responsibility to use passwords and security codes responsibly. Employees are prohibited from allowing someone else to have unauthorized access to computer systems or to confidential data concerning our patients, employees, the hospital or outside entities.

Remember: You must never disable or circumvent any security controls protecting our computer system, such as passwords, firewalls, encryption and screen-blanking mechanisms.

Protecting Business Assets

We shall respect the trust RWJUH has placed in us by ensuring the appropriate use of the hospital's physical assets such as equipment, supplies and materials. We must protect hospital assets against loss, theft and misuse. Each of us is responsible for ensuring that RWJUH assets are used for valid business purposes only and not for improper or illegal activities. These assets may not be improperly used to provide personal gain for the employee or for others.

Advertising, Marketing and Fundraising

RWJUH uses advertising and marketing to inform the communities we serve about the health care services available to them. In addition, the hospital uses advertising and marketing to educate the public about current health care trends and other information. Our marketing and advertising efforts will only represent truthful information that accurately reflects the services available and the level of certification or accreditation achieved by RWJUH.

RWJUH will conduct fundraising in accordance with all applicable laws and regulations and hospital policies and procedures.

FINANCIAL REPORTING AND RECORDS

Guiding Principle: RWJUH is committed to managing its business affairs in a financially responsible manner through compliance with federal and state laws pertaining to financial records and cost reports.

Each of us records or prepares information of some kind in our jobs, such as medical records, patient care logs, financial records, cost reports and the like. The hospital has established procedures to ensure the accuracy and reliability of its financial reports. Costs

reported by RWJUH, and the methodologies for claiming reimbursements, will be prepared and submitted in accordance with the law. We have an important obligation to report information accurately to regulatory agencies, payors and others.

RWJUH financial records must reflect actual transactions and conform to generally accepted accounting principles, as well as hospital policies and standards. There will be no secret or non-corporate accounts, and all funds belonging to the hospital must be properly recorded. We expect employees to follow appropriate accounting controls and cooperate fully with RWJUH audit processes. It is the policy of RWJUH that all data included in cost reports filed with federal health care programs (e.g. Medicare) are based on auditable, verifiable and adequate documentation. Senior financial officers are expected to know and understand the hospital's policies and procedures regarding auditing, accounting and financial disclosure issues relevant to their job responsibilities.

RESPONSE TO GOVERNMENTAL INVESTIGATIONS

Guiding Principle: RWJUH will follow the letter and spirit of applicable laws and regulations and cooperate with any reasonable demand made in a government investigation. RWJUH will conduct our business ethically and honestly, and act in a manner that enhances the hospital's standing in the community and is sensitive to those we serve. In so doing, however, it is essential that the legal rights of RWJUH and of its personnel involved be protected.

RWJUH will always approach its dealings with federal health care programs in a cooperative and candid manner while exercising the rights to which it is entitled.

If any employee receives an inquiry, a subpoena, or other legal document regarding RWJUH business, whether at home or in the workplace, from any governmental agency, RWJUH requests that the employee notify his or her supervisor, manager, vice president, human resources or the compliance

department immediately. If an individual is contacted at home by any governmental agency concerning RWJUH business, RWJUH requests that the individual ask the agent to come back later, and immediately contact RWJUH to discuss the matter.

If any person who identifies him or herself as a government investigator approaches you, requests documents from you, or presents you with a subpoena or search warrant for documents, RWJUH requests that you notify your supervisor, manager, vice president, legal or the compliance department immediately. These departments will assist in verifying the credentials of the investigator and following proper procedures for cooperating with the investigation.

Remember: Employees are under no obligation to speak to an investigator. You may decline to speak to him or her until you have spoken to an attorney. However, RWJUH does not and will not forbid employees to speak to investigators. If you do choose to speak to an investigator, always tell the truth. If you do speak to an investigator, you may elect to terminate the conversation at any time.

You must never:

- destroy or alter any hospital document or record in anticipation of or response to a request for the document or record by the government, an outside agency or court;*
- lie or make false or misleading statements to any investigator;*
- attempt to persuade any other person to provide false or misleading information to an investigator or to fail to cooperate with an investigation.*

If a law enforcement official presents an employee with a search warrant, RWJUH's supervisor, manager, vice president, Compliance Department, legal or the administrator on duty should be called immediately during off hours. No law enforcement agent is allowed to conduct a search of any home

or business without a valid search warrant signed by a judge. Therefore, anyone claiming to be an agent with a warrant should be asked to show proper identification and provide a copy of the warrant. RWJUH employees should ask for a business card from the lead agent. If he/she refuses, the RWJUH employee should write down his/her name and the agency he/she represents. RWJUH and legal have the right to review the warrant and keep a copy of it. If the affidavit in support of the warrant is not attached, the RWJUH employee should ask for a copy.

Medicare or Medicaid Inquiries

Any requests for medical record documentation by a governmental payor (e.g., fiscal intermediary) should be forwarded to the health information department. The compliance department should be notified of inquiries that may relate to billing compliance issues.

COMPLIANCE RESOURCES

Guiding Principles: A primary purpose of our compliance program is to assist you in adhering to the Code of Conduct by providing the guidance and support needed to make ethical decisions in today's demanding business and health care environment. We are dedicated to leading with integrity through education and open lines of communication and strive to conduct the program with courtesy and integrity. Our efforts depend upon a spirit of teamwork and we encourage thoughtful discussion of ethics and compliance in the workplace and sound decision-making.

Special Role of the Board of Directors

RWJUH's Board of Directors is committed to upholding high standards of corporate governance and responsibility. The Board of Directors has oversight responsibility of the compliance efforts by making reasonable inquiry of management about the hospital's compliance program. This responsibility is primarily exercised through the board's Audit and

Compliance Committee. Through this oversight our board is knowledgeable about how the hospital handles compliance issues and helps to ensure that the organization complies with the principles in our Code of Conduct, as well as with applicable laws and regulations.

CODE OF CONDUCT

The Code of Conduct is distributed to all RWJUH employees. It is also made available to our medical staff members, agents, subcontractors and vendors who are expected to comply with its principles when conducting business with or on behalf of the hospital. Employees may access the Code on the intranet or obtain a copy in print format from human resources and compliance department.

Compliance Department

The compliance department has a dedicated staff with knowledge of health care compliance, under the direction of the president and legal counsel. These individuals are there to assist you and your colleagues.

Compliance Director

The compliance director is available to provide guidance on workplace ethics or compliance issues and to promote the culture of compliance. If you have a question about the Code of Conduct or a potential compliance concern, you are encouraged to contact RWJUH's Compliance Director at 732-937-8778.

Policies and Procedures

While the Code is designed to provide overall guidance, it does not address every situation. More specific guidance is provided in various hospital policies and procedures. RWJUH routinely issues policies and procedures covering legal and business matters relevant to particular parts of our business, this Code and the Compliance

Program. All employees are expected to comply with the policies and procedures, as well as lawful and ethical business practices, whether or not they are specifically mentioned in this Code of Conduct. To access these policies, you should contact your supervisor, manager, vice president, human resources, compliance department or access the RWJUH Policy and Procedure System on our intranet, as appropriate.

VOICING YOUR CONCERNS

RWJUH cannot satisfy the principles in this Code without your help. If you have questions about the Code of Conduct, or about an issue that is not covered here, you should raise the question or voice your concern. By reporting your concern in “good faith,” which means telling the truth as you know it, you help enhance our commitment to lead with integrity. If you feel you are being pressured to violate the principles outlined in this Code, or if you observe behavior that concerns you, please bring it to the attention of your supervisor, manager, the compliance department, or the vice president responsible for your area. RWJUH has a non-retaliation policy for all good faith communications of compliance issues or concerns.

If you are not comfortable with these options, RWJUH has established the Compliance HelpLine, which is available 24 hours a day, 7 days a week. The toll-free telephone number is 1-800-238-4139. Any RWJUH employee, physician, contract worker, patient, vendor or interested member of the community may call the HelpLine to ask questions concerning ethical or legal conduct, to raise a concern or to report any potentially improper action. These calls can be made anonymously at the election of the caller. Calls are logged and responses are developed and tracked, based upon a process established and administered by the compliance department and management.

When you report a potential violation of the Code of Conduct through the Compliance Helpline or otherwise, the compliance department will ensure that an appropriate investigation is conducted. We will maintain c

confidentiality of these reports, and, unless otherwise required by law, only inform those who need to know to help investigate, resolve or review these matters. No caller will be subject to retaliation for expressing his or her concerns.

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ACKNOWLEDGEMENT

RWJUH requires you to sign an acknowledgement confirming that you have received and read the Code of Conduct, understand its contents and agree to abide by it. Questions regarding the Code should be directed to your supervisor, manager, the compliance department or human resources.

Signature

Name (Print)

Date



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