



KAISER PERMANENTE®

PRINCIPLES OF RESPONSIBILITY

KAISER PERMANENTE'S CODE OF CONDUCT

COMPLIANCE THAT'S RIGHT!





Kaiser Permanente's Mission

Our mission is to provide high-quality, affordable health care services to improve the health of our members and the communities we serve.

Our Guiding Principles

Improve Our Members' Health and the Nation's Health Care

Innovate and Excel in Our Professions

Respect Members, Patients, Customers, and One Another

Be Fair and Honest in Our Business Dealings

Demonstrate a Commitment to Compliance and Ethics

A Message from the Leadership Team

Dear Colleagues,

Each of us is responsible for doing our part to uphold the excellent reputation that Kaiser Permanente has earned over the years. Since our founding in 1945, we have earned the trust of members, patients, and our partners by maintaining an unwavering commitment to our mission: to provide high-quality, affordable health care services to improve the health of our members and the communities we serve.

Today, health care organizations are under intense scrutiny by regulatory agencies and the public. Kaiser Permanente is no exception. Kaiser Permanente's *Principles of Responsibility*, our code of conduct, help us understand what we must do each and every day to maintain our good reputation and to comply with all applicable laws, regulations, and accreditation standards.

No code can anticipate every situation that we might face as we provide health care to our members, patients, and the communities we serve. Use good judgment and speak up when you are unsure of what to do. When in doubt, ask questions. Talk to your colleagues and to your leaders. If you are aware of issues that might be a violation of this code, you have an obligation to report it to your Chief, manager or supervisor, your Human Resources representative, your Compliance Officer, or the Kaiser Permanente Compliance Hotline. Each of us has an integral role to play in helping to secure our reputation and our future.

The trust that our members and patients place in Kaiser Permanente begins with each and every one of us. Kaiser Permanente's reputation is in our hands, and we are fortunate to be guided by principles that have served us well and that will continue to make us proud. Please read the *Principles of Responsibility* with care, refer to them often, and commit to following them in your daily work.

Sincerely,



George C. Halvorson
Chairman and CEO,
Kaiser Foundation Health Plan, Inc;
Kaiser Foundation Hospitals



Francis J. Crosson, M.D.
Executive Director,
The Permanente Federation, L.L.C.



John August
Executive Director,
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1. Introduction

The Principles of Responsibility guide us in our work.

1.1 Our Guiding Principles

The *Principles of Responsibility* are our organization's code of conduct, which guide us in our daily work and help us accomplish our mission in an ethical work environment.

The *Principles of Responsibility* rest on the foundation of Our Guiding Principles. By following the guiding principles below, we continue to build an organization of which we are proud to be a part.

Improve Our Members' Health and the Nation's Health Care

- Our cause is health. Our passion is service. We work to make lives better.
- We deliver compassionate, personalized, and proactive care to our members and patients.
- We take action to improve the access, delivery, and funding of health care for the communities we serve.
- We share our knowledge and innovations through our support of education for community health professionals and consumers, and by helping to inform and shape public policy.

Excel and Innovate in Our Professions

- We always strive to learn. We are dedicated to raising our own standards and the standards of our professions through research, training, new technology, and improved facilities.
- We encourage teamwork, knowing that it is through collaboration with others that we discover.
- We are environmentally responsible and provide health care services in a manner that protects the environment now and for future generations.

Respect Members, Patients, Customers, and One Another

- When caring for our patients and serving our members and customers, we strive to act with courtesy, in a careful and considerate manner, and with a high degree of professionalism—never forgetting our responsibility for our members’ and patients’ well being.
- We value our members’ and patients’ privacy and respect their autonomy, as well as their customs and beliefs. We involve them in decisions regarding their treatment and care whenever possible.
- We understand that we thrive when we respect one another. We are proud of our collegial environment that honors diversity and basic dignity for all.
- We listen to and respect the opinions of others, even when our views differ.

Be Fair and Honest in Our Business Dealings

- We know that we must earn our good reputation every day and that each health care and business decision is an opportunity to demonstrate our commitment to ethics and integrity.
- We recognize the trust that others put in us, and we understand that we must uphold that trust by being truthful and honest—always.

Demonstrate a Commitment to Compliance and Ethics

- Compliance means we fully adhere to federal, state, and local laws and regulations; all federal health care program requirements; licensing requirements; accreditation standards; and requirements of the Centers for Medicare and Medicaid Services (CMS) and other federal and state contracts.
- Acting with ethics and integrity in our work means that we always try to do the right thing and make the best decision, and that we seek help—either in the *Principles of Responsibility* or in the advice of another person—when the right thing or the best decision is not clear.

1.2 Who Does this Code of Conduct Apply To?

Every individual and organization that works for or on behalf of Kaiser Permanente is required to follow all applicable laws, policies, and the provisions of this code of conduct. This includes members of all boards of directors, management, physicians, dentists, employees, students, residents, interns, temporary employees, and volunteers. There are no exceptions.

We must also exercise proper oversight of contractors, consultants, and vendors who provide services to or on behalf of Kaiser Permanente to ensure they are aware they must abide by all applicable policies.

We must work together cooperatively, according to the same standards, to best ensure and sustain a culture that supports ethics and compliance. By understanding and following the policies in this code of conduct and asking questions when the best decision



is not clear, we can continue to ensure that Kaiser Permanente will be:

- The best place to get health care.
- The best place to work.
- A provider of the highest quality services for our members and patients.

1.3 Our Non-Retaliation Policy

All of us have a responsibility to maintain an environment in which we can speak candidly about our concerns and report suspected noncompliance. Managers and supervisors have additional responsibilities to promote this kind of environment. Kaiser Permanente does not tolerate retaliation against individuals who report illegal, unethical, or otherwise inappropriate acts or against individuals who refuse to participate in wrongdoing.

Anyone who retaliates against individuals who report or refuse to participate in violations of law, regulations, policies, or this code of conduct is subject to disciplinary action up to and including termination.

If you believe you or someone else is the victim of retaliation, you should report it immediately to your Compliance Officer or National Compliance, Ethics, and Integrity at 510-271-4699 or you should call the toll-free Kaiser Permanente Compliance Hotline at 1-888-774-9100.

1.4 Our Compliance Responsibilities

The *Principles of Responsibility* on their own cannot guarantee ethical behavior—each of us must do our part.

- Familiarize yourself with and comply with the various policies, procedures,



and standards that apply to you and your job. Certain functions may have their own specific policies and procedures. Be sure to check with your supervisor for any job-specific information that you need to know. More specific standards than those contained in this code of conduct may apply to departments, committees, or the Permanente Medical Groups (PMGs).

- Complete required general and specialized Compliance training as designated by your function or job title.
- Commit to complying with all applicable laws, regulations, standards, and Kaiser Permanente policies and procedures by signing the *Principles of Responsibility and Compliance* training attestations.
- Speak up when you are unsure of what to do. When in doubt, ask.
- If you believe that you are being pressured to participate in illegal or unethical acts, refuse to do so, and report the matter immediately. If you have a compliance or ethics question or if you need to report a possible violation, you have several options. Discuss your concerns with your colleagues, supervisor or with any director or officer; contact your Compliance Officer; or call the Kaiser Permanente Compliance Hotline, toll-free at 1-888-774-9100. It is important to remember that you are required to report suspected violations of any federal health care program requirement or of Kaiser Permanente's policies or procedures.
- Cooperate with investigations of potential violations.
- Be proactive. Look for and speak up about improprieties or wasteful activities.

Additional Compliance Responsibilities for Supervisors and Managers

- Foster a culture of ethics and compliance through personal leadership.
- Be proactive and take steps to prevent ethics and compliance problems before they happen.
- On a regular basis, review with your direct reports the job-specific ethics and compliance policies as well as the standards and procedures that apply to them. Encourage questions and provide concrete examples of how the rules apply in real-world situations. Remember that following the *Principles of Responsibility* is an element when evaluating the performance of all employees.
- Use the ethics and compliance resources that are available to you. Meet with your Compliance Officer to discuss practical steps that can be taken to help make ethics and compliance initiatives more effective. Supervisor training is available to help you respond appropriately to compliance and ethics issues.
- Promptly report possible noncompliance with federal health care program requirements, Kaiser Permanente policies, applicable laws, or this code of conduct. Supervisor training is available on investigation procedures.
- Promote understanding of and adherence to Kaiser Permanente's non-retaliation policy.
- Managers and supervisors must inform an employee or concerned party that he or she is entitled to obtain follow-up information regarding any compliance or ethics concerns.
- If you work with vendors, consultants, or temporary workers, you must ensure that they are aware of the *Principles of Responsibility* and relevant policies and that they understand their importance.

1.5 Disciplinary Action for Violation of Policies or Applicable Laws

Each of us is expected to comply with all applicable laws, federal health care program requirements, and Kaiser Permanente's policies, and each of us is obligated to report any compliance violations. Disciplinary action—up to and including termination—may be taken for noncompliant behavior.

When a policy is violated, management may consider a number of factors to help determine the appropriate response, including but not limited to potential harm to members and patients; potential harm to Kaiser Permanente's legal, financial and/or reputational interests; the individual's history of prior misconduct; the nature of the individual's role in the misconduct; the individual's conduct during the investigation; and the individual's appreciation of the seriousness of the violation.

Anyone who makes a report or claim that he or she knows or suspects is false is subject to discipline, up to and including termination.



2. Respect for Others

We recognize and embrace the diversity of our workforce and the communities we serve.

2.1 Respect and Fair Treatment

Workforce Diversity

Kaiser Permanente is committed to a workplace where members, patients, physicians, and employees are treated with respect. Each of us is expected to grant others the same respect and fair treatment we wish for ourselves.

Our diverse ideas and backgrounds strengthen Kaiser Permanente and provide a workplace where everyone can do their best. We are committed to:

- Promoting and maintaining an inclusive, high-performing culture in which everyone embraces and makes full use of each others' talents and backgrounds.
- Nourishing innovative thinking and achieving everyone's full potential.

Any physician or employee who believes he or she has been subjected to, or who is aware of, conduct that may be discriminatory, must report it immediately. Contact your supervisor or your Human Resources representative. Individuals may also choose to use the Equal Employment Opportunity Internal Complaint Procedure or the Kaiser Permanente Compliance Hotline.

If you are a manager, you should never allow a discriminatory situation to continue by not reporting it or taking action. This applies regardless of who is engaged in the misconduct.

Member and Patient Diversity

We serve some of the most diverse populations in the nation. Our National Diversity Agenda directs Kaiser Permanente's efforts to be a leader in effectively managing diversity in the health care marketplace, advancing culturally competent care, and enhancing the diversity, cultural competence, skill, and performance of our workforce. Our aim is to deliver health care that acknowledges and understands cultural diversity in health beliefs, practices, and communication.

In order to meet these goals, we must consider and respect members' and patients' cultural needs when we are involved in their care or have contact with them or their families.

2.2 Non-Harassment

We do not tolerate harassment of any kind by anyone working in our facilities. Harassment undermines our ability to work together and is contrary to our beliefs in personal dignity and respect for each other.

Harassment can take many forms. A few examples of harassment are:

- Jokes, insults, threats, and inappropriate comments concerning a person's race, color, gender, gender identity, age, religion, national origin, ancestry, citizenship, physical or mental disability, veteran status, or sexual orientation.
- Unwelcome or inappropriate sexual advances, sexual remarks, displays of offensive material, requests for sexual favors, and other unwelcome verbal or physical conduct of a sexual nature.

Q: While we're at lunch, two co-workers often tell me racial jokes. They think they're funny, but the jokes make me uncomfortable. I haven't complained because I know they'll tell me I'm making trouble over nothing. Are they right?

A: *They are wrong. Your co-workers should be made aware that their jokes are inappropriate, are disrespectful of other Kaiser Permanente colleagues, and are contrary to our values. Furthermore, they are creating a difficult work environment. Even though these are private conversations, they may be overheard. You may talk to your co-workers yourself, but if you are uncomfortable doing so, you should bring it to the attention of your supervisor, your Human Resources representative, or your Compliance Officer.*

Q&A

Q: A friend of mine who works in another department told me that her supervisor is making her uncomfortable by repeatedly commenting on her appearance and asking about her personal life. I told my supervisor, but I don't think he's done anything about it.

A: *All supervisors and managers who are contacted about possible harassment are required to report it immediately to their Human Resources representative so that it can be investigated appropriately.*

Q&A

- Verbal or physical conduct that disrupts another’s work performance or creates an intimidating or hostile work environment.
- Communicating or displaying of offensive material in the workplace.

If you observe or are the victim of workplace harassment, you have a responsibility to report it immediately. You should contact either your supervisor, your Human Resources representative, or your Compliance Officer, or you should call the Compliance Hotline 1-888-774-9100.

Q: Several people have slipped in our break room due to water on the floor. I think it is caused by water dripping from the refrigerator. What should I do?

A: *Notify your supervisor of the safety hazard. When you see a wet floor (or any other immediate risk), warn others to avoid the hazard until it is safe, and then follow department protocols for correcting the problem.*

Q&A

Q: I take a prescription drug that sometimes makes me drowsy. Am I violating Kaiser Permanente’s policy?

A: *You need to discuss with your supervisor whether you are contributing to an unsafe working environment for yourself or others. As a general rule, reporting to work under the influence of any drug—whether prescription or not—is prohibited if it might harm you or others in the workplace.*

Q&A

2.3 Safe and Healthy Work Environment

Safety is a priority in everything we do. Each of us has an obligation to members, patients, fellow physicians, and employees to ensure safe and healthy working conditions. Each of us is responsible for ensuring an injury-free workplace.

There are simple and practical steps that we can take to contribute to a safe and healthy work environment:

- Participate in safety training.
- Follow safety standards.
- Report safety concerns in a timely manner.
- Discuss ideas about safety with each other and with management.
- Be aware of safety-related resources.

Kaiser Permanente strictly enforces a workplace free of substance and alcohol abuse. Physicians and employees may not be on Kaiser Permanente premises or in organization vehicles or perform work for Kaiser Permanente if they are using or are under the influence of drugs or alcohol. Physicians and employees are encouraged to seek treatment for any substance-related problem.

We are committed to a workplace free of violence. Offensive, threatening, or violent behavior, whether verbal or physical, will not be tolerated and should be reported.



3. Our Business Practices

Kaiser Permanente needs to ensure that our decisions are free of actual, potential, or the appearance of conflicts of interest.

3.1 Conflicts of Interest

Conflicts of interest have the potential to damage both Kaiser Permanente's reputation and your reputation as an individual. A conflict may arise when personal or financial interests influence your judgment or interfere with your Kaiser Permanente responsibilities. We need to be sure that our decisions are free of actual or potential conflicts of interest, or even the appearance of conflicts.

Identifying and addressing conflicts of interest can be challenging. The following sections provide guidance to help address some of the more common conflicts that arise. In specific situations you should begin by using your best judgment and be guided by these provisions and Our Guiding Principles. Talk to your supervisor or Compliance Officer to help clarify potential conflicts and determine if and when exceptions are appropriate.

The following sections of the code of conduct set minimum general standards for typical conflicts of interest. Certain Kaiser Permanente organizations and functions may have more stringent policies and procedures. It is your responsibility to know the specific policies, procedures, and standards that apply to you and your job. Be sure to check with your supervisor for any job-specific information that you need to know. In addition, if you receive a request to complete a Conflict of Interest questionnaire, you are expected to fill it out completely, honestly, and in a timely manner. Failing to do so may result in disciplinary action, up to and including termination.

Gifts and Business Courtesies

Strong relationships with our business partners are vital to our business. At times it may be appropriate to accept a modest gift or entertainment or offer one to vendors or suppliers; however, the following are never acceptable:

- Gifts or entertainment that are received or given on a regular basis
- Cash or cash-equivalent gifts including checks, gift certificates or cards, stocks, or coupons
- Gifts or entertainment that are in questionable taste
- Gifts to government representatives

Gifts, meals, entertainment, or any other form of offering may be accepted or provided only if *all* the following criteria are met:

- They do not violate any law.
- They cannot be construed as a bribe, payoff, deal, or any other attempt to gain advantage.
- They are worth less than \$25.

While departures from these limitations are strongly discouraged, the following exceptions may be acceptable:

- Physicians and employees may be asked to attend dinners, or events that exceed the allowed limit. However, these kinds of amenities are not permissible if they are intended to influence health care or business decisions. In all cases, if the value exceeds \$25, disclosure to your supervisor is required, and you must establish the business necessity and appropriateness of the gift or entertainment.
- Whenever possible, prior approval should be obtained for occasions that are expected to exceed \$25. Occasions that were not expected to exceed the limit, but inadvertently did so, should be disclosed to your supervisor after the fact.
- Perishable items from vendors, suppliers, members, and patients, such as food and flowers, that are not lavish and can be shared with colleagues may be accepted.

Notwithstanding the guidelines set forth, physicians and employees who receive modest gift items from grateful patients may accept them.

Just as we have policies about giving and receiving gifts, the recipient may have similar policies, as well. Please make a prudent effort to ensure that the gift meets the recipient's gift policy.

Employment of Relatives and Members of Your Household

We recognize that there may be circumstances where members of the same family or household can contribute to Kaiser Permanente as employees. Therefore, we permit employment of relatives and members of your household, unless their employment:

- Results in an employee directly supervising either a relative or someone with whom he or she has a special relationship.
- Creates a conflict of interest or any other unethical or inappropriate work situation. Any exceptions to these prohibitions are addressed in Kaiser Foundation Health Plan and Kaiser Foundation Hospitals or Permanente Medical Group Human Resources policies that address employment of relatives and employees with special relationships.

Physicians and employees are required to notify their Chief or manager and the Chief or manager of the department to which they are transferring of any prohibited work situation involving relatives or household members.

Employment decisions must be based on merit and made without personal bias or favoritism. Employment decisions that are or appear to be influenced by personal relationships must be avoided. We must maintain an environment in which physicians and employees are hired and treated with fairness and equity.

Investments and Outside Income

Kaiser Permanente physicians and employees must avoid situations where investments and outside income can influence or appear to influence their decisions on behalf of Kaiser Permanente.

Outside Employment, Including Self-Employment

Outside employment, including self-employment, by Kaiser Permanente executives, employees, or physicians must be avoided if it diverts or conflicts with Kaiser Permanente business.

Kaiser Permanente managers, physicians, and employees may not work as vendors, contractors, or subcontractors to Kaiser Permanente.

Written disclosure to your immediate supervisor is required prior to working as a consultant, representative, or employee of any organization that is a competitor. If an outside organization you are working for becomes a competitor, disclosure is required at that time.

Kaiser Permanente physicians and employees working on an on-call or per-diem basis are not required to provide a written disclosure for work outside Kaiser Permanente.

Financial Interests and Investments

You must disclose financial interests held by you or any immediate family member in any supplier, customer, or competitor if you have direct or indirect influence in business dealings between Kaiser Permanente and that supplier, customer or competitor. "Financial interest" means ownership interest in stocks, bonds, debt obligations, options, rights to buy or sell stock, shares in profits, investments, or other proprietary interests in privately held companies.

Acquiring a financial interest in property may constitute a conflict if you have information that Kaiser Permanente may be considering the purchase of that property. This includes interests in real estate, patent rights, or securities. Mutual fund shares and insubstantial share holdings of a publicly held company do not need to be disclosed.

If you have questions about financial interests and investment requirements, consult your supervisor or Compliance Officer.

Honoraria

Before accepting honoraria for presentations about your work at Kaiser Permanente, you must disclose the offer in writing to your immediate supervisor. You may be required to remit such honoraria to the entity where you work.

Referral of Patients

Federal, state, or local laws prohibit payment (direct or indirect) for referral of certain patients. Additionally, certain laws prevent payment for the referral of patients to a service provider (e.g., laboratory services) where the referring provider or an immediate family member has a financial relationship with that service provider. In addition, some health care providers are also prohibited from referring Kaiser Permanente members and patients to their own private practice for care.

Because these requirements are complex, you are urged to consult with your supervisor or Compliance Officer before making such referrals.



Physician Income and Investments

Physician partners and shareholders of the Permanente Medical Groups (PMGs) may not invest in or perform services for any organization providing medical care services to patients in areas served by Kaiser Permanente, except as specifically permitted by PMG policy. Such services include both physician services and support services, including but not limited to, laboratory, diagnostic imaging, physical therapy, and sale of pharmaceuticals and medical equipment.

Income obtained by Permanente Medical Group physicians and employees for professional services performed outside of that PMG is subject to the policies of that PMG.

Outside Directorships

Written disclosure to your supervisor and Compliance Officer is required if you are serving or have been requested to serve on the board of directors or an advisory board of a competitor, vendor or potential vendor of Kaiser Permanente.

3.2 Respecting Confidentiality, Privacy, and Security

Keeping member and patient identifiable information (MPII), confidential, private, and secure is essential to preserving member trust, providing quality health care, and complying with federal and state regulations. Be sure to access medical records only when it is essential to your job and to keep all electronic devices—including laptops and personal digital assistants (PDAs)—password protected and secure.

The trust our members place in us to take care of them depends in large part on how we protect their confidentiality, privacy, and security. Much of the information we collect from patients—including medical condition, history, medications, and family illnesses—is very sensitive and protected under privacy and security laws. It is everyone's obligation to follow the requirements of the Health Insurance Portability and Accountability Act (HIPAA) and other laws, as well as to follow

our own policies for confidentiality, privacy, and security. Failing to comply could result in disciplinary action, up to and including termination.

It is imperative that we abide by all administrative, technical, and physical safeguards designed to protect patients and their health information. These safeguards include:

- Following building protocols, such as keeping doors locked and using ID badges for sensitive areas.
- Accessing medical records or discussing patient information only when it is specifically required for your job to provide patient care or comply with the law.

In addition, you should store confidential information such as member and patient identifiable information on Kaiser Permanente's secured network servers, rather than on "endpoint" electronic devices such as desktop computers, laptops, personal digital assistants (PDAs), or memory storage devices. Storing confidential information on these devices should only occur when essential to your job. Special approval

Q: A good friend of mine just entered the exam room down the hall. I don't know why she's here, but I'm genuinely concerned about her health. Although I'm not her doctor or other provider, it's no big deal for me to pull up her medical record to make sure she's okay, right?

A: *Wrong. Just because you have a genuine concern and the ability to look at a medical record doesn't mean you should. In fact, it's against the law. All patients have a right to privacy, regardless of their personal relationships or public status. Unauthorized access can damage member trust, hurt our reputation, and lead to regulatory penalties and fines.*

Q&A

and encryption of the information are required before storing member and patient identifiable information on many types of devices. Other special physical protection and security mechanisms such as passwords will continue to be required to protect against the disclosure of this information in the event of theft or loss of these devices.

3.3 Supplier and Vendor Relations

We always treat our business partners fairly and expect the same in return. When choosing suppliers and vendors and negotiating contracts, decisions must be made fairly and objectively, with patient well-being and the best interests of the organization in mind. No one representing Kaiser Permanente should attempt to use his or her position to unfairly damage or eliminate any supplier or potential supplier.

Additional sections of this code of conduct that are especially relevant to supplier and vendor relations include 3.1 Conflicts of Interest, 5.2 Anti-Fraud Laws, and 5.4 Anti-Kickback Laws.

Purchasing and Contracting

To ensure transparency and avoid even the appearance of impropriety, a selection process and criteria should be properly documented, identifying all material terms and conditions and the services to be provided.

Vendors must have a fair opportunity to obtain Kaiser Permanente business based on the quality, suitability, dependability, availability, and price of their services.

It is important to realize that oral agreements, phone conversations, and other informal exchanges can be construed as contracts. For this and other reasons, only



physicians and employees with the authority to enter into binding contracts on behalf of Kaiser Permanente should attempt to do so.

Managers, supervisors, physicians, and others with the authority to direct or influence the use of Kaiser Permanente assets must provide written disclosure to their supervisor and Compliance Officer when their immediate or other family members are vendors, work for vendors, or are attempting to become vendors for Kaiser Permanente, either as an individual or as part of an organization and could directly benefit from the transaction.

Kaiser Permanente managers and supervisors who work with vendors, consultants, or temporary workers must be able to demonstrate that these third parties have received the *Principles of Responsibility* and relevant policies and understand the importance of compliance with them.

Delegated Functions

Kaiser Permanente must exercise proper oversight of contractors, consultants, and vendors performing delegated functions or services for or on behalf of Kaiser Permanente. Individuals and entities performing delegated functions are required to comply with all relevant requirements.

3.4 Business Records and Communications

Maintaining complete and accurate records is essential if we are to meet our mission to provide quality health care. We must never create or change a document for the purpose of misleading anyone, and no relevant information should ever intentionally be left out, hidden, falsified, or covered up.

Complete and Accurate Records

This standard applies to all business records and communications including member, patient, or facility records and claims records that pertain to internal business data; financial and statistical information; timesheets; expense reports; and personnel files. Such business

Q: My manager brought me a lengthy report last Friday afternoon and asked me to sign it without reading it. It seemed rather routine, so I signed it without a full review. Who would be responsible for any errors?

A: You would. Signing your name to a document means that you approve its content. Your manager was also wrong to ask you to sign it without properly reviewing it.

Q&A



records and communications are used to make critical decisions within Kaiser Permanente. They may also be reported outside Kaiser Permanente to regulators, accrediting organizations, payers, customers, and the public. We must comply with federal and state regulations when preparing and maintaining these records and communications.

We must make sure that all information we give to Kaiser Permanente's finance personnel, accountants, reimbursement staff, internal and external auditors, and Compliance staff is accurate and complete and fully discloses relevant accounting, financial, and business practices. Anyone who provides data or information that they know or suspect is false is subject to discipline, up to and including termination.

We must cooperate fully during internal and external audits.

If you become aware of any weakness in internal controls, structures, or procedures for recording and reporting medical information or financial and statistical data, you must report the matter to your supervisor, your Human Resources representative, your Compliance Officer, your Controller, or the Compliance Hotline 1-888-774-9100.

No physician or employee should ever be pressured to make false or misleading entries, statements, or alterations in any business record.

Clinical Data, Reports, and Outcomes

Medical records and other clinical documents are very important to ensure safe patient care. We must document clinical events in a clear and precise manner to enable others to understand the documents and to help facilitate accurate diagnostic and service coding, billing, cost reporting, planning, and research.

Consistent with our dedication to the well-being of our patients and our role as an industry leader in advancing health care innovation, we have an ongoing commitment to ensure the quality of all our services, including the use of health care products that are marketed as well as those under development. Each of us has a responsibility to immediately notify our supervisor, Human Resources representative, Risk Manager, Compliance Officer, or the Compliance Hotline 1-888-774-9100 if we become aware of a serious or unanticipated reaction to a health care product. A report should be made even if there is uncertainty of a cause and effect relationship between the product and the event.

Document Retention and Disposal

The retention and disposal of all organizational records (business, financial, and medical) must be done in accordance with:

- Applicable federal, state, and local laws and regulations.
- Licensing and accreditation requirements.
- The National Business Record Retention and Disposal policy or the applicable Permanente Medical Group policy.

Records include information in any format, including but not limited to paper, electronic, audio, or video.

Documents requested for any government investigation or legal proceeding or documents relevant to an expected government investigation or legal proceeding must not be altered or destroyed in any manner.

3.5 Safeguarding and Proper Use of Our Assets

Kaiser Permanente assets are intended to be used for business purposes. We are all responsible for safeguarding our organizational assets against misuse, waste, damage, loss, impairment, and theft.

Kaiser Permanente assets include buildings, equipment, furniture, supplies, company funds, electronic assets (i.e., computers, voicemail or e-mail), knowledge, and information. We all rely on access to these assets to do our work. Therefore it is important that we not exploit Kaiser Permanente property, information, services, resources, or other assets for personal gain or benefit.

On occasion, you may need to use Kaiser Permanente's assets for personal purposes, but such use must be limited in frequency and scope and should not incur additional costs to the organization.

You should use Kaiser Permanente assets with the care and respect that reflects the hard work and investment by Kaiser Permanente and our physicians and employees.

Research and Intellectual Property

As part of our commitment to protecting health and improving the nation's health care, whenever possible, Kaiser Permanente will share our knowledge and care innovations to enrich the public debate and advance health care.

Research occasionally may need to be conducted under provisions that anticipate ownership rights. When this is the case, intellectual property such as inventions, patents, know-how, and copyrights generated in the course of employment are the property of Kaiser Permanente.

In all instances you should immediately report to your supervisor, Human Resources representative, Compliance Officer, or the Compliance Hotline 1-888-774-9100 any development that may constitute suspected theft or loss of intellectual

Q: An employee I know was recently terminated, and she had a printer in her home that Kaiser Permanente purchased for her to use for business. Shouldn't she return it?

A: Yes, she should. If your employment ends, you must return all Kaiser Permanente property and equipment, including items used in connection with Kaiser Permanente's information systems.

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property. In addition, before the start of any research activities, you must contact the Kaiser Foundation Research Institute or the Regional Research Office.

Use of Our Information Systems

All communications, including electronic communications and personal use of Kaiser Permanente systems, must be conducted in a professional, respectful, and lawful manner that is appropriate to a business environment. Please refer to section 3.2, *Respecting Confidentiality, Privacy, and Security*, for the technical and physical safeguards designed to protect patients and their health information.

Kaiser Permanente respects the privacy of physicians and employees; however it is important to remember that e-mails and telephone records at work are the property of Kaiser Permanente. Kaiser Permanente may inspect files and messages, including e-mail and voicemail messages; monitor Internet usage (including specific sites); and otherwise access and monitor information systems at any time with or without your consent or prior notice.

Software is generally licensed for use, rather than sold outright, and copyright laws normally protect it. Licensing agreements typically either limit the number of copies that can be made of that particular software or prohibit making copies at all. You must not copy, install, or use software or copyrighted material, including copyrighted images, in a way that violates license agreements or copyright laws. In all instances, you should report concerns regarding license agreements or copyright laws to your supervisor or your Compliance Officer.

Confidential Information

Physicians and employees may have access to confidential and proprietary information including business concepts, strategies and plans, clinical and financial data, intellectual property, reports, and report formats.

Given the widespread general interest in Kaiser Permanente, you may also know someone who is interested in acquiring information in your possession. For this reason, you should never discuss Kaiser Permanente financial information, statistical data, or business plans with anyone outside the organization unless such disclosure has been approved in advance.

3.6 Marketing and Advertising

Marketing and advertising educates the public; provides information to purchasers, brokers, consultants, and members; and increases awareness of our brand.

Federal and state laws and regulations are designed to safeguard the public by ensuring that individuals are provided with information that is truthful and not deceptive.

For these reasons, any mailing or advertisement must avoid misleading or unfair representations. This applies to information conveyed in any form, including but not limited to print advertising, publications, audio, Web-based media, radio, television, press releases, interviews, electronic advertisements, kaiserpermanente.org, and all other Web sites sponsored by Kaiser Permanente. All such materials must be reviewed and approved by the national Communications and External Relations Department or your regional, local and/or Permanente Medical Group Public Affairs staff. Some materials must also be reviewed by Compliance to ensure they have been forwarded to and approved by applicable federal and state agencies.



4. Serving Our Communities

As the nation's leading integrated health care organization, we have an obligation to communicate information in a responsible manner to the general public, members, and patients.

4.1 Requests for Information from the Media

All dealings with the media including writers, reporters, and photographers must be properly supervised to make certain that we comply fully with all laws and regulations governing the release of information and to protect our brand image and reputation.

Media representatives may try to ask you directly for information, copies of company documents, or your opinion of events. If you receive such a request from the media, you should refer the inquiry to senior leadership and your local, regional, or Permanente Medical Group Public Affairs staff or to the national Communications and External Relations Department, as appropriate.

4.2 Protecting the Environment

We are committed to protecting and enhancing the environment and the health of the communities we serve, now and for future generations.

Protecting the environment requires all of our participation. Each of us should examine and take steps to improve the work processes under our influence or control. For example, we can preserve natural resources and reduce waste by using non-renewable resources prudently and by recycling. We can help to implement practices that reduce chemical use at work and in our communities.

You are responsible for reporting possible environmental hazards to your supervisor as soon as possible so a quick response can be made to minimize environmental impacts and legal risks. If you have a question or concern about how to handle materials you believe are hazardous, contact your local Environmental, Health, and Safety manager.

4.3 Community Involvement

Kaiser Permanente has always believed in the importance of improving the health of the communities we serve, as well as the health of our members. Corporate citizenship and community involvement are an integral part of our proud history and our strategy for the future.

Each of us can play a role in demonstrating Kaiser Permanente's commitment to being a good neighbor and corporate citizen through physician and employee involvement with community groups, schools, foundations, and other organizations.

Community Benefit and Sponsorship of Community Organizations and Events

Kaiser Permanente has published guidelines and application forms for use by charitable organizations to better understand our funding priorities and decision-making process. They can be found on the Community Benefit Web site.

Requests for support must be approved in advance by the local and/or national Community Benefit department. Through this careful assessment, we make certain that our support will achieve the maximum effect in improving quality of life in our communities and increasing goodwill for Kaiser Permanente.

One of the factors considered in reviewing requests is involvement by Kaiser Permanente physicians and employees. As a contributor, we neither seek nor expect any type of preferential treatment from organizations that receive our charitable support.

It is important to inform the local and/or national Community Relations or Community Benefit department prior to making commitments on behalf of Kaiser Permanente regarding the sponsorship of community events of significant value or strategic importance.

Serving on Boards of Charitable Organizations

Active participation in community and charitable organizations is strongly encouraged. Written disclosure is not required to serve in a personal capacity on the board of directors of professional, charitable, religious, or civic organizations, as long as:

- Those activities do not conflict with the work or mission of Kaiser Permanente or with individual job responsibilities.
- You make it clear that you do not represent Kaiser Permanente.



Written disclosure to your supervisor is required when you or your immediate family members serve on a government board, committee, or commission. Written disclosure is also required when you become aware that an organization you are significantly involved with is requesting a charitable donation from Kaiser Permanente.

Q: During a charity event I was asked by a reporter who knows that I work for Kaiser Permanente what I thought about recent changes at Kaiser Permanente. I wasn't sure what to say. Was I correct to not respond?

A: Even your personal opinion might have been misinterpreted as being Kaiser Permanente's official position. If you speak to the media as a private citizen you must make it clear that you do not represent Kaiser Permanente. Only members of senior management or a designated spokesperson are authorized to speak to the news media on behalf of Kaiser Permanente.

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Presentations to Outside Groups

As part of our commitment to being a force for positive societal change, whenever feasible, Kaiser Permanente will share our knowledge and care innovations to enrich the public debate and advance health care.

In addition to disclosing to your supervisor in writing when an honorarium is offered (see the Honoraria section of 3.1 Conflicts of Interest), written disclosure to your supervisor is also required before committing to give presentations to outside groups if the presentation could disclose confidential, proprietary, or sensitive information or if the presentation is likely to get media attention.

When making independent presentations that could be perceived as relating to work, make it clear that you are not speaking for or acting on behalf of Kaiser Permanente.



5. Corporate Citizenship

Kaiser Permanente is committed to complying with all applicable laws.

5.1 Fraud, Waste, and Abuse

Kaiser Permanente's Fraud Control Program is designed to protect and serve our members and resources by increasing awareness of the type of fraud that occurs in health care and improving the prevention, detection, investigation, prosecution, and civil recovery efforts in our organization. The Kaiser Permanente Fraud Control Program actively prevents fraud, waste, and abuse by:

- Communicating to members, physicians, employees, vendors, and contractors how to detect and report fraud, waste, and abuse
- Engaging in state-of-the-art fraud detection via fraud risk assessments
- Providing resources to all Kaiser Permanente regions and national departments for fraud investigations and fraud control compliance strategies and operations
- Developing, facilitating, and implementing fraud control corrective actions
- Partnering with industry groups addressing fraud, waste, and abuse
- Participating in government task force teams

5.2 Anti-Fraud Laws

Physicians and employees must never participate in fraudulent activity at work. If you are aware of any fraudulent activity, you must report it to your supervisor, Human Resources representative, Compliance Officer, or Controller. Fraud is typically defined as a deception or misrepresentation made intentionally or with reckless disregard of the truth, knowing that the deception could result in some unauthorized benefit to the perpetrator, another individual, or an entity.

Generally, the act of fraud is determined when an entity or individual uses deception to acquire something that does not belong to them. However, in health care, regulatory agencies can claim that they were defrauded even if the act was unintentional. For example, a claim prepared for submission to the Centers for Medicare and Medicaid Services (CMS) is actionable even if the claim was submitted by mistake, without deception.

Examples of health care fraud include embezzlement, false claims, kickbacks, bribery, false financial reporting, software piracy, credit card fraud, expense account fraud, identity theft, check fraud, false workers compensation claims, fraudulent vendor billing, member fraud, and mail fraud.

5.3 Federal and State Whistleblower Laws

All Kaiser Permanente physicians and employees are covered by the Federal False Claims Act and other federal and state whistleblower protections. The Federal False Claims Act was enacted in an effort to reduce fraud, waste, and abuse of federal funds. It allows private parties to bring suit on behalf of the government against people or businesses alleged to have committed fraud. The act also contains language protecting whistleblower physicians and employees from retaliation by employers.

Kaiser Permanente will not discharge, demote, suspend, threaten, harass, or in any other manner discriminate against employees who exercise their rights under the Federal False Claims Act or other federal and state whistleblower laws. Employees who are discharged, demoted, suspended, threatened, harassed, or in any manner discriminated against in retaliation for exercising their rights under the Federal False Claims Act or other federal or state whistleblower laws are entitled to the relief necessary to make them whole.

Q: I attended an industry trade association meeting and during a break a sales rep from a competitor asked me if I was aware of what our bid had been on a recent project. We had already won the business, so I didn't see any harm in telling him. Was I wrong?

A: *You should never discuss pricing issues with a competitor. It may be construed as illegal price fixing. In addition, remember that you have a responsibility to keep our business information confidential.*

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5.4 Anti-Kickback Laws

In general, anti-kickback laws prohibit the offering, payment, solicitation, or acceptance of any form of payment for the referral of a patient. Examples of a “referral” include recommending or ordering a particular drug, lab test, article of durable medical equipment, and similar “referrals.”

In compliance with these laws, and consistent with our commitment to fair and honest business dealings, physicians and employees must never pay or accept payment for a referral.

5.5 Anti-Trust and Unfair Competition

Kaiser Permanente respects market competition and the laws that protect it.

Anti-trust and other laws are designed to promote fair competition and ensure that businesses compete fairly. Anti-trust laws prohibit conspiring with competitors to set prices, terms, or conditions of sale; divide markets by customers, territories, or services; boycott customers or suppliers; or otherwise limit free-market competition.

Most physicians and employees are not trained in legal issues, but we can all contribute to Kaiser Permanente’s efforts to obey laws and regulations. If you’re ever in doubt about whether a transaction may violate anti-trust laws, consult Kaiser Permanente Legal Counsel.

Q: I heard that Kaiser Permanente has been asked by the government to turn over documents about a project that I worked on. I’d prefer not to provide them with my personal notes. Would it be OK to destroy them?

A: *No. Any deliberate destruction of documents that may have a role in an investigation is illegal and against Kaiser Permanente policy. Never alter, conceal, or destroy documents or records if they have been requested by a government agency or if they are likely to be requested in connection with an investigation.*

Q&A

5.6 Government Requests and Investigations

We operate in a highly regulated industry and governmental agencies sometimes request information from us. It is our policy to fully cooperate with government requests.

We must also remember that the government has exact reporting requirements. Care must be taken in all communications, including written, oral, and electronic, to avoid any false or misleading statements.

If you receive an inquiry, subpoena, or other legal document regarding Kaiser Permanente from any government agency, contact your supervisor or Compliance Officer, who will then contact Kaiser Permanente's Legal department. This helps to ensure that our response is appropriate both for Kaiser Permanente and under the law.

Q: I think this is just a technicality, but I'm late in renewing my pharmacy license. I'm sending in the renewal now but do I also need to inform anyone?

A: *Under the law, you are practicing without a license. You must inform your supervisor and you will not be able to resume your duties until your license has been reinstated.*

Q&A

Reporting to the Government

All cost and pricing information must be honest, accurate, and complete. Medical care and services must be documented accurately to reflect a patient's health status and the care received. Claims and supporting medical record documentation must reflect compliance with diagnostic and procedural coding requirements. We are fully committed to preparing and submitting accurate claims consistent with all of the requirements of federal health care programs.

Miscoding is against the law and may require reimbursement of overpayments, payment of fines and penalties to the government, exclusion of individuals or organizations from participation in federal programs, or criminal punishment such as imprisonment. Even unintentional miscoding can result in a violation of law.

Licensing and Certification Requirements

We must strictly follow all professional licensing and certification requirements that are applicable in our professions. This policy also applies to all Kaiser Permanente facilities that must maintain a state or federal license in order to operate and to federal approvals for the provision of certain services.

Sanctioned Individuals and Organizations

The government maintains lists of individuals and organizations that have been excluded from government contracting or are otherwise not eligible to participate in Medicare, Medicaid, or other government health programs.

Any existing or proposed employment, contract, or other association with any individual or entity who appears on these lists will be handled in accordance with the law and Kaiser Permanente policies.



Screening of physicians and employees—prior to employment and monthly, thereafter—is performed according to Kaiser Permanente policies and procedures. This screening reviews physicians and employees against federal sanctions and debarred lists and other government exclusion lists.

Any individual covered by the *Principles of Responsibility* who is added to any of these government lists must provide written disclosure to his or her immediate supervisor as soon as possible after he or she becomes aware that he or she has been added.

5.7 Political Activities and Donations

Physicians and employees are encouraged to actively participate in the political process as private citizens.

As not-for-profit, tax exempt organizations, Kaiser Foundation Hospitals and each of the Kaiser Foundation Health Plans must not engage in partisan political activities supporting or opposing candidates for

public office, political parties, or political action committees. Thus, these organizations are not allowed, directly or indirectly, to make (or reimburse employees for) political campaign contributions. Similarly, buildings and other assets owned by these organizations cannot be used in support of partisan political activities. To do so could jeopardize the tax-exempt status of these organizations. If you are employed by Kaiser Foundation Hospitals and any of the Kaiser Foundation Health Plans and are personally involved in politics, please be sure to express your political views as an individual and not as a representative of any of these organizations. In addition, your personal political activities or donations must be on your own time and at your own expense.

The rules are slightly different for physicians and employees of the Permanente Medical Groups, which are for-profit organizations. However, each of the PMGs has adopted a policy to ensure that the rules that apply to the Kaiser organizations are followed. In addition, each of the PMGs has its own policy addressing when it is appropriate for



individual physicians or employees to speak on behalf of the PMG. Questions about the legality of political activities by Medical Group physicians and employees should be directed to the Medical Group's legal counsel.

For more specific guidance regarding restrictions that apply to you and your organization, read the policy that applies to you and consult your supervisor, your Human Resources representative, or your Compliance Officer.

Q: I'm an administrative assistant. My supervisor is very active in local politics and she often asks me to help her copy flyers and plan political events that she hosts on her own time. Since her political work is often related to health care issues that have an impact on Kaiser Permanente, she's asked me to submit some of her expenses for reimbursement. Is this OK?

A: *No, it is not. First, when at work you should never be pressured in any way that infringes on your right to decide freely on how you will choose to support political issues or political candidates. Second, Kaiser Permanente property, facilities, equipment, supplies, and assets, such as e-mail, stationery and other materials with the Kaiser Permanente logo or branding, must not be used to support or oppose political candidates or political parties or to support political action committees. Finally, expenses incurred to attend events to support or oppose political candidates or political parties or to support political action committees may not be reimbursed by Kaiser Permanente.*

Q&A

6. Where to Get Help

You can seek guidance and report possible violation of fraud, waste, and abuse without fear.

6.1 When You Have Questions or Need to Report a Violation

It is important to remember that you are required to report potential instances of noncompliance. To seek guidance or to report possible violations of fraud, waste, or abuse without fear of retaliation, you have several options, including:

- Your immediate supervisor
- Your supervisor's manager
- Your department manager
- Your Environmental Health, and Safety manager
- Any senior manager or Medical Director
- Your Human Resources representative
- Your Compliance Officer
- The National Compliance, Ethics, and Integrity Office
- The National Diversity Council
- Internal Audit Services
- KFHP/H or PMG Legal Counsel or department
- The Controller's Office
- A member of the Board of Directors
- The Kaiser Permanente Compliance Hotline at 1-888-774-9100
- The National Compliance, Ethics, and Integrity Office Web site at kp.org/compliance

You may also report violations on a confidential basis by writing to your regional or national department Compliance Officers, the Legal department, the Vice President of Internal Audit, or the Chief Compliance Officer.



When making a report you should provide adequate detail and information. All reports will be investigated in accordance with an internal agreement between National Compliance, Ethics, and Integrity and other departments with investigative responsibilities. Investigators are assigned based on their expertise, case requirements, and geographical location. The expertise available for investigations can include legal, compliance, fraud, human resources, finance, and others as needed. Physicians and employees reporting possible violations are entitled to obtain follow-up information.

Kaiser Permanente will maintain, as appropriate, confidentiality and anonymity with respect to all disclosures.

6.2 Kaiser Permanente Compliance Hotline

All calls to the Kaiser Permanente Compliance Hotline are answered by an outside firm. Trained operators will answer 24 hours a day, 7 days a week. The Kaiser Permanente Compliance Hotline number is 1-888-774-9100. The information you provide is sent to National Compliance, Ethics, and Integrity for review and appropriate action.

You can use the Kaiser Permanente Compliance Hotline without fear of retaliation. You can give your name when you call or you may remain anonymous. In either case, calls will be addressed. Calls are never recorded or traced. You can call back to find out the status or outcome of the case.

If you knowingly make a false report, it is a serious violation of Kaiser Permanente policies and is subject to disciplinary action.

6.3 Complaint Resolution Process

It is important that members, patients, and customers know that they can use the Kaiser Permanente Complaint Resolution Process to freely voice complaints and recommend changes without fear of being subjected to retaliation, intimidation, coercion, discrimination, reprisal, or the interruption of care, treatment, or services.

Disciplinary action will be taken against any employee or physician who retaliates against or intimidates members, patients, or customers who use the Kaiser Permanente Complaint Resolution Process.

6.4 Kaiser Permanente's Compliance Program

Kaiser Permanente's national, regional, local, and Permanente Medical Group Compliance Offices were established to:

- Assist physicians and employees in their desire to do the right thing.
- Help all of us to better understand the complexities of today's health care regulatory environment.
- Monitor the systems we have in place to protect our reputation and act proactively to assist with any possible problems.

Our commitment to ethics and compliance includes programs at the national, regional, medical group, service area, and facility levels. For more information about the Compliance Program, including the roles and responsibilities of the board of directors, Chief Compliance Officer, national departments, regional offices, local resources, and Permanente Medical Group compliance, see your supervisor, your Human Resources representative, or your Compliance Officer.

6.5 Our Compliance and Ethics Structure

The Chief Compliance Officer provides updates to, and seeks guidance from, the CEO of Kaiser Foundation Health Plan, Inc., Kaiser Foundation Hospitals (KFHP/H), and the Executive Director of the Permanente Federation. KFHP/H national departments and regional Compliance Officers have dual reporting responsibilities to the Chief Compliance Officer and their National Manager, and Regional President or their designee(s). The Permanente Medical Group Compliance Officers and Liaisons report to their respective Executive Medical Director on compliance matters and have guaranteed access to their respective boards of directors.

The National Compliance, Ethics, and Integrity Office reports to the Chief Compliance Officer and functions at the direction of the KFHP/H board of directors. It ensures that standards, systems, and processes are in place throughout Kaiser Permanente to support adherence to compliance requirements and to reduce compliance risks.

The Kaiser Permanente compliance and ethics network consists of many professionals across all entities, business units, and levels. The National Compliance, Ethics, and Integrity Office, at 510-271-4699 can direct you to your local compliance resources.

6.6 Additional Resources

Each of us has a responsibility to familiarize ourselves with the various policies, procedures, and standards that apply to our specific job. To obtain more detail on the subjects addressed in this code of conduct, please refer to the two links provided. These links will connect you with Kaiser Permanente department-specific resource materials and policies.

Kaiser Permanente's National Compliance, Ethics, and Integrity Office—
<http://kp.org/compliance>

Kaiser Permanente Policy Library—
<http://ppl.crdc.kp.org/pl/do/public/category>



COMPLIANCE THAT'S RIGHT!