

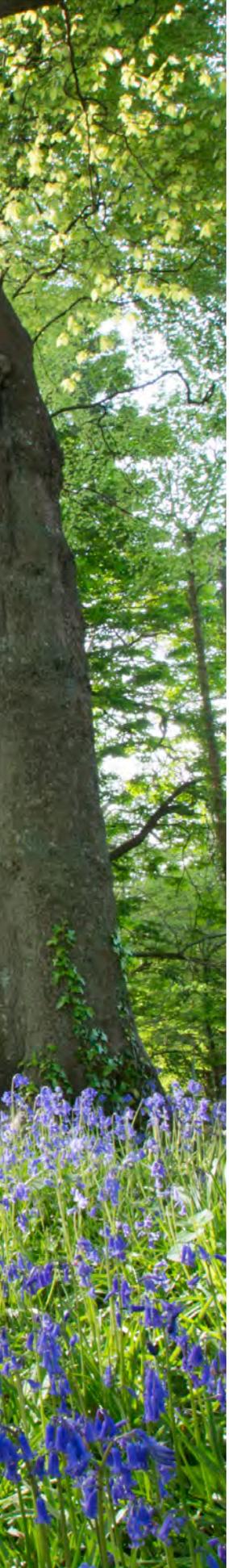
# Code of Excellence

.....  
**OUR COMMITMENT TO INTEGRITY AND COMPLIANCE**



**CARILION CLINIC**





## Dear Colleagues,

Paths are created by many people, going to or from a destination. Regardless of their size, shape, age, race or gender, paths lead to where we want to go.

And so it is with our new Code of Excellence. You'll notice the visual theme of this Code is pathways. We chose pathways because each of us is walking a path here at Carilion. This Code will help ensure that we reach our destination with integrity and dignity. And that those who are walking with us or those we encounter along the way are treated respectfully. That we are empathetic to their place on the path they are walking.

Our mission states: Improve the health of the communities we serve. On every path we travel, our mission is the signpost at every turn, mile, hill and switchback. Everything we do, and every decision we make should center on our mission and what's right for every patient. Our philosophy is based on three pillars: patient care, education and research. Working in unison toward those pillars is our key to success. And we measure success by the ways we make a difference in our patients' lives.

As a not-for-profit provider of health care, we turn no one away who needs care. We give back surplus funds to the community instead of to shareholders. We hold ourselves to high standards. We walk a path that is bordered on both sides by ethical behavior and compliance with our Code.

As you read through the Code, enjoy the pathways you see along the way. Be inspired by them. Wonder to yourself about what direction or destination the paths are going. Then think about the opportunities and obstacles that face you on the path you are on today. Decisions will need to be made on your journey – some easy, some difficult. Let this Code of Excellence be your guide. You will reach your destination knowing you made the right choices along the way.

Nancy Howell Agee  
President and CEO

Vicki Clevenger  
Vice President and Chief Compliance Officer  
Organizational Integrity and Compliance Department



A scenic autumn forest with a wooden bridge over a stream. The trees are in various shades of green, yellow, and orange, and the water is flowing through the rocks. The overall atmosphere is peaceful and natural.

## Our Mission, Vision and Values

### **Mission**

Improve the health of the communities we serve.

### **Vision**

We are committed to a common purpose of better patient care, better community health and lower cost.

- » Our highest priority is patient safety
- » We will ensure excellent clinical outcomes
- » We will provide appropriate acute care services for our region
- » We will create focused efforts towards patients with chronic illnesses
- » We will engage with our communities to promote health and wellness
- » We will dedicate ourselves to professional integration and collaboration to assure a thoughtful, kind, respectful patient experience
- » We will provide patient-centered care that is effective, efficient, fair and timely
- » We will be responsible for ongoing medical education and discovery so that we may continually improve
- » We will pursue appropriate partnerships to achieve the “triple aim”
- » We will be vigilant in our stewardship of the community’s financial resources
- » We will conduct ourselves with integrity and treat our guests, and each other, with dignity and respect

### **Values**

- » **CommUNITY:** Working in unison to serve our community, our Carilion family and our loved ones.
- » **Courage:** Doing what’s right for our patients without question.
- » **Commitment:** Unwavering in our quest for exceptional quality and service.
- » **Compassion:** Putting heart into everything we do.
- » **Curiosity:** Fostering creativity and innovation in our pursuit of excellence.

# Our Code of Excellence at a Glance

## Living by the Code



### **Excellence in Our Actions ..... 4**

- » We understand our responsibilities
- » We know what is required of us
- » We take responsibility for our work and actions
- » We understand the importance of professionalism in our appearance and conduct
- » We seek guidance when we have questions
- » We raise concerns so that they can be addressed
- » We always do the right thing
- » We don't retaliate against others for asking questions or sharing concerns in good faith



### **Excellence in Our Reputation ..... 10**

- » We avoid conflicts of interest
- » We maintain professional qualifications
- » We uphold professional standards of conduct



### **Excellence in Our Relationships ..... 14**

- » We serve others respectfully
- » We protect the privacy and confidentiality of patients, employees and customers
- » We respect the rights of patients, employees and customers
- » We promote equal opportunities for a diversity of backgrounds, skills and perspectives
- » We protect information belonging to other members of our team
- » We provide a work environment free of harassment
- » We follow good business practices with contractors and suppliers/vendors
- » We are honest and accurate in our marketing materials
- » We uphold fair practices with our competitors
- » We protect the security of patient, employee and business-sensitive information



### **Excellence in Our Operations ..... 20**

- » We follow good business practices to avoid fraud, waste and abuse
- » We ensure claims are coded, billed and processed accurately
- » We protect information from misuse or improper access or disclosure
- » We record business information honestly, accurately, completely, timely and clearly
- » We monitor and audit activities



### **Excellence in Our Environment ..... 26**

- » We protect the health and safety of others
- » We keep an alcohol-, tobacco- and drug-free work environment
- » We properly handle and dispose of toxic and hazardous waste
- » We protect the environment

### **Code of Excellence Acknowledgement ..... 29**

- » We sign an acknowledgement that demonstrates our commitment to our Code of Excellence

### **Appendix ..... 30**

*Spotlighting...*

## Excellence in Our Actions



- » We understand our responsibilities
- » We know what is required of us
- » We take responsibility for our work and actions
- » We understand the importance of professionalism in our appearance and conduct
- » We seek guidance when we have questions
- » We raise concerns so that they can be addressed
- » We always do the right thing
- » We do not retaliate against others for doing the right thing

### **The promise we make:**

To encourage and make it safe to speak up, disagree, share concerns, make suggestions, question decisions, admit mistakes or near misses and try new ways of doing things.

To take time daily to praise people, listen carefully to their needs and demonstrate our commitment.



The reputation for excellence at Carilion Clinic is built on the hard work and responsible conduct of the thousands who have worked with and for us over many years. Each service we perform for a patient, each contact we make with a vendor or outside party and each interaction we have with a colleague is an opportunity to strengthen the excellence of our actions.

This Code of Excellence applies to our governing board members, employees, members of the medical staff, agents, contractors, independent contractors, sub-contractors, students, vendors and volunteers.

### **Being Responsible**

Each of us should:

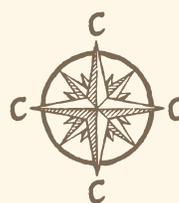
- » Promote our mission, vision and values
- » Follow all laws, regulations and policies and procedures
- » Ask for help when not sure of the right thing to do
- » Complete training and educational activities as requested
- » Bring up possible integrity and compliance concerns as soon as they arise
- » Help leaders as requested, such as participating in action plans and investigations related to potential concerns or wrongdoing

If we manage or supervise staff and others, we should:

- » Set the right example on responsible conduct for those who report to us, as well as all others
- » Ensure that employees attend educational sessions that help them understand their responsibilities, including those about integrity and compliance
- » Help create and maintain a culture that values responsible conduct and encourages employees and others to seek guidance and report concerns
- » Ensure employees reporting to us and those we oversee follow this code and related laws,

rules and policies

- » Never sacrifice meeting integrity and compliance standards in pursuit of business objectives



## **Commitment**

**“The glue that holds all relationships together, including the relationship between the leader and the led, is trust, and trust is based on integrity.”**

*Brian Tracy*

### **What do we mean by “integrity”?**

Organizational integrity is also known as corporate or business ethics. It is the core set of values that we operate under. It includes our organization’s commitment to doing the right thing, our understanding of right versus wrong and our accountability for meeting these standards. Carilion’s values, as well as this Code of Excellence, help define our organizational integrity standards.

### **Ensuring regulatory compliance**

Health care and business operations in general are governed by various federal, state and local laws and regulations. These rules cover a wide array of activities, from how we deliver services to how we market and bill for those services and conduct our daily work responsibilities.

Each of us is expected to know and follow these rules. Carilion, our employees and our partners may be subject to significant penalties for violating them.

### **Asking Questions**

If you are unsure about what to do in a situation, help is available. Asking a question is always the right thing to do. Discussing the matter with your manager, Human Resources, the Legal Department or the Organizational Integrity and Compliance Department is encouraged. They can help determine the most appropriate action.

### **Using Resources**

Many resources are available to help with questions and concerns:

- » **Supervisor/manager** – Your principal resource is your supervisor/manager. Your supervisor/manager is most familiar with your work duties and responsibilities.
- » **Other members of the management team** – The management team, including the executive team and the Legal Department, can provide guidance.
- » **Human Resources** – This team can help with all types of employee relations issues, including fair employment, respectful treatment and employee privacy issues.
- » **Organizational Integrity and Compliance** – This department can help clarify the Code of Excellence and related policies and procedures.

You can also contact the **Integrity Help Line**. This resource is available 24-hours a day, seven days a week. Calls are handled by an external company that refers the confidential report to Organizational Integrity and Compliance for follow-up. All contacts are treated confidentially, to the limit allowed by law.

If you prefer, you can make an anonymous report. Providing as much information as possible will help us review the report and investigate any potential misconduct.

### **Integrity Help Line**

844-732-6232

As an employee you can call us with any questions you may have about compliance. Carilion contractors, medical staff, physicians and other members of our team may also report concerns and suspected misconduct to the Integrity Help Line. These reports may also be made anonymously.



### **Policies**

Policies are available for review on Inside Carilion.

### **Raising Concerns**

When we raise concerns in good faith (with a sincere belief in the truth of our report) about actual or potential concerns or improper practices, we have an opportunity to improve everyone's work environment. Concerns may include organizational policies/procedures or actions of managers, colleagues, affiliated physicians, subcontractors, suppliers, contractors or others who affect our operations. Managers will help resolve concerns or take them to someone who can. If you're not comfortable speaking to a manager for any reason, contact Human Resources, the Legal Department, Organizational Integrity and Compliance or the Integrity Help Line at 844-732-6232 or [CarilionClinicIntegrity.org](http://CarilionClinicIntegrity.org).

If you are not satisfied with the investigation or the resolution of a matter that you reported, please make a second report through a different

channel. Taking this extra step will help ensure that your concern is understood and thoroughly investigated.

Reporting your own misconduct, while not relieving you of responsibility, will be considered during the review process. Reporting concerns is encouraged, but intentionally filing false reports is considered reporting in “bad faith” and will be considered cause for disciplinary action, up to and including termination.

### **Ensuring Non-retaliation**

Retaliation against anyone seeking help or raising a concern of suspected misconduct in good faith will not be tolerated. Carilion can discipline anyone found to have engaged in retaliatory actions, including harassment. If you think that you have been retaliated against or suspect retaliation against someone else, please report it immediately to Organizational Integrity and Compliance or the Integrity Help Line. All instances will be investigated and, if substantiated, disciplinary action will be taken as appropriate.



**As we walk our own path, we will be faced with some tough decisions along the way. So you proceed in the right direction, the following questions, answers and action steps can help be your guide.**

**Is it legal?**

**Yes:  
Move forward**

**Is it consistent with our mission, vision and values?**

**No:  
Stop!  
Explore other options, seek guidance**

**Is it consistent with our policies and procedures?**

**Would it positively affect Carilion?**

**Not sure:  
Contact your manager,  
Organizational Integrity &  
Compliance, Human Resources  
or the Legal Department**

**Would others think it was ok if they heard it in the news?**

**Do I feel good about my decision?**

**Q.** My boss and co-worker are friends outside of work, and it is really hard to report concerns because of that. When I found my co-worker looking in personnel files, I voiced my concerns to my boss. I think my boss is retaliating against me because a few days later my job duties changed. What do I do?

**A.** We always recommend that you talk with your manager first, but if you are not comfortable, contact any of the following to help resolve the concern: Human Resources, Organizational Integrity and Compliance or the Integrity Help Line at 844-732-6232 or [CarilionClinicIntegrity.org](http://CarilionClinicIntegrity.org). We take our commitment to our Code very seriously and this includes providing a retaliation-free workplace.

**Q.** If I report a concern, will I get in trouble?

**A.** You will not be reprimanded or face discipline if you suspect and report, in good faith, that something is wrong. You have a duty to report any known or suspected integrity or compliance concerns. We should always speak up.

### Phrases that may go down the wrong path.

Every day, we talk with our peers, and some conversations may be in private. If you hear or say one of following phrases, it could be a step away from the path we want to follow.

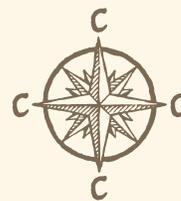


## Correcting Problems

We will investigate concerns, errors and misconduct and if an issue is verified, we will take the proper steps, including:

- » Identifying the root cause of the issue and making changes to help avoid future occurrences
- » Informing applicable government authorities
- » Making restitution to those affected
- » Reporting and returning overpayments without delay
- » Disciplining individuals if a blatant or intentional violation of the rules has taken place

Those who need to know will be notified of the investigation's outcome. If disciplinary action is required, it may include suspension, restitution or, in more extreme cases, termination. The results of our investigation may also prompt us to make a report to the appropriate regulatory agency.



# Courage

**“The future is not some place we are going to, but a place we are creating. The paths to it are not found, they are made.”**

*John Schaar*

**This Code of Excellence is not an employment contract. It does not contain all requirements; for additional guidance, consult related policies. We expect to periodically modify this Code so that it remains relevant. The most recent version of the Code is available on Inside Carilion.**

*Spotlighting...*

## **Excellence in Our Reputation**



- » We avoid conflicts of interest
- » We maintain professional qualifications
- » We uphold professional standards of conduct

### **The promise we make:**

Excellence is not an endpoint or a way of distinguishing ourselves as better than someone or something else. It is a journey, a mindset and a process. It is a set of beliefs without limits that guide us to the best we can be. We take responsibility for our work and our work areas. We collaborate with others and we resolve concerns.

Over many years, our employees have worked together to serve our diverse communities. Our combined efforts have earned us a reputation for commitment to patient and employee health through quality service. We have earned this reputation by our dedication to professional competence and our loyalty to our mission, vision and values. We will sustain our excellent reputation through ongoing vigilance in the services we provide.

### **Conflicts of Interest**

We are committed to managing potential conflicts before they arise. Preventing and managing conflicts of interest provides patients and others who depend on us for the excellent health care and business environment they deserve. Conflicts of interest are unavoidable in some situations.

A conflict of interest occurs when a personal interest actually interferes, or may be perceived to interfere, with our ability to make decisions that are in the best interest of our organization and our patients. A personal interest also may become a conflict of interest when it benefits a competitor or disrupts our work responsibilities.

Conflicts can be managed through full disclosure and lack of involvement in decisions related to the conflict of interest. These conflicts are described below and in more detail in applicable policies.

Conflicts may arise that involve you or a member of your family. Examples include, but are not limited to:

**Outside personal activities** – A relationship with another organization, such as a supplier,

customer, provider, business partner or competitor.

**Outside professional activities** – Professional activities outside your role if these activities involve using your professional expertise for another organization/service or cause, such as:

- » Employment/service with or consulting for a competitor/supplier
- » Acceptance of sponsorship by a supplier
- » Unauthorized attendance at a supplier education meeting
- » Unauthorized participation in vendor surveys
- » Service on a supplier panel
- » Service as a board member for an organization that is a customer of, or competes with, Carilion

**Q. My spouse manages a training and consulting firm. Can he submit a proposal to my department to become a vendor?**

**A.** Generally, yes, but before a proposal is submitted, report this relationship to your manager by completing a Conflict of Interest disclosure. This disclosure may result in a plan that keeps you from participating in any discussions or decisions related to the proposal.

If you think a situation might create a conflict of interest, ask yourself the following questions:

- » Would others think this might affect how I do my job?
- » Could it affect any decision I might make at work?
- » Will I or someone in my family gain anything from my relationship with the

- third party doing business with Carilion?
- » Do I feel under any obligation because of my relationship with the third party doing business with Carilion?
  - » Would I be embarrassed if someone inside or outside Carilion knew about the situation?
  - » How might the situation look to patients, customers or suppliers? Would they question whether they have been treated fairly?
  - » Does the relationship benefit a competitor?

If the answer to any of the above questions is yes, or even maybe, you may have a conflict of interest to disclose and discuss with others.

### Here are some examples of common types of conflicts that may arise:

**Financial interests** – Financial interests in our business partners or competitors, especially when there is a potential to benefit financially at the expense of Carilion.

**Business opportunities** – Business opportunities that you learn about in your work for Carilion or that may compete with Carilion.

**Family and friends** – Relationships with family members or close friends, such as personally recruiting, working with or conducting Carilion business with them, or serving them as a patient or employee.

**Solicitation** – Soliciting colleagues or others while at work for outside business or other personal interests.

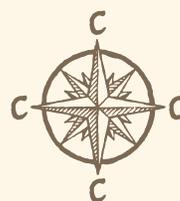
**Distribution** – Distributing or posting materials for an outside organization or cause, unless permitted by policy.

**Political activities and contributions** – Participation or intervention in any election campaign in support of, or in opposition to,

a candidate for local, state or national public office, in a way that is seen as being on behalf of Carilion or in any employee’s official capacity. Lobbying activities regarding public policy positions also should be done in consultation with our Governmental Affairs Department.

### Disclosure of Potential Conflicts of Interest

If you face a potential conflict, you need to discuss the matter with a manager, the Legal Department or Organizational Integrity and Compliance. They can help you determine whether the situation should be disclosed and, when appropriate, how to manage the situation so that it does not become an actual conflict.



## Compassion

**“To give a real service you must add something which cannot be bought or measured with money, and that is sincerity and integrity.”**

*Douglas Adams*

### Gifts and Business Courtesies

At times, you may exchange appropriate gifts and business courtesies with physicians, contractors, employees, customers and suppliers/vendors. When done properly in accordance with Carilion policies and procedures, these gifts and business courtesies are acceptable. When done improperly, the exchange of gifts may put our reputation and legal interests at risk.

All gifts, business courtesies and entertainment must be legal and part of ordinary business. We may never give or receive cash. We are permitted to accept nominal, non-cash gifts such as cards, candy or flowers. When patients, employees or their families, vendors or business partners offer a more substantial gift, we should politely decline the offer. If they will not take no as an answer, we can refer them to the Carilion Clinic Foundation. Other gifts and business courtesies may be acceptable if they meet our policy. Let your manager know immediately if you are offered or receive a gift that may violate our standards.

Never promise, offer, provide or accept anything of value if it can be seen as a bribe, kickback or payment intended to influence your judgment. Something of value can also include non-monetary benefits, such as in-kind services or favors. This includes providing anything to a government or political official or employee with the intent to influence. Do not ask, solicit or suggest to others that you would like to receive a business courtesy, gratuity or anything else of value.

### **Qualifications and Professional Standards**

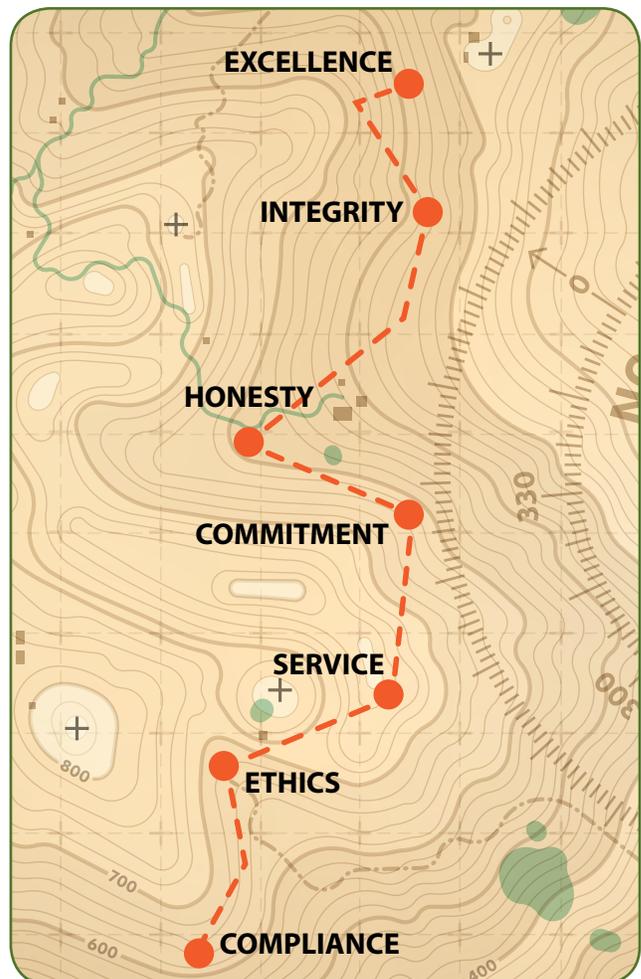
We serve our patients and employees best when we are competent in our jobs. We maintain the highest standards in accordance with various federal, state and local laws and regulations regarding health care. We maintain current certificates of need, licenses, permits and accreditations. We also are expected to maintain professional standards applicable to our positions and to comply with respective professional standards of conduct.

### **Disclosure of Exclusion from Participation in Federally-Funded Programs**

Any person (board member, employee, medical staff, volunteer, student, contractor, vendor, etc.) who has been excluded from participating in federally funded programs (Medicare/Medicaid/Champus, etc.) due to sanctions, loss of license, criminal activity or other reason must immediately inform Organizational Integrity and Compliance of such actual or pending exclusion by calling 844-732-6232 or [CarilionClinicIntegrity.org](http://CarilionClinicIntegrity.org).

### **The Code's Pathway**

Destinations that lead to character, leadership and trust.



*Spotlighting...*

## Excellence in Our Relationships



- » We serve others respectfully
- » We protect the privacy and confidentiality of patients, employees and customers
- » We respect the rights of patients, employees and customers
- » We promote equal opportunities for a diversity of backgrounds, skills and perspectives
- » We protect information belonging to other members of our team
- » We provide a work environment free of harassment
- » We follow good business practices with contractors and suppliers/vendors
- » We are honest and accurate in our marketing materials
- » We uphold fair practices with our competitors
- » We protect the security of patient, employee and business-sensitive information

## **Serving Our Patients, Families and Communities**

Our mission is to improve the health of the communities we serve. To do so, we should treat everyone with respect and dignity. We don't judge a patient based on race, color, gender, national origin, handicap, age, HIV status, marital status, sexual or gender orientation, religious beliefs or sources of payment for care. Clinical care is always based on a patient's identified health care needs, not on a patient's source of payment for that care.

We strive to demonstrate quality in all clinical and non-clinical care and other health care operations. All aspects of what we do are interdependent and affect the quality of care we provide to our community. Let your manager know if there are any challenges to following any policies and procedures so we can maintain quality services.

We assure patients that they will be involved in all aspects of their care. We obtain and confirm a patient's consent for treatment. Each patient or patient representative is provided with an explanation of their diagnosis and treatment-plan options. We are transparent with our treatment costs. We provide cost estimates to patients upon request and, as needed, to make care decisions.

## **Ensuring Confidentiality and Privacy**

We are committed to ensuring and protecting the confidentiality and privacy of our patients and their representatives. We collect information about a patient's medical condition, history, medication and family illnesses to provide the best possible care. We respect the sensitive nature of this information and do not release or discuss patient-specific information with others unless it is necessary to serve the

patient, or as required or permitted by law. These rights extend to employee health data that we maintain on our employees.

We also provide an opportunity for patients to report and resolve confidentiality complaints. If a patient clearly expresses a concern that his privacy has been violated, please communicate the concern immediately to the Privacy and Information Security Department.

**Q. Does HIPAA apply to looking up my child's lab results using my work access to Epic? Can I look up my own lab results or claims?**

**A.** You may not look up any family member's confidential medical information in Epic. Family members and their representatives should use MyChart access or the Release of Information process to obtain further information. You may look up your own medical information, but cannot modify or change the content.

U.S. Health Insurance Portability and Accountability Act (HIPAA) and applicable state laws place restrictions on how health care organizations handle patient and employee health data, commonly called protected health information (PHI). When working or coming in contact with patient and employee health data, we are responsible for knowing our policy on how these laws and regulations apply. It is important to follow these rules and related procedures. Our privacy and information security policies and procedures are available on Inside Carilion.

## **Social Media**

It's important to respect our patients' privacy, so please don't share any written information or images involving patients through social media. If you do this, it can lead to disciplinary action, up to and including termination.

## **Respecting Patient Rights and Responsibilities**

We accept patients in compliance with applicable laws. We provide the appropriate diagnostic and treatment services to all patients with emergent conditions, regardless of their ability to pay for health care.

We respect our patients' rights and recognize that each patient is an individual with unique health care needs. We inform patients of their rights as well as their obligations to themselves, other patients and Carilion.

We encourage a partnership between our patients and their health care team. We encourage patients to exercise their rights, and they are encouraged to ask questions and actively participate in their care planning. These rights extend to family members and surrogate decision makers, when appropriate.

## **Nurturing Relationships with Contractors and Suppliers/Vendors**

We work with current and prospective contractors, vendors and suppliers to achieve the best outcomes for our patients and employees and to advance our mutual business interests. Therefore, we should act in a respectful, fair and responsible manner, consistent with all applicable laws and good business practices. We promote competitive bidding, when practical.

We are expected to follow our policies, procedures and good business practices in source selection, negotiation and determination of contract awards, and the administration of all purchasing activities. Our selection of contractors, vendors and suppliers is made on the basis of objective criteria, including quality, technical excellence, price and value, past performance, adherence to agreed schedules, service, maintenance of adequate sources of supply and a supplier's ability to meet our needs. Personal relationships and friendships should not be a factor in these decisions.

Care must be taken when exchanging gifts and business courtesies with contractors, vendors and suppliers. See the Conflict of Interest section of the Code for further information.

## **Building Relationships with Colleagues**

Excellence in serving our community depends on how well we work together as colleagues. The more that we can trust and rely upon each other, the better we can meet our commitments to improving the health of the communities we serve.

We all must conduct ourselves in a manner that ensures the orderly and efficient operation of business and creates a safe and harmonious work environment. We should always follow these guidelines:

- » Behave in a manner consistent with our mission, vision and values
- » Demonstrate accountability
- » Keep commitments, communicate honestly and directly, and exemplify high professional and integrity standards
- » Provide the highest-quality customer service
- » Strive for excellence in every situation
- » Treat others with dignity, respect, courtesy and care
- » Work cooperatively with others as part of a team



**“Act as if what you do makes a difference. It does.”**

*William James*

### **Strengthening Relationships with Physicians and Physician Groups**

Our relationships with physicians and physician groups must meet strict regulatory standards, including those governing providing anything of value to physicians, their relatives, their group or their staff. This includes payment for services, use of space, equipment and staff time, and any other item that is provided by either party. The Legal or Organizational Integrity and Compliance departments should be consulted before entering into such relationships.

Key things to remember when interacting with physicians

- » Various laws and regulations, including the Stark Law and Anti-Kickback Statute, regulate the way we work and interact with physicians, physician groups and their staff who are employed or not employed by Carilion.
- » Any business arrangement between Carilion and physicians must be evaluated by the Legal Department and, as needed, the Organizational Integrity and Compliance Department before beginning the arrangement to ensure compliance with numerous laws and regulations, such as provider-based rules and tax-exempt status.

### **Embracing Inclusion and Diversity**

A work environment thrives when it embraces people from a many different backgrounds, with differing skills and with a variety of perspectives. At Carilion, we make the effort to get to know, listen to and appreciate colleagues and their contributions to our mission. Diverse perspectives improve our effectiveness. We support diversity initiatives that foster an environment in which all are valued.

### **Providing Equal Employment Opportunities**

Our employees provide us with a wide complement of talents, contributing to workplace excellence. We are committed to providing an equal-opportunity work environment where everyone is treated with fairness, dignity and respect.

As an affirmative action employer, we follow all laws, regulations and policies related to non-discrimination based on age, race, gender, marital status, height, weight, color, religion, national origin, disability, pregnancy/childbirth status, sexual orientation, U.S. military status, status as disabled, or Vietnam-era veteran or other legally protected category. This applies to all decisions regarding recruiting, hiring, compensation, evaluations, promotions, transfers, staff reductions, disciplinary action and terminations. We make reasonable accommodations for known physical and mental limitations of otherwise qualified individuals with disabilities.

### **Maintaining Respectful Treatment**

Mutual respect allows all of us to do our best work in pursuit of our common mission. We expect our employees to be respectful of others and be respected in return. We do not condone abusive, bullying or other inappropriate

behaviors directed to any employee, vendor, patient or visitor. We should never engage in any degrading jokes, slurs, intimidation, derogatory comments or other inappropriate conduct, nor do we support others who do so.

We also prohibit any form of harassment, including sexual harassment. We should not engage in or tolerate verbal or physical conduct related to characteristics protected by law, including age, race, religion, national origin, sex, disability, veteran status or sexual orientation that may interfere with work performance or create an intimidating, hostile or offensive work environment.

When driven by the protected characteristics of age, race, religion, national origin, sex, disability, veteran status or sexual orientation, the following may be examples of harassing behaviors:

- » Unwelcome sexual advances
- » Requests for sexual favors in exchange for favorable employment decisions
- » Conduct that interferes with an individual's work performance or creates an intimidating, hostile or offensive working environment
- » Display of offensive material
- » Offensive jokes
- » Threat of dismissal or loss of promotions
- » Threatened or actual violence
- » Unwanted physical contact

If any form of harassment is observed or experienced, it must be reported to a manager, Human Resources or the Organizational Integrity and Compliance Department.

### **Preventing Workplace Violence**

Carilion will not tolerate any form of violence in the workplace. This includes any threatened or

actual violence, stalking, fighting, or injuring or trying to injure others. In our commitment to a safe workplace, no firearms, other weapons, explosive devices or other dangerous materials are permitted on Carilion premises.

If any form of violence is seen or experienced, it must be reported to a manager, Human Resources or the Organizational Integrity and Compliance Department.

### **Practicing Ethical Marketing and Communications**

Our communications to the public must demonstrate the same sense of responsibility that our internal communications do. To convey our dedication to excellence in service, we are committed to responsible marketing.

Marketing and communications includes:

- » Community events and seminars
- » Data collection
- » Direct mail
- » Print and digital advertising
- » Public relations
- » Publications
- » Social media
- » Web communications

In marketing and communications, we practice confidentiality, honesty, accuracy and decency. We do not exploit the suffering of others in marketing materials. Permission must always be obtained from patients, family members, visitors, staff, contractors and physicians before the use of pictures, video, general information or identifying information in marketing and public relations activities.

### **Participating in Fair Competition**

Antitrust laws are intended to promote fair and vigorous competition. These rules encourage

us and other health care systems to continually strive to better serve our patients, employees, customers and community. While we compete to gain patients and employees, we always do so fairly. Fair competition rules cover a broad range of interactions with competitor health care systems, customers and suppliers that may otherwise reduce competition.

We avoid discussions or agreements with employees or representatives of other health care systems about costs, price setting, terms with suppliers or customers, allocation of market share among competitors, strategies or marketing plans.

If a competitor raises an inappropriate subject, you must:

- » End the conversation immediately
- » Request that your refusal to participate in the conversation be documented in the meeting minutes, if you are in a meeting
- » Notify the Legal or Organizational Integrity and Compliance Departments

Carilion employees must avoid discussing sensitive topics with competitors or suppliers, unless the discussion is consistent with the advice of legal counsel.

We must always consult with the Legal Department before providing any information in response to an oral or written inquiry concerning an antitrust matter. Also, it is important to avoid any conversation with a supplier that may suggest an attempt to limit competition among suppliers. An example of this might be unilaterally refusing to do business with a certain supplier.

### **Handling Outside Inquiries**

We want to ensure that we provide truthful, accurate information to the news media, general public and others who have an interest in our activities. We provide information to outside parties only if we are authorized to do so. If we receive a request from an outside party for business information, we need to refer the request to or check with the Marketing, Research and Communications (MRC) Department before fulfilling the request. All inquiries from the news media must be directed to MRC, as well.

At Carilion, we acknowledge our responsibility to the public through regulatory oversight. All regulatory compliance inquiries should be coordinated with the Organizational Integrity and Compliance or Legal Department. We must provide complete, factual and accurate information as part of regulatory requests, surveys and inspections. During surveys and inspections, we are courteous and cooperative.

We will provide governmental or external auditors with the information to which they are entitled during a review, inspection or audit. We never fail to provide accurate information and we must not obstruct, mislead or delay when providing information or records as requested. We must never conceal, destroy or alter documents, or make false or misleading statements. We must not attempt to cause or influence another person to not meet these standards.

*Spotlighting...*

## Excellence in Our Operations



- » We follow good business practices to avoid fraud, waste and abuse
- » We ensure claims are coded, billed and processed accurately
- » We protect information from misuse or improper access or disclosure
- » We record business information honestly, accurately, completely, timely and clearly
- » We monitor and audit activities

### **The promises we make:**

We contribute all we can to improving decisions, policies and actions by fully expressing opinions and disagreements, regardless of the level or position of the person we need to address. We freely and promptly share information with those who need it.

To hold people accountable to mutually agreed upon goals and objectives, whenever we have a concern with the performance or behavior of others, we take action to make sure the problem is addressed; first, by speaking directly and respectfully with the person involved, and then if unsuccessful, by engaging the chain of command to resolve outstanding issues.

As a not-for-profit health care system, we have limited resources. We are committed to using our resources wisely. The health of our patients and employees depends upon us being responsible guardians of our operations.



## **Payment for Services**

Our standard is to bill patients and third-party payers only for clinically appropriate services. All Carilion entities are prohibited from knowingly presenting (or causing to be presented) a false or fraudulent claim for payment. Knowingly means having actual knowledge of the false claim, acting in deliberate ignorance of the truth, falsity of the information, or acting in reckless disregard of the truth or falsity of the information.

We are also prohibited from knowingly making or using (or causing to be made or used) a false record or statement to get a false or fraudulent claim paid. We verify that claims are submitted only for services actually rendered. Our services are coded and billed appropriately. We strive to ensure and maintain complete and accurate documentation of these medical services and aim to collect the full amount of co-payments and other deductibles where required by payer agreements. Any overpayments from a government health care program must be reported and returned without delay and according to payer expectations.

We promote patient and employee understanding of the cost of care and billing procedures. We attempt to answer questions and resolve disputes related to billing to the patient's and payer's satisfaction.

**Q. We are really driven by meeting the financial plan and staying on target. Sometimes that means we take shortcuts to get the work done, but I think we may be unintentionally breaking the rules. What should I do?**

**A.** Health care has many laws and regulations to ensure that the highest quality of care is provided and that we are paid appropriately for these services. If you think there may be a problem, asking the question is the right thing to do. You can go to your manager, speak with any member of the management team or contact the Organizational Integrity and Compliance Department at 1-888-822-1884/compliance@carilionclinic.org or the Integrity Help Line at 844-732-6232 or CarilionClinicIntegrity.org.

**Q. We recently changed our work processes in our clinical department. During this time, we may have double entered some of the charges. What do I do?**

**A.** Inform your manager of your concern immediately. Timing is important, because if there is an error, resolving it quickly will avoid or reduce potential penalties. You may be asked to coordinate with your manager and the Organizational Integrity and Compliance Department to confirm whether the charges were actually entered twice.

**Q. I keep seeing physician claims that have no documentation to support the coding and charges. What do I do?**

**A.** Discuss your concerns with your manager. We may need to offer education or review the documentation further. The Organizational Integrity and Compliance Department is a resource as well.

**Q. We perform many procedures, but it seems that some of the patients do not need them. I'm not a doctor, but this does not feel right. What do I do?**

**A.** All the services that we provide must be clinically appropriate. This is not only a requirement for us to be paid, but is crucial to protect our patients from harm. If you suspect that patients are receiving care that is not appropriate, contact your manager or the Organizational Integrity and Compliance Department immediately.

### **Conducting Scientific and Clinical Research**

We follow high ethical and legal standards in any research performed at Carilion and by Carilion professionals in any setting. All such research must be pre-approved by the Institutional Review Board (IRB). In keeping with good clinical practice and the regulations, we ensure that Carilion provides protections for human subjects, including the use of the informed consent process, where required. Participation in research is voluntary, and a patient's right of refusal is honored and does not impact or compromise access to services.

In performing research, we strive to maintain the highest standards in all written and oral communications regarding research. We also comply with applicable state, federal and local research policies, regulations and guidelines. We adhere to research authorship, attribution and other intellectual property standards and related policies.

We do not support research misconduct. Research misconduct includes, but is not limited to, falsifying, plagiarizing or copying results from other studies without performing the

research. We will follow our misconduct policy and act promptly to address and resolve any and all allegations.

As in all accounting and financial record keeping, we must submit only true, accurate and complete costs related to research grants and studies.



## *Curiosity*

**“Around here, however, we don't look backwards for very long. We keep moving forward, opening up new doors and doing new things, because we're curious...and curiosity keeps leading us down new paths.”**

*Walt Disney Company*

# Business Information

## **Confidential and Other Non-public Information**

We must safeguard our business and company information. We will keep the information stored in a safe location, share it only with colleagues and others who are authorized to have it and dispose of it according to our procedures.

Likewise, business partner/vendor information should be handled carefully and is often subject to confidentiality obligations. When we accept others' business information, we must acknowledge and respect the limits on how we use the information. Confidential information should be viewed or provided to others with a legitimate business reason and with an understanding that they must maintain the confidentiality as well.

Confidential information includes, but is not limited to:

- » Business practices and information
- » Clinical information\*
- » Contract terms
- » Customer lists
- » Employee data
- » Employee lists
- » Financial data
- » Information pertaining to affiliations
- » Marketing strategies and techniques
- » Patient data\*
- » Policies and procedures
- » Pricing and cost data
- » Proprietary computer software
- » Research data\*
- » Strategic and business plans
- » Student data
- » Trade secrets
- » Vendor and contractor lists

*\*Patient data, clinical information and research data are subject to additional requirements. See the patient privacy and research sections of the Code for further information.*

## **Respecting Intellectual Property**

Intellectual property includes information protected by copyrights, trademarks, service marks or patents, and should be safeguarded by using the appropriate symbol. The Legal Department should be notified if we believe our intellectual property is being used inappropriately or without permission. We respect the intellectual property of others and follow the rules that apply to its use.

A trade secret is a form of intellectual property. Our trade secrets relate to our strategies and overall organizational success. Our trade secrets can only be shared with others who are specifically authorized to receive them. Likewise, we do not accept others' trade secrets without their permission and follow any restrictions on their use.

## **Protecting Technology and Communications**

As technology improves the quality of the health care and other services that we deliver, it becomes increasingly important that we protect our vital electronic media and other communications systems. Our communications systems are intended for business use.

Communication systems include:

- » Computers and computer system access
- » Email
- » Internet access
- » Mobile phones and personal digital assistants (such as smartphones and tablets)
- » Pagers
- » Telephones
- » Voice mail

Confidential information should only be sent through email (or via the Internet) when it is encrypted or secured in a manner aligned with

policies and applicable rules and regulations. We enjoy limited personal use of these systems in accordance with Carilion policy.

These communications are not private and may be monitored as part of any normal communications monitoring procedures. Abuse of this privilege may lead to its loss and further corrective action.

**Q. A new co-worker does not yet have access to Epic or Lawson. Can she borrow my password?**

**A.** She cannot because all new employees must wait to be assigned their own password. Protecting a password is the responsibility of its owner. You are accountable for all actions associated with it. It is your legally binding electronic signature. Keeping tight control over your password and changing it when prompted helps protect all Carilion data.

### **Using Other Carilion Resources**

Carilion resources are used to advance our mission and serve our patients, employees and customers. These resources include funding, personnel, facilities, vehicles, equipment, supplies and pharmaceutical products. Quality service requires effective use of these resources. We use them responsibly, and ensure that others do, too. We share them or allow others access to them only for legitimate business purposes and with the proper authorization.

Procedures must be followed for disposing of any Carilion property. We must be especially vigilant for product diversion, such as with pharmaceutical products. Also, we do not use Carilion work time to pursue outside activities.

### **Keeping Accurate Records of Transactions**

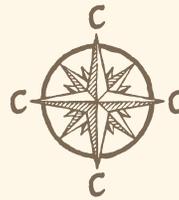
Keeping accurate records of our business transactions builds our reputation of integrity. Entries recorded in our records must be accurate, complete, fair, timely and understandable. No part of any records may be falsified or improperly altered. We must never create or approve a record that is intended to mislead, conceal or improperly reflect the true intention of a transaction. Financial records must follow generally accepted accounting principles and other applicable standards.

Records can relate to financial, operational, claims, or regulatory transactions or other activities. They include documentation of business activities, transactions, payments, receipts, applications, agreements, bids, contracts and assets. Records may include paper documents, such as letters and memos, computer-based information, such as e-mail or computer files on disk or USB drive, or any other medium that contains information about the organization or its business activities.

We follow Carilion standards, policies and procedures related to record retention, destruction and disclosure. Even inadvertent destruction or disclosure can lead to stringent penalties for Carilion and responsible employees.

## **Monitoring**

An important step toward safeguarding resources is active oversight of those resources. Managers are expected to regularly monitor their operations to ensure compliance with laws and regulations and policies and procedures. Any integrity or compliance concerns identified during monitoring activities must be reported immediately to the Organizational Integrity and Compliance Department. The Organizational Integrity and Compliance and Internal Audit departments supplement operational monitoring activities with auditing.



## **Commitment**

**“The time is always right to do what is right.”**

*Martin Luther King Jr.*

**Federal and state false claims acts and, specifically, the Federal Fraud Civil Remedies Act, impose heavy penalties for improper recording of business transactions and record destruction regarding health care claims for payment to the government, whether made intentionally or unintentionally. Penalties may apply to Carilion or individual employees. Therefore, we must understand the purpose of any business transaction that we make, assist with or approve.**



*Spotlighting...*

## **Excellence in Our Environment**



- » We protect the health and safety of others
- » We keep an alcohol-, tobacco- and drug-free work environment
- » We properly handle and dispose of toxic and hazardous waste
- » We protect the environment

A commitment to excellence means that we care about the good health of not only our patients, but also our employees. We maintain a workplace with the basic essentials for good health. We act in safe and healthy ways and do our jobs with clear minds. Our concern for good health extends to our community with a concern for how our operations affect the environment.

### **Prioritizing Health and Safety**

As a health system, a core priority for us is the health and safety of our patients, visitors, employees and other members of our team. We have established policies and procedures to ensure this objective. We are all expected to know the health and safety policies that apply specifically to our jobs and to our facilities. We must immediately report to our supervisor or safety manager any serious workplace injury or any situation that presents a danger of injury so that it can be corrected.

### **Preventing Substance Use and Diversion**

For a safe and healthy workplace, and in service to our patients and employees, we take seriously the use of any substance that may influence your ability to work. We are expected to come to work unencumbered by use of alcohol, medications or other substances.

You may face immediate termination if you report to work under the influence of any illegal drug or alcohol, have an illegal drug in your system, or possess or sell illegal drugs while on Carilion work time or property. You are responsible for ensuring that any medication you take will not impede job performance, ability or judgment.

If you are not sure about the effects of your medications on your work, it is your responsibility to discuss the matter with a physician, a manager or Human Resources.

Carilion may test employees, consistent with drug testing policies, to determine the presence of drugs, narcotics or alcohol. Some employees may have access to prescription drugs, controlled substances and other medical supplies. Possession and use of many of these substances are regulated, and they require a physician's order to administer.

These items must be handled properly and only by authorized individuals to reduce risks to patients and employees. If you learn about the diversion of these items from Carilion facilities, or from another institution or organization where Carilion provides services, you must immediately report the incident to a manager, the Human Resources Department, the Organizational Integrity and Compliance Department or the Integrity Help Line.

**Q. I often cover break for my co-worker, Susie. Her patients often complain that they have pain, but their medication records show they have recently received pain medication. Susie appears to be very sleepy and grouchy after her breaks. I think she may be taking the drugs from the patients and using them herself. What should I do?**

**A.** Talk with your charge nurse or manager right away. You can call the Integrity Help Line, as well. Patients must have their pain properly managed. For our patients' sake, we need to ensure that Susie is not under the influence of drugs. Lastly, if Susie is diverting the drugs, that would be considered theft.

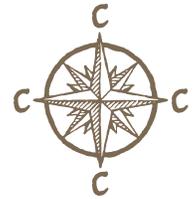
### **Environmental Protection**

Our commitment to our local communities and their health and safety calls for us to safeguard the natural environment. Each of us has the responsibility to take measures that demonstrate this commitment. Such measures include:

- » Following procedures for handling and disposing of medical and other waste, especially toxic and hazardous materials
- » Following all environmental protection laws and regulations and our policies and procedures
- » Following our recycling practices
- » Reducing energy use and unnecessary waste



# Code of Excellence Acknowledgement



We sign an acknowledgement that demonstrates our commitment to our Code of Excellence.

## **Carilion Clinic Code of Excellence**

### Code of Excellence Acknowledgement

I acknowledge the following to demonstrate my commitment to our Code of Excellence:

- » I understand the Code of Excellence (“the Code”) is posted on Inside Carilion, the Carilion Clinic Intranet, and public website, CarilionClinic.org.
- » I understand that it is my responsibility to review, and be familiar with, the Code’s contents and related policies and procedures.
- » I agree to comply with the standards contained in the Code and related policies and procedures as part of my continued employment or association with Carilion Clinic.
- » I am aware of my obligation to seek guidance when unsure of the proper course of action and report in a timely manner any integrity and compliance concerns, including possible non-compliance with the Code or other policies.
- » I understand that I am not permitted to retaliate against another person for raising a concern or reporting a suspected violation in good faith.
- » I am aware that any breach of the Code or other policies applicable to me may subject me to corrective actions, up to and including termination of employment or other relationship with Carilion Clinic.
- » I understand that while associated with Carilion Clinic, I am not permitted to be excluded from participation in Medicare, Medicaid or any health care program at a federal or state level. It is my responsibility to immediately disclose to the Organizational Integrity and Compliance Department any current or future federal or state program exclusions.
- » I understand that I am expected to seek clarification and pre-approval of any potential conflicts of interest that I may encounter so that they may be properly managed. If I become aware of a potential conflict of interest that impacts me, I will disclose the matter immediately per Carilion Clinic policies and procedures.

Name \_\_\_\_\_ Date \_\_\_\_\_

Signature \_\_\_\_\_

# Appendix

## The Prevention and Detection of Health Care Fraud, Waste and Abuse

### Federal and State Laws

The government has taken steps to prevent and detect fraud, waste and abuse in the U.S. health system. In accordance with the Deficit Reduction Act of 2005, information regarding the federal and state false claims laws and related qui tam/whistleblower provisions will be communicated to all employees, agents and contractors. In addition, this information is shared through the distribution of the Carilion Clinic Code of Excellence.

### The Federal False Claims Act (FCA)

The FCA is a law that deals with fraud in any federally funded program or contract. Examples of federal programs covered by the FCA are Medicare and Medicaid.

#### a. General Provisions

The FCA establishes liability for any person who knowingly presents or causes to be presented a false or fraudulent claim to the U.S. government for payment. A “claim” includes any request or demand for money that is submitted to the U.S. government or its contractors. The FCA also applies when a person obtains money from the federal government to which he may not be entitled, and then uses false statements or records in order to retain the money. The term “knowingly” is defined as:

- » Having actual knowledge of false information in the claim
- » Acting in deliberate ignorance of truth or falsity of the information in a claim
- » Acting in reckless disregard of the truth or falsity of the information in a claim

The FCA does not require proof of a specific intent to defraud the U.S. government.

Health care providers who violate the FCA may be subject to civil monetary penalties ranging from \$5,500 - \$11,000 for each false claim that is submitted. Penalties of up to three times the

amount of damages may also be ordered. The provider may also be excluded from participating in federal health care programs.

#### b. FCA Qui Tam “Whistleblower” Provisions

The FCA allows any person with actual knowledge of an allegedly false claim to file a lawsuit on behalf of the U.S. government, known as a “qui tam suit.” Such persons are called “whistleblowers” or sometimes “qui tam relators.” In order to file a qui tam suit, a whistleblower must meet several requirements as outlined below.

The whistleblower must file his or her lawsuit on behalf of the government in federal district court. Once filed, the lawsuit is kept confidential or “under seal” while the government investigates the allegations and decides how to proceed. If the government decides that the lawsuit has merit, it may intervene. In this case, the U.S. Department of Justice will try the case. The government may decide not to intervene. In this case, the whistleblower can continue with the lawsuit on his or her own.

If the lawsuit is successful, the whistleblower may receive an award ranging from 15 - 30 percent of the amount recovered. The whistleblower may also be entitled to reasonable expenses, such as attorney fees. If a court finds that the whistleblower planned or initiated the false claims, the award may be decreased. If the whistleblower is convicted of crimes related to the false claims, no award will be given.

The FCA contains important protections for whistleblowers who file claims in good faith. Depending on the circumstances, these protections may not apply to whistleblowers who file frivolous claims, file claims in bad faith or were directly involved in certain aspects of these claims. Retaliatory conduct against an employee who files an FCA lawsuit may entitle the employee

to additional relief, including reinstatement of employment, back pay and compensation for costs or damages.

### **The Program Fraud Civil Remedies Act of 1986 (PFCRA)**

The PFCRA provides administrative remedies for making false claims and false statements in connection with claims to designated federal agencies, including the U.S. Department of Health and Human Services. These penalties are separate from and in addition to any liability that may be imposed under the FCA.

The PFCRA imposes liability on those who file a claim if they know or have reason to know the claim itself or supporting documentation is false, fictitious or fraudulent, including any omission of pertinent facts.

The remedies include an assessment of twice the amount of any unlawful claims, per claim, civil monetary penalties and exclusion from government-funded health care programs.

### **The American Recovery and Reinvestment Act of 2009 (ARRA)**

ARRA is a federal law that is designed to prevent the misuse of stimulus package funds and extends whistleblower protections to employees who reasonably believe they are being retaliated against for reporting misuse of ARRA funds by a non-federal employer. These penalties are separate from and in addition to any liability that may be imposed under the FCA.

ARRA prohibits retaliation against an employee who discloses information that the employee reasonably believes constitutes evidence of:

- » Gross mismanagement of a contract or grant relating to stimulus funds
- » Gross waste of stimulus funds
- » Substantial or specific danger to public health or safety related to implementation of

stimulus funds

- » Abuse of authority related to implementation or use of stimulus funds
- » Violations of law, rule or regulation related to a contract or grant relating to stimulus funds.

The above allegations must have been reported to at least one of the following to be granted possible protection: a person with supervisory authority over the employee (or another employee of the employer who has authority to investigate, discover or terminate misconduct); an Office of Inspector General; the Recovery Accountability and Transparency Board; the Comptroller General; a member of Congress; a State or Federal regulatory or law enforcement agency; a court or grand jury; or a Federal agency head or his/her representatives.

Retaliatory conduct against a person protected under ARRA provisions may result in a federal agency order for reinstatement, back pay, employment benefits, compensatory damages and/or attorney fees.

### **Other Federal Laws**

Federal law also contains criminal sanctions for false claims and statements that may be applicable to identified instances of health care fraud.

### **The Virginia Fraud Against Taxpayers Act (FATA)**

FATA is a law that imposes liability on those who knowingly present false or fraudulent claims for payment with Commonwealth funds, misappropriate Commonwealth property or deceptively avoid obligations to pay the Commonwealth. FATA applies to state programs such as Medicaid.

#### **a. General Provisions**

FATA establishes liability for any person who knowingly presents or causes to be presented a false or fraudulent claim for payment to the

Commonwealth. A “claim” means an attempt to cause the Commonwealth to make a payment. Liability may also occur if one avoids or decreases an obligation to pay or transmit money or property to the Commonwealth.

The term “knowingly” is defined as:

- » Having actual knowledge of false information in the claim
- » Acting in deliberate ignorance of truth or falsity of the information in a claim
- » Acting in reckless disregard of the truth or falsity of the information in a claim

The FATA does not require proof of a specific intent to defraud the Commonwealth. Those who violate the FATA may be subject to civil penalties. Monetary penalties of not less than \$5,500 and not more than \$11,000, plus three times the amount of damages sustained by the Commonwealth apply.

#### **b. FATA Qui Tam Whistleblower Provisions**

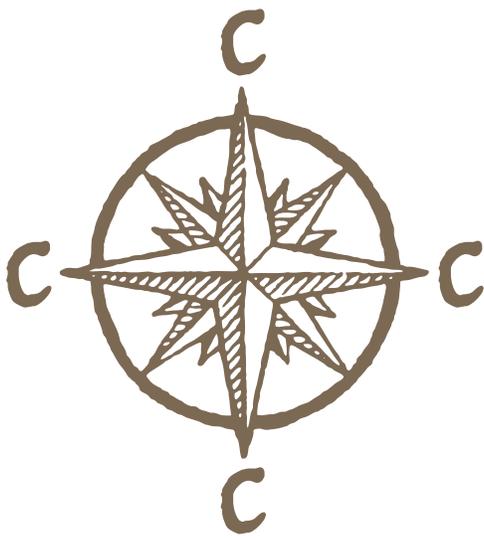
FATA allows any person to file a civil lawsuit on behalf of the Commonwealth. Such persons are called whistleblowers.

The whistleblower must file his or her lawsuit on behalf of the Commonwealth. If the government decides that the lawsuit has merit, it may intervene. In this case, the attorney general will prosecute the case. The whistleblower has the right to continue as a party to the action, subject to certain limitations. The government may decide not to intervene. In this case, the whistleblower can continue with the lawsuit on his or her own. The Commonwealth reserves the right to intervene at any time.

If the lawsuit is successful, the whistleblower may receive an award ranging from 15 - 25 percent of any recovery to the state if the Virginia Attorney General intervenes in the matter. If

the whistleblower successfully prosecutes the case on his own, he may receive between 25 - 30 percent of the award. The court may reduce the value of the award if the whistleblower planned or initiated the fraud, or if the action is largely based on information disclosed in the media or public hearings.

FATA also protects whistleblowers from retaliation for filing a claim or assisting the Commonwealth. Retaliatory conduct may entitle the employee, contractor or agent to additional relief, including reinstatement, back pay and compensation for costs or damages.



**Carilion Clinic Organizational Integrity and  
Compliance Department**

Carilion Administrative Services Building  
213 S. Jefferson St., Suite 1201  
Roanoke, VA 24011

**Integrity Help Line: 844-732-6232**  
[CarilionClinicIntegrity.org](http://CarilionClinicIntegrity.org)

