

## **Health Agency Code of Conduct and Professional Ethics (Contractors & Network Providers)**

The purpose of this Code of Conduct and Professional Ethics is to establish and communicate standards of conduct for all agencies and individuals who subcontract with the San Luis Obispo County Health Agency. The Health Agency Core Values along with the Standards of Conduct described below provide broad guidance and expectations to individuals representing the Health Agency in any capacity including as a contractor or workforce member of a contractor. Compliance with this Code of Conduct along with adherence to related policies and laws provide a safe, ethical and productive work environment that supports client health and wellness.

These standards apply to every individual who works for the Health Agency, any subcontractor, or any individual receiving compensation through employment or contract with the Health Agency (Hereinafter, Workforce Member). In addition to compliance with this Code of Conduct, licensed workforce members are expected to adhere to the licensing and/or certification regulations and Codes of Ethics for his/her profession. In the event of a conflict between this Code of Conduct and a Code of Conduct governing a workforce member's licensure, licensed individuals must consult with a supervisor for guidance. It is each individual's duty to read and comply with this Code of Conduct and Professional Ethics.

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### **Health Agency Core Values**

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#### **Integrity**

- We are dedicated to high ethical and moral standards and uncompromising honesty in our dealings with the public and each other.
- We are committed to maintaining the public trust and respect through a commitment to the highest standards of professional ethics.

#### **Collaboration**

- We celebrate teamwork by relying on the participation and initiative of every workforce member.
- We work cooperatively within and between departments and the public to address issues and achieve results.

#### **Professionalism**

- We are each personally accountable for the performance of our jobs in a manner which bestows credibility upon ourselves and our community.
- We consistently treat customers, each other and the resources entrusted to us with respect and honesty.

#### **Accountability**

- We assume personal responsibility of our conduct and actions and follow through on our commitments.
- We balance the needs of the community with the fiscally responsible administration of resources.

### **Responsiveness**

- We provide timely, accurate, and complete information to each other and those we serve.
- We solicit feedback from customers on improving programs and services as part of a continuous improvement process.

### **Compassion**

- We perform our jobs with empathy and kindness for our customers and each other.
- We believe in the worth of each person and are committed to safeguard personal dignity with awareness and respect.

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## **Health Agency Standards of Conduct**

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### **I. Respect for Others**

The County and its subcontractors are committed to providing a work environment in which all individuals, whether workforce members, clients, or members of the public, are treated with honesty, respect and professionalism. All workforce members shall support this commitment when dealing with co-workers and members of the public.

#### **A. Discrimination and Harassment**

##### Discriminatory Harassment:

San Luis Obispo County maintains a zero-tolerance policy prohibiting discriminatory harassment in the workplace. Workforce members must not harass anyone because of race, color, gender, marital status, national origin, religion, medical condition, physical or mental disability, sexual orientation, gender identity or expression, or because the person is 40 years old or older. Workforce members also must not harass anyone for opposing discrimination or for participating in the discrimination complaint process.

##### Sexual Harassment:

San Luis Obispo County maintains a zero-tolerance policy prohibiting sexual harassment in the workplace. Sexual harassment is a form of sex discrimination that is illegal under both state and federal law and constitutes workforce member misconduct for which disciplinary action, up to and including termination, may result. San Luis Obispo County requires that all workforce members treat the public and other workforce members with courtesy and respect.

#### **B. Cultural Competence**

The Health Agency is an organization which serves an increasingly changing and diverse population. Conducting business in a manner that respects cultural differences and demonstrates cultural competence is important in achieving our mission as an agency. All workforce members shall provide services to clients that honor cultural beliefs, interpersonal styles, attitudes and behaviors. All workforce members shall receive and read the SLO County Behavioral Health Division's [Cultural Competence Plan](#) and agree to abide by its conditions.

**C. Interpersonal Communications in the Workplace**

All personal interactions, including those with co-workers, clients, supervisors, the public, and individuals at other agencies, are to be conducted with respect, courtesy, and consideration. Workforce members shall not disparage, demean, belittle, or be disrespectful in their communications with others. Workforce members shall treat others in a manner that supports positive relationships.

**D. Violence in the workplace**

The County will not tolerate acts of violence or threats of violence by workforce members. San Luis Obispo County requires that all workforce members treat the public and other workforce members with courtesy and respect. Off duty violence or threats of violence may also be subject to discipline depending on the nexus to the workforce member's job as well as the discredit such conduct may bring to the County or Contractor. Violation of this policy by a workforce member will result in discipline up to and including termination.

**II. Conflicts of Interest**

Workforce members shall avoid any situation which involves or may give the appearance of a conflict between their personal interest and the interest of the County. Workforce members shall notify their supervisor as soon as they become aware of any actual or potential conflict of interest. Contractors must notify the County Behavioral Health Department of any actual or potential conflicts of interest.

**A. Kickbacks and Commissions**

Workforce members may not receive payment or compensation for business conducted for the Health Agency except as authorized under County policy. The Health Agency prohibits the acceptance of kickbacks and commissions from suppliers or others.

**B. Client or Vendor Referral**

Workforce members shall not refer a client to themselves, or to a vendor with whom they have a financial or personal relationship without disclosing and receiving permission from their supervisor in advance.

**C. Incompatible Employment**

Consistent with State law, the County prohibits workforce members from engaging in any activity for compensation which is inconsistent, incompatible, or in conflict with the law or professional standards. Workforce members engaged in outside employment which is or has potential to be a conflict of interest shall notify their supervisor immediately.

### **III. Handling of Transactions, Assets, and Cash**

#### **A. Claims for Services**

One of the primary reasons for a Compliance Plan and a Code of Conduct is to prevent fraud, waste and abuse in programs that receive federal and/or state healthcare funding, either directly or indirectly. Workforce members must comply with all laws and regulations regarding claims for services. Workforce members shall take reasonable precautions to ensure that claims are prepared and submitted accurately and timely and are consistent with all applicable laws, regulations, rules and guidelines. Workforce members engaged in coding and billing of services shall understand the regulations and best practices governing coding and billing for services. Any workforce member violating laws, statutes or policies regarding claims for services will be subject to discipline up to and including termination. Contractors found violating laws, statutes or policies, or failing to enforce same will face sanctions by the County up to and including termination of contract.

#### **B. Travel and Expense and General Expense Reimbursement**

When a workforce member's position requires spending contractor funds or incurring any reimbursable travel or personal expenses, that individual must comply with all Contractor policies and procedures related to travel or personal expense reimbursements.

#### **C. Cash Handling**

Workforce members who have access to Contractor funds in any form must follow the prescribed procedures for cash handling as detailed in the Contractor's policies and procedures.

#### **D. Purchasing**

Purchasing decisions must be made consistent with Contractor policy. No purchasing decisions may be made based on considerations that workforce members, their family members or friends will benefit.

#### **E. Contractor Assets**

All workforce members shall to the best of their ability, protect and safeguard the assets of the Contractor and the Health Agency. Assets may include but are not limited to: structures and offices, furniture and fixtures, county owned vehicles, copiers, fax machines, County owned telephones, keys/fobs, computers, cameras, testing equipment, medical equipment, supplies, or any other property of owned by the Contractor. Assets owned by the County generally will include any software assets or information used by the Contractor in the course of business with the County. Workforce members must promptly report any missing or misused equipment or assets to their supervisor.

#### **F. Use of County and/or Health Agency logo, letterhead, or identification**

Workforce members shall not use the County and/or Health Agency logo, letterhead, identification stationery or other County identifying material unless authorized by the County.

#### **IV. Confidentiality and Privacy**

Workforce members may in the course of their work, learn information which is confidential under federal and state law, or which is considered confidential and/or proprietary by the Contractor or the Health Agency. Examples include but are not limited to personal health information (PHI), personally identifiable information (PII), financial information, and employee and payroll information. Workforce members shall keep confidential all such information, whether verbal, written or in electronic form. Workforce members shall not discuss client or family information with anyone not immediately involved with a client's care, treatment or operations without that client's legal authorization. In addition, workforce members shall not discuss client or other confidential information with anyone who does not have an authorized need to know.

Workforce members shall not access or attempt to access any information unless the information is relevant to their job and they are authorized to access it. The logon ID, computer password and electronic signature assigned to workforce members by the Contractor or Health Agency are to be used solely by the workforce member and shall not be shared with any other individual.

#### **V. Other Standards of Conduct**

##### **A. Mandatory Reporting**

Any allegations of abuse, neglect, or mistreatment of a client or workforce member must be reported to the appropriate supervisor and other officials as required by law and investigated in accordance with applicable policies, rules and regulations. Such Mandatory reporting includes but is not limited to: Child Abuse, Elder Abuse, Tarasoff Warnings, Gunshot Wounds, etc.

##### **B. List of Excluded Individuals – Credentialing**

Any workforce member who becomes or may be placed by the state or federal government on a List of Ineligible Individuals must immediately notify their supervisor. An Ineligible Person is any individual who is currently excluded, suspended, debarred or otherwise ineligible to participate in government procurement contracts, federal health care programs, has been convicted of a criminal offense related to the provision of health care items, or is currently excluded on a state exclusion list. These lists are maintained by the U.S. Office of Inspector General Website at: [https://oig.hhs.gov/exclusions/exclusions\\_list.asp](https://oig.hhs.gov/exclusions/exclusions_list.asp) and the California Dept. of Health Care Services at: <http://files.medi-cal.ca.gov/pubsdoco/SandILanding.asp>. Contractors must notify the County Health Agency of any workforce member appearing on a List of Excluded Individuals or Entities (LEIE).

##### **C. Business Records**

- All documentation produced by workforce members or Contractors, including but not limited to reports, letters, forms, timecards, and entries in client records, shall be truthful and accurate to the best of their knowledge.
- All records and documents shall be protected and retained as required by professional standards, governmental regulations and contractual obligation with SLO County.
- Workforce members shall follow the approved record retention schedules and federal or state record retention requirements.

- Workforce members must not destroy or alter any information or documents in anticipation of, or in response to, a request for documents by any applicable governmental agency or from a court of competent jurisdiction.

#### **D. Licensure and/or Certification**

All workforce members who are required to possess professional licensure or certification as a condition of their job must maintain licensure or certification consistent with the requirements of the applicable licensing or certifying board. In addition, all workforce members who drive a vehicle (either Contractor owned or personal) in the course of doing business must maintain their driver license in good standing.

Workforce members must notify their supervisor any time their professional license, certificate, or driver license (if they drive on Contractor business) becomes restricted, revoked, or expired. In addition, workforce members must notify their supervisor if they are being investigated for a matter that may negatively affect their licensure or if they anticipate problems with their licensure.

### **VI. Prohibition on Retaliation**

The Contractor and the Health Agency maintain a zero tolerance policy prohibiting any adverse employment action against those who in good faith report, or support someone who reports violations of policy or state/federal law, or engages in other legally protected activity. The Contractor and Health Agency further prohibit retaliation against anyone who participates (as witnesses or accused) in investigations into complaints of alleged misconduct. Disciplinary action, up to termination will be taken against a workforce member who is found to have violated this policy.

### **VII. Reporting of activity that violates this code of conduct**

Any workforce member or Contractor who knows or suspects that there has been a violation of policy, or a violation of state or federal law, shall immediately notify a supervisor, manager, or the Health Agency Compliance Officer of the violation or suspected violation. Regulations require the County to report violations, including Contractor violations, to some state agencies within 24 hours. As such, immediate reporting is essential to meet this statutory timeline. The violation must be reported whether it was committed by the person reporting the violation, or another individual and it must be reported whether intentional or accidental.

**To report a violation:**

**Contact your immediate supervisor**

**Call the Health Agency Compliance Officer at: (805) 781-4788 or;**

**Call the toll free Compliance Hotline at (855) 326-9623**