

Children's Mercy Code of Conduct



Reviewed by Audit and Compliance Committee and recommended for approval by the Board on May 23, 2019; Reviewed and approved by the Board of Directors on June 18, 2019.
Reviewed by Audit, Compliance and Risk Committee and recommended for approval by the Board on June 14, 2022; Reviewed and approved by the Board of Directors on June 15, 2022.

A Message from Paul Kempinski, MS, FACHE President and Chief Executive Officer

Dear Colleagues,

Children's Mercy is one of the leading children's pediatric health systems in the nation, committed to providing the highest level of care to the children of our region and beyond. Our Vision is to "create a world of well-being for all children." We strive to deliver an extraordinary patient and family experience for all who come through our doors, in every one of our locations throughout Missouri and Kansas.

Providing that extraordinary experience requires all of us – employees, contractors, vendors, and board members – to exemplify in our conduct Children's Mercy's core values, kindness, curiosity, inclusion, team, and integrity. We must conduct ourselves in accordance with the law, of course, but also ethically, honestly, and compassionately. We must be role models of our values not just with our patients and families, but also with each other, and not just within the walls of our facilities, but also in our community. Our Guiding Behaviors affirm our personal accountability to our values and shape our expectations of how we will engage in all interactions. Those Guiding Behaviors include:

1. Demonstrate grace, civility, and forgiveness in your relationships
2. Be authentic and optimistic
3. Be in the moment and listen actively
4. Be curious, not judgmental
5. Embrace the perspectives and experiences of others
6. Trust one another and assume positive intent
7. Express appreciation often, and celebrate the success of others
8. Place the success of the organization and your colleagues ahead of personal agendas
9. Have courageous conversations
10. Be accountable, and accept responsibility for your actions

Your actions matter. They matter for our culture, our work environment, and our reputation. Most importantly, they can impact the health and well-being of the children we serve. The Children's Mercy Code of Conduct sets forth the principles, policies, and standards of our organization, to guide the behavior of every individual and organization associated with Children's Mercy. It's your responsibility to review and understand these requirements, manage your behavior and activities accordingly, and report any concerns you may have about possible violations.

Thank you in advance for reviewing and following these important policies, and for acting as a model of our core values in all you do each day on behalf of our patients and families.

Sincerely,



Paul Kempinski, MS, FACHE
President and Chief Executive Officer
Alice Berry, DDS, and Katharine Berry, MD, Endowed Chair in Executive Leadership
Children's Mercy Kansas City

INTRODUCTION AND REPORTING

Children's Mercy is committed to providing care and performing its operations in an ethical, honest, inclusive, safe, and legal manner. This Code of Conduct sets forth the principles, policies and standards by which Children's Mercy operates its [Clinical Services](#), [Business Operations](#), [Personnel Services](#) and [Research and Development](#) to achieve this goal. This Code of Conduct applies to Children's Mercy and its subsidiaries and affiliates ("Children's Mercy"), as well as its employees, Board members, executives, employed and non-employed health care professionals, health care professionals with clinical privileges, contract staff, volunteers, students, and persons conducting research on behalf of Children's Mercy (collectively referred to as "Hospital Associates") in performing their job functions or duties on behalf of Children's Mercy. Children's Mercy makes this document and Deficit Reduction Act supporting documents available via the [Children's Mercy public website](#) and expects all persons or entities acting, or providing services on behalf of Children's Mercy to adhere to the laws and regulations applicable to their services and conduct.

Children's Mercy requires all Hospital Associates to abide by the principles, policies and standards described here and to conduct the business and affairs of Children's Mercy in a manner consistent with these principles and standards. Hospital Associates are required to attest that they have read and understand the Code of Conduct. Attestation occurs upon hire and annually thereafter.

Children's Mercy's [Mission, Vision and Strategic Goals](#) are the foundation for the way Children's Mercy does business. The [Corporate Compliance Plan](#) and additional policies and procedures, support and provide further detail on the principles, outlined in the Code of Conduct. Hospital Associates must be familiar with Children's Mercy [Mission, Vision and Strategic Goals](#), [Corporate Compliance Plan](#), and those policies and procedures referenced in the Code of Conduct.

Hospital Associates who believe that violations of the Code of Conduct have occurred, or are likely to occur, must report their concerns!

Hospital Associates are the key to Children's Mercy's success and can ensure compliance not only by following Children's Mercy policies and procedures, but by asking curious questions when something seems "odd" or "not right," reporting concerns as outlined in this Code of Conduct and helping to correct any areas of noncompliance.

Children's Mercy is committed to receiving and responding to all good-faith reports of potential violations of applicable law, regulations or its standards for ethics, honesty, and integrity in the performance of activities on behalf of the Children's Mercy. Suspected violations of the Code of Conduct or [Corporate Compliance Plan](#) can be reported to supervisors or to the Corporate Compliance Department through (1) the Corporate Compliance external hotline at **1-877-900-2279**; (2) via [Compliance Concern Web Form](#) (3) to a Corporate Compliance Department staff member; or (4) via email at compliance@cmh.edu. The Corporate Compliance Department will investigate allegations without retaliation as required by the [Corporate Compliance Plan](#) and the [Non-Retaliation: Prohibition from Reprisal Policy](#).

If a Hospital Associate does not want to use the internal reporting process, s/he may report concerns regarding potential compliance violations to the appropriate external agency. Children's Mercy and Hospital Associates must also comply with certain laws by reporting

credible evidence of violations to the appropriate government agencies. For example, state laws require certain Hospital Associates to report to the proper authorities if they have reason to believe a child or disabled adult has suffered abuse or neglect. For additional information, refer to the [Abuse and Neglect Policy](#).

CLINICAL SERVICES

“Extraordinary Every Time” patient care is at the core of Children’s Mercy’s mission and requires that all Hospital Associates strive to provide the safest, friendliest, highest quality of service and care with the integrity that Children’s Mercy patients and families expect and deserve.

Providing Care for All

Children’s Mercy provides medical care for pediatric patients and those in need of maternal fetal medicine care without discrimination on the basis of race, color, national origin, religion, disability, age, sexual orientation, language, or gender identity, in admission to, participation in, or receipt of the services and benefits under any of its programs and activities, or any other basis protected by law or regulation. Children’s Mercy provides the same level of care and service to all patients, regardless of their affiliation with the Children’s Mercy or Hospital Associates and does not provide preferential treatment based on any criteria. Diversion to another health care facility occurs only after a patient’s condition has been assessed and a determination has been made that Children’s Mercy is unable to match the patient’s need based upon bed availability, adequate and trained staff, technology and/or necessary equipment.

Integrity of Clinical Decision-Making

Children’s Mercy consistently maintains the clinical decision-making process and such decisions are based upon identified patient health care needs. Children’s Mercy encourages and supports ethical reflection, dialogue and critical analysis among patients, families and Hospital Associates facing difficult clinical decisions that involve moral or ethical questions. The [Ethics Committee](#) helps these parties consider and talk through the ethical issues and provides recommendations that might help guide their clinical decision-making.

Culture of Safety

Children’s Mercy is dedicated to ensuring the health and safety of Hospital Associates, patients, and families. Hospital Associates will take reasonable precautions and follow rules and regulations related to Infection Control, Security, Environmental Safety and Occupational Safety to promote and maintain a safe environment. Hospital Associates will report hazardous conditions immediately. Children’s Mercy promotes a culture of patient safety at every level by striving to continuously enhance patient care and instituting family-centered quality improvement initiatives. Hospital Associates must encourage open and honest communication with patients, families, and the health care team, recognizing the patient’s and family’s right to informed consent and the right to refuse treatment in accordance with applicable law. Hospital Associates will respect the human dignity of each patient by protecting their confidentiality and responding to questions, concerns and needs in a timely and sensitive manner.

Patient Privacy and Confidentiality

Children’s Mercy values and protects the privacy and confidentiality of Hospital Associates, patients and families by requiring that all Hospital Associates adhere to the [Confidentiality](#) and [Release of Information](#) policies. Hospital Associates are responsible for ensuring that data is accessed, maintained, stored, and transmitted in a secure manner according to the [Information Security Policy](#) and related standards and procedures. Hospital Associates must not disclose or share passwords and must not allow access to computer systems by non-authorized users.

Complaints and Grievances

Children's Mercy is committed to offering Hospital Associates, patients, families, and visitors an opportunity to express any concerns or opportunities for improvement. Hospital Associates who receive a concern from a patient, guardian or visitor are empowered to accept responsibility for immediately communicating the information pursuant to the [Patient Complaints and Grievance Policy](#). Hospital Associates may express their concerns as outlined in the [Employee Complaint Program](#).

Medical Staff Bylaws

All members of Children's Mercy medical staff must demonstrate that they meet the qualifications and standards set forth in the Medical Staff Bylaws and adhere to the Medical Staff Bylaws in the performance of their duties.

Professional Courtesy and Other Prohibited Practice

Professional courtesies are a violation of Children's Mercy policy. Professional courtesy refers to the provision of medical care or services to others free of charge or at a reduced rate. All care provided must be documented and billed.

Children's Mercy prohibits the provision of consultations or care (including prescriptions, laboratory, radiology, or other tests and screenings), or asking other employees to do so, without a physician's order and registration of the person as a patient.

Hospital Associates may not approach Children's Mercy physicians or other providers for consultation or requests for care (including requests for prescriptions) for any non-emergency illness or injury, whether work-related or personal.

BUSINESS OPERATIONS

Children's Mercy is committed to performing its business operations with integrity, honesty and in compliance with all applicable law and avoiding even an appearance of impropriety.

Coding, Billing and Financial Records and Reports

Children's Mercy and all Hospital Associates must provide honest, complete, and accurate statements in any financial, billing, expense, or time reports and in any claim or application for benefits under any government health care program, insurance, or other program. Hospital Associates must notify Corporate Compliance if they find that Children's Mercy has received funds that were improperly paid, including any payment for services not rendered or rendered by someone who was not properly licensed.

Gifts and Entertainment and Conflicts of Interest

Children's Mercy does not allow gifts and entertainment to influence decisions and actions or interfere with good judgment. For guidance related to entertainment or gifts refer to the [Gifts and Gratuities](#), [In-Kind Donations](#) and the [Patient Inducement](#) policies. In addition, Hospital Associates are expected to avoid any situation in which their financial or other personal considerations may compromise, or appear to compromise, their professional judgment in conducting Children's Mercy duties in accordance with the [Reporting and Mitigation of Conflicts of Interest and Conflicts of Commitment Policy](#).

Government Relations, Lobbying and Political Activities

Children's Mercy recognizes and honors the rights of Hospital Associates to become involved in political activities. As a nonprofit entity, Children's Mercy is prohibited from participating in political activity and is limited in its ability to lobby under laws administered by the Internal Revenue Service (IRS) and other Federal agencies. Lobbying is activity directed toward influencing legislation, which generally includes any measure requiring a vote by Congress,

state legislatures, local governing bodies or the public. Any lobbying by Hospital Associates in their capacity as representatives of Children's Mercy must be approved **in advance** by the Department of Government Relations, as lobbying by a nonprofit entity is subject to extreme limitations under the law. Political activity is participation in any effort to support or oppose a candidate for any public office, and includes any contribution of resources, campaigning and other promotion. Hospital Associates are strictly prohibited from engaging in political activity in their capacity as representatives of Children's Mercy, as nonprofit organizations are forbidden from engaging in political activity. A Hospital Associate, as a citizen or representative of a professional association (such as the AAP), may engage in political activity or lobbying as determined by the respective associations. Children's Mercy does not provide support (through dues or otherwise) for such activities. For further clarification please refer to the [Lobbying, Political Activities, and Additional Communications With Government Entities Policy](#) or the Department of Government Relations.

Media and Marketing

Children's Mercy recognizes and honors the rights of Hospital Associates to become involved in marketing opportunities. Hospital Associates who want to use a Children's Mercy logo must comply with the [Brand Identity Guide](#). Children's Mercy ensures a coherent, consistent message by utilizing the Communications and Marketing Department to provide information to media outlets pursuant to the [Media Policy](#).

Surveys, Audits, and Inspections

Children's Mercy and Hospital Associates are committed to providing prompt, accurate, timely and complete information to the Audit and Advisory Services Department as well as any government or accreditation agencies conducting surveys, audits, or inspections.

Copyright and Intellectual Property

Children's Mercy adheres to all federal and state copyright laws which may prohibit Hospital Associates from making copies of all or part of a publication, electronic media (such as videos or software), downloading and use of information, or using someone else's idea. Hospital Associates may not use a product or information in violation of another's interest or misappropriate confidential or proprietary information belonging to another person or entity. The Children's Mercy [Copyright Use and Infringement Policy](#) and [Intellectual Property Policy](#) provide guidance regarding Children's Mercy's commitment to ethical use of information. Children's Mercy encourages the development and marketing of inventions resulting from scholarly and professional activity. Ownership of such inventions is described in the [Intellectual Property Policy](#).

Accuracy, Retention and Disposal of Documents and Records

All records, images or documentation generated or received by Children's Mercy are the property of Children's Mercy. Hospital Associates do not have any personal or property right to such records, even if they develop or compile such records. Hospital Associates are responsible for ensuring that all records are accurate and are created, used, maintained, preserved and destroyed in accordance with Children's Mercy policies, including the [Documentation Guidelines for Patient Care](#) and the [Record Retention and Management](#) policies, contracts and applicable laws and regulations.

Compliance with Laws

Children's Mercy follows all laws and regulations related to referrals and does not do business with individuals or entities appearing on any state or federal exclusion lists. Children's Mercy clinicians may not make referrals for certain services to an entity in which they, or their family member, has a financial interest. Additionally, Children's Mercy and its Hospital Associates may not pay or receive anything of value in exchange for referrals as outlined in the Children's Mercy [Health Care Sanction Screening](#), [Non-Monetary Compensation and Medical Staff](#)

[Incidental Benefits](#), and [Fraud, Waste and Abuse Plan](#) policies, contracts and applicable laws and regulations.

PERSONNEL SERVICES

Children's Mercy strives to create and maintain a work environment that promotes and supports the mission and vision of Children's Mercy while maintaining a safe and healthy work environment for Hospital Associates, patients, families, and visitors.

Managing Behaviors for a Culture of Safety

Children's Mercy expects all Hospital Associates to demonstrate respectful, honest, professional, and inclusive communications and behaviors toward others as outlined in the [Managing Behaviors for a Culture of Safety Policy](#). As set forth in Children's Mercy's [Respect for All Guide](#), patients, guests and visitors also are expected to behave respectfully and in cases where disrespectful behavior is exhibited, the Respect for All Guide provides support resources for our staff. Children's Mercy also prohibits the solicitation or distribution of literature at its facilities that is discriminatory, hateful, harassing, illegal, defamatory, profane or obscene as outlined in the [Solicitation and Distribution Policy](#). Behaviors that cause distress among staff, negatively affects the overall morale within the work environment, undermines productivity, leads to unwanted turnover, undermines the culture of safety, or results in ineffective or substandard care will not be tolerated. Hospital Associates must also comply with the [Drug and Alcohol Policy](#).

Diversity, Discrimination and Equal Employment Opportunity

Children's Mercy is an equal opportunity employer that recruits, hires, trains and promotes the most qualified person(s) without regard to race, color, religion, sex, pregnancy, sexual orientation, gender identity, national origin, age, disability, veteran or military status, genetic information, or any other legally protected status. Children's Mercy seeks to be an inclusive environment and prohibits discrimination of any legally protected status.

The Office of Equity and Diversity (OED) supports progress towards the Children's Mercy Diversity, Equity, and Inclusion Strategic Plan, which outlines specific goals, measures, behaviors, and aspirations we seek to live up to. OED offers support to leaders in fostering a more inclusive environment and works in partnership with Employee Relations to address concerns raised about inclusivity for our staff, patients, and families. For additional information please refer to the [Anti-Discrimination and Anti-Harassment Policy](#), and report any concerns to supervisor or Employee Relations. Hospital Associates with a cultural, moral, ethical, or religious objection to providing certain services should utilize the [Moral and Religious Objections to Care Policy](#).

Harassment, Workplace Violence & Non-Retaliation

Children's Mercy strives to offer an environment free from any type of workplace violence or harassment, whether based on race, color, religion, sex, national origin, age, disability, pregnancy, sexual orientation, gender identity, veteran or military status, genetic information, or other status protected by law as outlined in the [Anti-Discrimination/Anti-Harassment, Violence in the Workplace](#) and [Managing Behaviors for a Culture of Safety](#) policies. Concerns, questions, and reports of behavior in opposition to these standards should be directed to Employee Relations. No disciplinary action or other form of retaliation will be taken against an individual who, in good faith, reports an issue, problem, concern or violation to Children's Mercy, to The Joint Commission or other regulatory agencies. Reporting does not protect individuals from appropriate disciplinary action regarding their own unacceptable performance or conduct. For additional information, refer to the [Non-Retaliation: Prohibition from Reprisal Policy](#).

Electronic Communications and Media

Hospital Associates are provided access to various communication systems that must be used primarily for Children's Mercy's business in accordance with the [Acceptable Use Standard](#), [Communication Equipment Use and Monitoring](#), [Electronic Communication of PHI Standard](#), and [Provision of Wireless Communication Devices and Related Service Plans](#) policies. Children's Mercy may monitor and/or access such electronic devices and communication systems and Hospital Associates should presume no expectation of privacy in anything they create, store, send or receive using those devices. Hospital Associates must protect mobile devices and media in accordance with the [Mobile Device Procedure](#) and [Write Access for Non-Encrypted Removable Media Procedure](#). Loss, theft or other suspected or known information security incidents must be immediately reported to the Service Desk at (816) 234-3454.

Hospital Associates must refrain from using Children's Mercy resources for personal use and abide by the [Social Media Policy](#).

RESEARCH AND DEVELOPMENT

Children's Mercy is committed to following all laws and regulations related to scientific research. Hospital Associates are responsible for accurately and completely documenting research, conducting research with scientific integrity, and adhering to all applicable state and federal regulations, particularly those relating to the protection of human and animal research participants, biosafety, scientific misconduct, accurate reporting and appropriate expenditure of grant funds. Children's Mercy is also committed to the protection of health and safety of the research community through creation of a safe working environment.

Persons involved with conducting research on behalf of Children's Mercy must familiarize themselves with all federal and state laws and Children's Mercy policies and procedures governing their activities, as well as requirements of the funding sponsor(s). Researchers must obtain required approvals from review committees such as the Institutional Review Board (IRB), the Institutional Animal Care and Use Committee (IACUC), the Institutional Biosafety Committee (IBC), and the Radiation Safety Committee. Additional information about Children's Mercy's obligations regarding research may be obtained from Children's Mercy policies specific to research and questions may be directed to the Research Compliance Officer and/or Research Administration.