



POLICY AND PROCEDURE	
TITLE: Code of Conduct and Ethics	
Primary DEPARTMENT: Compliance	POLICY #: CMP03
IMPACTED DEPARTMENT(S): Check all departments impacted by this policy	
<input type="checkbox"/> Administration <input type="checkbox"/> Human Resources <input type="checkbox"/> Claims <input type="checkbox"/> Information Technology <input type="checkbox"/> Compliance <input type="checkbox"/> Marketing <input type="checkbox"/> Customer Service <input type="checkbox"/> Medical Management <input type="checkbox"/> External Affairs <input type="checkbox"/> Provider Networks <input type="checkbox"/> Facilities <input type="checkbox"/> Project Management <input type="checkbox"/> Finance <input checked="" type="checkbox"/> ALL	
EFFECTIVE DATE: 02/01/96	REVIEW/REVISION DATE: 06/05, 06/16, 06/17, 10/18; 01/20; 10/21
COMMITTEE APPROVAL DATE: PRC: 06/16, 06/17, 01/19, 01/20, 10/21 Compliance: 01/19/19	RETIRE DATE:
PRODUCT TYPE: Medi-Cal	REPLACES:

I. PURPOSE

The Health Plan of San Joaquin (HPSJ) workforce and Delegates shall act in an ethical manner in accordance with the organization’s values and the HPSJ Code of Conduct and Business Ethics (HPSJ Code). HPSJ will review, update, approve and communicate to workforce and Delegates the HPSJ Code that describes the requirement for conduct that is ethical and in compliance with the HPSJ Code.

II. POLICY

- A. HPSJ workforce will review and attest to understanding the HPSJ code within 30 days upon hire and annually thereafter.
- B. HPSJ workforce will report any violations of the HPSJ Code upon becoming aware.
- C. HPSJ workforce will comply with all policies and procedures to ensure proper operation of the health plan.

- D. HPSJ does not and will not sanction, penalize, or reprove providers for giving their patients medically appropriate care and referrals. The delivery of effective, clinically appropriate medical services is the most essential factor in the provision of quality healthcare. HPSJ recognizes that quality health care is the basis of cost-effective health care.
- E. HPSJ member will not be discriminated against by HPSJ or its contracted providers due to the member filing a complaint or grievance against the HPSJ or a contracted provider. Any alleged discrimination due to a member filing a complaint or grievance will be investigated in accordance with the grievance policy and procedure (P&P).
- F. Member health care, consistent with professionally recognized standards of practice, will not be withheld, delayed or denied to any member for any reason. HPSJ does not offer financial incentives related to withholding, delaying, or denying healthcare to its members. The delivery of quality health care according to professionally recognized standards of practice in an expedient manner is essential to the HPSJ's efforts to deliver cost effective healthcare.
- G. HPSJ does not, and will not, exert any economic pressure upon providers to grant privileges to any healthcare providers that would not otherwise be granted. All providers must deliver healthcare services in strict accordance with their professional license, clinical capabilities, and credentials.
- H. HPSJ will not intimidate, threaten, coerce, discriminate against, or take other retaliatory action against an individual, or their personal representative, who:
 - I. Files a complaint with the Secretary of Health and Human Services alleging that HPSJ violated the privacy of that individual as defined under the HIPAA Privacy Rule;
 - II. Testifies, assists, or participates in an investigation, compliance review, proceeding, or hearing, or
 - III. Opposes any act or practice of the HPSJ that violates the HIPAA Privacy Rule, provided the individual has a good faith belief that the practice they oppose is a violation, and the manner of their opposition is reasonable and does not involve a disclosure of protected health information.

III. PROCEDURE

A. Review and Approval of the HPSJ Code



1. The Compliance Department is responsible for the maintenance and regular update of the HPSJ Code.
2. Once approved by the Compliance Committee and Governing Board, with the support of the Human Resources department, Compliance is responsible for ensuring the HPSJ Code is communicated to workforce and Delegates.

B. Distribution of the HPSJ Code to Work force

1. All HPSJ workforce shall receive the HPSJ Code within thirty (30) days of hire and annually thereafter. Workforce is required to read and acknowledge receipt of the HPSJ Code.
2. Upon revision to the HPSJ Code, the Compliance Department will work with the Human Resources Department to distribute to all workforce.

C. Distribution of the HPSJ Code to Delegates

1. The Compliance Department ensure the HPSJ Code is updated and on HPSJ website for Delegates to review.

D. Reporting of Deviation

All HPSJ workforce and Delegates are required to report any deviation from this policy and/or the HPSJ Code to their Supervisor, Chief Compliance Officer or designee.

IV. ATTACHMENT(S)

- A. HPSJ Code of Conduct and Business Ethics
- B. [Policy and Procedure Glossary Link](#)

V. REFERENCES

- A. 28 CCR §1300.68
- B. 28 CCR §1300.70
- C. 45 CFR §164.530(g) Standard: Retraining from intimidating or retaliatory acts.
- D. OIG Health Care Compliance Program Tips

VI. REGULATORY AGENCY APPROVALS

Not Applicable

VII. REVISION HISTORY

STATUS	DATE REVISED	REVISION SUMMARY
Revised,	10/10/18	Updated for clarity and to place in new P&P template. Renamed from Ethical Conduct Policy to Code of Conduct and Ethics.
Review	01/16/19	PRC review with edit to change “staff” to “workforce”
Revised	01/24/2020	Updated the policy to include the workforce requirement to comply with the code of conduct and ethics. Also updated the reference to individual HR staff changed to department.
Revised	02/25/2020	Updated header to be consistent with new template. AG
Reviewed	10/18/2021	Reviewed policy to ensure language is still current. No content changes needed. AG