



MAYO CLINIC

# Integrity and Compliance Program



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**COMPLIANCE**  
everyone's responsibility



The three shields of the Mayo Clinic logo symbolize patient care, medical education and research. They also represent our organizational identity and the standards and traditions that have contributed to the success of Mayo Clinic for more than a century. Much of what sustains the quality and strength of the three shields is our conduct and behavior as individuals.

I believe that our long-term commitment to the principle of integrity will continue to differentiate us from other health care providers. While we are committed to honest and ethical behavior as an organization, the practice of behaving honestly, ethically and with integrity is an individual responsibility. Each day in our work, we make choices about how to conduct ourselves. Each of us is accountable for those decisions.

The Integrity and Compliance Program formalizes our tradition of honest and ethical behavior and conduct. The Code of Conduct is an essential component of the program and is pivotal to strengthening and sustaining the environment in which we work. As the health care environment continues to change, the need to preserve Mayo's tradition is more important than ever.

Your role in ensuring that honesty and ethical behavior continue to be a part of our culture is crucial. The Code of Conduct is provided to you as a resource. It offers an overview of the Integrity and Compliance Program and the Compliance Office. Please refer to it when you have questions about any part of the Integrity and Compliance Program.

A handwritten signature in black ink that reads "Denis A. Cortese". The signature is written in a cursive, flowing style.

DENIS A. CORTESE, M.D.  
PRESIDENT AND CHIEF EXECUTIVE OFFICER  
MAYO CLINIC

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*Code of Conduct Appendices are located on the Compliance Office intranet site.*



## **Integrity and Compliance Program**

Mayo Clinic created the Integrity and Compliance Program to reinforce Mayo's commitment to conducting its business with integrity. When people behave with integrity, they act honestly, sincerely, ethically, morally and legally. The Mayo Clinic Code of Conduct is a formal statement of Mayo's standards and rules of ethical business conduct.

The Integrity and Compliance Program places all policies and procedures related to ethical conduct and compliance under one umbrella. This gives Mayo Clinic a way to communicate standards of ethical conduct to its employees, outside businesses and the general public.

## **The Compliance Office**

The Compliance Office oversees the Integrity and Compliance Program. Compliance officers at each Mayo site act as a resource for questions and concerns about the current health care environment. They work with department and division chairs, physician leaders and appropriate committees to ensure compliance with complex regulatory requirements. The office also provides annual education on current compliance topics for all Mayo employees.

The Compliance Office is available to receive all reports of suspected violation of Mayo policy or applicable laws and regulations. Every suspected violation reported to the Compliance Office, either directly or through the Compliance Hotline, is thoroughly investigated.

The Legal Department also is available to assist with questions about how to comply with legal requirements.

### **Why does Mayo need an Integrity and Compliance Program?**

Mayo needs this program for the following reasons:

- To provide a formal statement of Mayo's standards and rules of ethical business conduct to all Mayo employees and business partners
- To provide information about existing laws, future laws as they are enacted and Mayo Clinic policies
- To protect Mayo Clinic and its staff from legal action should a breach of ethical conduct occur

Mayo Clinic is committed to maintaining a culture that promotes the prevention, detection and resolution of conduct that does not conform to laws, regulations, Mayo policy or the Mayo Clinic Code of Conduct.

**Does the Mayo Clinic Integrity and Compliance Program apply to me?**

The Integrity and Compliance Program sets the ethical tone for work conducted at Mayo. No person's job or position at Mayo is more important than preserving Mayo's reputation for integrity.

**The Integrity and Compliance Program applies to everyone.**

This includes:

- Mayo Clinic trustees and officers
- Employees who work at all Mayo entities (physicians, scientists, voting staff, allied health staff)
- Contract employees
- Short-term research appointees
- People who do business with Mayo
- Students
- Volunteers

All Mayo employees are expected to follow the standards described in the Code of Conduct.

- Compliance is everyone's responsibility.
- Everyone who works at Mayo has a responsibility to, in good faith, report any known or suspected violation of Mayo policy or applicable law or regulation.
- Anyone, who honestly and in good faith reports suspected wrongdoing, will be protected from retaliation.
- All Mayo employees are expected to participate in annual Integrity and Compliance Program training.

**What if I need more information about the Code of Conduct?**

The Code of Conduct cannot anticipate every circumstance staff may encounter. If you have questions or need advice about a specific situation, talk to your supervisor, administrator, department or division chair, or appropriate physician leader or call the Compliance Office.

**If you suspect a violation of the Code of Conduct or applicable law or regulation, share your suspicion with your supervisor, administrator, division or department chair or the Compliance Office.**

There are two ways to report concerns anonymously and confidentially:

1. Call the Compliance Hotline at:  
1-888-721-5391 (toll-free).  
Interpreter services are available.
2. Use the internet:  
[www.MyComplianceReport.com](http://www.MyComplianceReport.com)  
(Code word: *mayo*).

Go to the Compliance Office intranet site for information on specific policies (search word: *compliance*).

# Mayo Clinic Code of Conduct

The Mayo Clinic (“Mayo”) Code of Conduct (“Code”) is a formal statement of Mayo’s standards and rules of ethical business conduct prepared for Mayo Clinic’s trustees, officers and employees, all of its subsidiaries, those we do business with, and the general public. The Code is part of Mayo’s Integrity and Compliance Program.

There are nine areas of conduct covered in the Code. For more information about each of these areas, refer to appendices on the Compliance Office intranet site (search word: *compliance*).

**Ethics** Mayo’s policy is to prevent unethical or unlawful behavior, to halt such behavior as soon as possible after its discovery, and to discipline employees who violate the standards in the Code. All Mayo employees must comply with the Code of Conduct, seek clarification when questions or issues arise through their Compliance Office, and assist compliance personnel in investigating any allegations of wrongdoing.

Mayo’s Code of Conduct cannot cover all circumstances or anticipate every situation. Consequently, employees encountering situations not addressed specifically by this Code should apply the overall philosophy and concepts of this Code to the situation, along with the ethical standards observed by honorable people everywhere. Mayo Clinic’s policy is to obey the law. Where the law is permissive, Mayo will choose the course of honesty and integrity.

All employees, business partners, and the public must understand that Mayo cares how results are obtained, not just that they are obtained. Employees are encouraged to openly discuss issues with management, to record transactions accurately in books and records (including medical records), and to be honest and forthcoming with internal/external auditors. Mayo expects honesty in all aspects of every employee's work — patient care, records, bookkeeping, budget proposals, economic evaluation of projects, etc.

## **Conflict of Interest and Outside Activities**

Mayo employees must avoid situations in which their personal interests could conflict, *or reasonably appear to conflict*, with the interests of Mayo. For example, any opportunity for personal financial gain apart from the employee's normal compensation is a potential conflict of interest.

### **Personal Financial Gain**

Employees should avoid any outside financial interest that might influence their decisions or actions as Mayo employees, such as:

- A personal or family interest in an enterprise that has business relations with Mayo. (This restriction does not apply to minimal holdings of stock or other securities of a corporation whose shares are publicly traded and that may incidentally do business with Mayo.)
- An investment in another business that competes directly with Mayo. This does not apply if the investment is not a significant part of an employee or the employee's family's net worth, or the area of competition is minimal.

### **Outside Activities**

Employees should avoid outside employment or activities that could have a negative impact on their job performance, conflict with their obligation to Mayo, or negatively impact Mayo's reputation in the community. Employees who think they may have a conflict of interest due to investments or outside activities should consult the Conflict of Interest Review Board on the intranet (search words: *conflict of interest*).

### **Use of Mayo Funds and Assets**

Mayo assets are to be used solely for the benefit of Mayo and may not be used by employees or other Mayo representatives for personal gain. Assets are more than equipment, inventory, funds, and office supplies. Assets include medical records, concepts, financial data, intellectual property rights, research data, business strategies, and plans about Mayo activities.

### **Government Investigations**

It is Mayo's policy that employees cooperate with government personnel conducting investigations. Government investigators have the right to contact you at work or at home for work-related issues. The Legal Department should be contacted immediately about any government investigation. In most situations, employees have the right to decide when and where the interview will be conducted. For more information about your rights regarding government investigators, please contact the Compliance Office.

## **False Claims Act**

Mayo Clinic devotes many resources to preventing and correcting billing errors to Medicare, Medicaid and other payers. The federal government and many states have enacted False Claims Act laws to pursue billing fraud, waste and abuse. Employees who suspect that billing errors are occurring have an obligation to report these to management or the Compliance Office. Employees who report in good faith will be protected from retaliation. The Compliance Office intranet site (search word: *compliance*) provides specific information and resources on these complex laws and regulations.

## **Confidential Information and Trade Secrets**

Mayo patient records must remain confidential in accordance with Mayo policies and applicable laws.

In addition, employees must safeguard Mayo's confidential information and trade secrets. This includes information that is not generally disclosed to the public or information that is useful to Mayo's competitors, such as:

- Financial data
- Planned new projects
- Information about areas where Mayo intends to expand
- Wage and salary data
- Employee information
- Capital investment plans
- Projected earnings
- Changes in management or policies of Mayo
- Unpublished research data

Employees are also expected to refuse improper access to confidential information and trade secrets of any other company, including our competitors.

Guidelines governing confidential information and trade secrets include:

- Discuss proprietary information with others *only on a need-to-know basis.*
- Disclose proprietary information to persons outside of Mayo only in conjunction with the Legal Department, which can provide appropriate disclosure agreements for trade secret or confidential information.
- Be vigilant about inadvertently discussing confidential information or trade secrets in either social conversations or in routine business relations.

## Dealing with Suppliers and Referring Providers

Dealing with product and service suppliers, as well as referring providers, can pose ethical and legal problems. The following guidelines are intended to help employees make ethical decisions in potentially difficult situations.

### **Kickbacks and Rebates**

Employees or their families must not receive personal kickbacks or rebates as a result of the purchase or sale of goods or services at Mayo. Kickbacks or rebates can take many forms and are not limited to direct cash payments or credits. In general, if an employee or family member stands to gain personally from a transaction, that transaction is prohibited. Such practices are unethical and often illegal. A detailed explanation of kickbacks and rebates may be found on the Compliance Office intranet under the appendix for Health Care Integrity Program.

### **Reciprocity**

In many instances, Mayo purchases goods or services from suppliers who also buy goods or services from Mayo. This practice is normal and acceptable, but any form of pressure for reciprocity with suppliers is not. Mayo employees must never ask suppliers to buy Mayo products or services in order to become a Mayo supplier.

### **Gifts or Gratuities from Businesses**

Personal gifts of any kind are not acceptable under any circumstances. Suppliers, other companies, or individuals conducting business with Mayo, or wishing to conduct business with Mayo, may not give gifts of money, food, entertainment, tickets, travel, etc.

## **Food from Businesses**

It is against Mayo policy for any industry representative to bring or deliver food to any Mayo campus location. However, grants from businesses to offset the cost of modest refreshments for bona fide educational meetings may be solicited and accepted, with Mayo providing the refreshments.

The Medical-Industry Relations Policy is available on the intranet (search words: *medical industry relations*).

### ***Gifts from Patients***

Patients who desire to make a gift to Mayo should be referred to the Development Office.

- Gifts of substantial value that cannot be refused graciously should be delivered to Development.
- All gifts of money must be forwarded to Development.

Some patients may insist on making a personal gift to an employee that cannot be declined without embarrassing the patient. If the gift is small, it may be accepted and shared with coworkers (e.g., flowers or a box of candy). Gifts that cannot be shared (e.g., a necktie or bottle of wine) may be used for personal purposes.

This topic can be difficult. Refer to your site policy and seek guidance from your supervisor, administrator, department or division chair, appropriate physician leader, the Compliance Office, or Development.

### **Businesses Meals**

When business meetings include a meal, modest offers of hospitality may be made and accepted by outside business representatives or by Mayo employees.

### **Entertainment by Businesses**

It is unethical to ask any person or company conducting business with Mayo for entertainment of any form (e.g., theatre tickets, golf outings, sports events, etc.). In particular, employees should avoid any offer that is intended to gain favor with business suppliers. Invitations should be declined from vendors, pharmaceutical representatives or business representatives for any entertainment not included in the agenda of a professional educational event, such as national meetings, continuing medical education, and preapproved advisory board meetings.

### **Payment to Agents, Representatives, Outside Consultants**

Agreements with agents, sales representatives or outside consultants must be reasonable in terms of the value of the service provided and the amount of the payment in comparison to trade practices. Any agreement involving more than \$10,000, or lasting longer than one year, must be in writing.

### **Payments to Government Employees**

It is illegal in the United States to offer any government official, directly or indirectly, payment of money, gifts, services, entertainment or anything of value.

### **Other Improper Payments**

The use of Mayo funds or assets for any unlawful or unethical purpose is prohibited. Making payment to a third party for any purpose other than that disclosed on the payment documentation is prohibited.

## Books and Records

### Falsification of Records

Federal law requires Mayo to ensure that its books and records accurately reflect the true nature of the transactions represented. Employees must not create or participate in the creation of any records that are intended to mislead or to conceal anything that is improper.

- It is against Mayo policy, and possibly illegal, to knowingly cause Mayo's books and records to be inaccurate.
- Falsifying records can include making records appear as though payments were made to one person when, in fact, they were made to another, submitting expense accounts which do not accurately reflect the true expense, and creating any records that do not accurately reflect the true nature of a transaction.
- Permanent entries in Mayo records should *never* be altered.
- Payment may not be made if any part will be used for a purpose other than that described in the documents supporting the transaction.
- Slush funds or similar off-book accounts, where there is no accounting for receipts or expenditures on corporate books, are strictly prohibited.

## **Retention of Records**

Disposing of Mayo's records and files is not discretionary. The government requires the retention of certain records for specific periods of time, particularly records related to:

- Employees
- Health and safety
- The environment
- Taxes
- Finances
- Contracts
- Corporate areas

Relevant records must not be destroyed whenever litigation or a government investigation or audit is pending. Until the matter is closed, destroying records to avoid disclosure in a legal proceeding may constitute a criminal offense. For more information, refer to the Records Management & Retention Policy on the Compliance Office intranet site (search word: *compliance*). You may also contact the Legal Department for information on retention periods and restrictions.

## Political Activity and Contributions

Mayo encourages everyone to participate in the political process. However, Mayo is a tax-exempt entity and therefore prohibited from conducting political activities as a condition of tax-exempt status under Internal Revenue Service (IRS) regulations. This prohibition applies to all Mayo entities, as well as the activities of individual Mayo employees during work hours, and any use of Mayo resources to distribute statements supporting or opposing any candidate. Personal political activity should not reference Mayo or the employee's position at Mayo.

It is against Mayo policy, and may also be illegal, for employees to:

- Enter, directly or indirectly, any political contribution on your expense account that causes Mayo to reimburse you for that expense. This includes the cost of fundraising tickets for political functions and fundraising dinners. Even if business is discussed, it is against Mayo policy and possibly illegal to include such costs on your expense account.
- Use any Mayo property, facilities, employee time, or the Mayo intranet for any political activity. Examples of prohibited actions include: using Mayo secretarial time to send invitations for political fundraising events, using a Mayo telephone to make politically motivated solicitations, allowing any candidate to use any Mayo meeting rooms for political campaigning, and using Mayo property in a political campaign.

- Use Mayo's electronic mail service to communicate personal opinions to other individuals, elected representatives, government agencies, newspapers, periodicals, or other external organizations. Since the e-mail address includes the Mayo name and is visible to those receiving the e-mail, your personal opinions might be construed as official Mayo policy.

**Note:** Anyone in a leadership position who is involved in political activity must be particularly aware that these activities carry the inherent risk of creating the appearance of a Mayo endorsement. Therefore, certain political activities must be avoided unless the individual takes appropriate actions, which may include resigning the leadership position.

Mayo and other tax-exempt organizations are permitted to engage in very limited lobbying activities that must be coordinated through the Department of Public Affairs, the Legal Department and Mayo leadership. Because the political process has become highly regulated, employees should consult the Compliance Office before agreeing to do anything that could be construed as involving Mayo in any political activity at either the federal, state, local level, or in any foreign country.

## Safety, Health and Environment

Mayo is committed to providing a safe and healthy workplace for its employees and for visitors to its premises. Mayo is equally committed to preventing the deterioration of the environment and minimizing the impact of its operations on the land, air and water. These commitments are met only through the cooperation of all employees.

Everyone has a responsibility to:

- Abide by safe operating procedures
- Guard their own and their fellow employees' health
- Use pollution control systems

Federal, state and local regulatory agencies exist to ensure compliance with laws and regulations affecting safety, health, and the environment. It is Mayo's policy to comply with these laws and regulations and to develop a cooperative attitude with inspection and enforcement personnel. Mayo employees are encouraged to report any conditions that they perceive to be unsafe, unhealthy or hazardous to the environment.

**If you suspect a violation of applicable law or regulation, share your suspicion with your supervisor, administrator, division or department chair, appropriate physician leader or the Compliance Office.**

## **Employee Relations**

Mayo believes in providing equal employment opportunity to qualified individuals, regardless of their race, color, sex, religion, national origin, disability or age. Mayo is committed to following the human rights laws of the United States and the states where employees live. This commitment relies on all employees treating each other with mutual respect, courtesy and fairness. Every employee has a right to work in an environment free of harassment or discrimination because of race, color, sex, religion, national origin, disability or age.

# Compliance Resources

All Mayo employees are expected to comply with the Code of Conduct and its underlying policies and procedures. When in doubt, it is your responsibility to seek clarification from your supervisor, administrator, division or department chair, appropriate physician leader, the Compliance Office or, if necessary, from the Legal Department, the Office of Medical-Industry Relations or the Conflict of Interest Review Board.

There are two ways to report concerns anonymously and confidentially. Both are available 24 hours a day, every day of the year.

1. Call the Compliance Hotline at:

1-888-721-5391 (toll-free).

Interpreter services are available.

2. Use the internet:

[www.MyComplianceReport.com](http://www.MyComplianceReport.com)

(Code word: *mayo*).

You can find additional guidance through these resources:

- Medical-Industry Relations Policy
- Conflict of Interest Policy
- Staff Policy Manual (site-specific)
- Site-specific employee policy manual

# Mayo Compliance Office

The Compliance Office is responsible for implementing the Integrity and Compliance Program. It provides training and information about the Code of Conduct, existing laws and newly enacted laws to Mayo employees, business partners, vendors and people who work on behalf of Mayo. The Compliance Office also offers a variety of ways to access information concerning the Code of Conduct.

## **How to report suspected violations or seek compliance information**

The Compliance Office operates a confidential, toll-free Compliance Hotline and an external web site for questions and reports about compliance-related issues and the Code of Conduct. Trained professionals at an external company with Compliance Hotline expertise will take calls and receive web-based reports. Interpreter services are available. If you make a report, you will be given a password so that you can anonymously check on the status of the report.

If you report violations in good faith, you will be protected from any form of retaliation.

## **Disciplinary action**

Employees who knowingly violate the Code of Conduct will be subject to appropriate corrective action, up to and including termination. Individuals who think they have been unfairly disciplined may follow the appeal process described in their site policy manual.

# Frequently Asked Questions

## **Why do we need an Integrity and Compliance Program?**

Abuse and fraud in health care can result in criminal prosecution, civil liability and administrative fees. The Integrity and Compliance Program demonstrates Mayo's commitment to ethical behavior and provides a means to discover mistakes early and correct them. Mayo does not interpret honest mistakes as fraud.

## **Why am I required to complete training on the Integrity and Compliance Program?**

Compliance education is an important tool to help you become more aware of your personal responsibilities and accountability. The Integrity and Compliance Program defines proper conduct for doing business. The current health care environment is complex, and the Integrity and Compliance Program can help employees understand and comply with legal and ethical policies that will protect them and Mayo.

## **Who works in the Compliance Office?**

Each Mayo Clinic campus has a Compliance Office staffed by a compliance officer. Mayo Clinic's Compliance Committee oversees the Integrity and Compliance Program.

## **What happens if there is a suspected violation of the Code of Conduct?**

The site compliance officer will investigate the suspected violation. Additional staff may assist with the investigation, including physicians, Human Resources, the Conflict of Interest Review Board, etc.

**Does the U.S. or state government encourage compliance programs?**

Yes. The government would like the health care industry to adopt a model of self-compliance to prevent fraud and abuse.

**We do business with a company that wants to fly several of us to its headquarters for a meeting. Is this allowed?**

No. This travel arrangement should be refused because such arrangements may constitute a conflict of interest. Mayo's Code of Conduct requires all Mayo employees to avoid conflicts of interest or even the appearance of conflict of interest. If there are legitimate reasons to make such a trip, Mayo should pay the travel costs.

**As a staff member, I receive my medical care here. Is my medical record kept confidential?**

Yes. Mayo policy and the Code of Conduct require all employees to respect the confidentiality of every patient and his or her information. Confidentiality standards are the same for ALL patients.

**I'm concerned about the health of a co-worker and want to do what I can to help. Is it acceptable to look up the medical record?**

No. You may only access patient information as required for you to complete your work. Accessing patient information for any other reason may be grounds for discipline, up to and including termination.

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## For more information or to report a suspected violation

You are expected to comply with the Code of Conduct and the Integrity and Compliance Program. To report a suspected violation of the Code, of an applicable law or regulation, or simply to learn more about the Code of Conduct, use the resources below.

- Visit the Mayo Clinic Compliance intranet site  
(search word: *compliance*)
- Talk to your supervisor, administrator, division or department chair, or appropriate physician leader
- Contact the Compliance Office at your site
- Call the toll-free Compliance Hotline:  
1-888-721-5391  
Interpreter services are available  
Calls are anonymous and confidential
- Use the internet:  
[www.MyComplianceReport.com](http://www.MyComplianceReport.com) (Code word: *mayo*)  
Reports are anonymous and confidential
- Call the Mayo Clinic Director for Compliance:  
507-284-9029
- Call the Legal Department:  
507-284-2650



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