



## ***Introduction***

Children's National Hospital ("Children's National"<sup>1</sup>) is committed to the highest standard of business ethics and integrity. Our continued success depends on our employees, vendors and business partners acting with honesty and integrity while conducting business with or on behalf of our organization. We believe that acting ethically and responsibly is not only the right thing to do for our patients, but also the right thing to do for our business.

Children's National defines "Vendors" as all contractors, manufacturers, suppliers, distributors, wholesalers, service companies, and other businesses that provide or seek to provide services, equipment or products to Children's National. The term Vendor does not apply to non-Children's National providers who may perform services at a Children's National facility or to other hospitals that Children's National may partner with on mutually agreed upon initiatives.

This Vendor Code of Conduct ("Vendor Code") sets forth the minimum standards by which all Vendors are expected to conduct themselves when providing equipment, goods and services to Children's National. Please note that Children's National departments may establish guidelines that are more restrictive than those described in this Vendor Code.

## ***Compliance with the Vendor Code and Children's National Policies***

Vendors must ensure that they understand and comply with this Vendor Code. Vendors are required to acknowledge their obligation to comply with this Vendor Code and Children's National policies. If a Vendor becomes aware that it is out of compliance with this Vendor Code, the Vendor is required to promptly inform Children's National.

Vendors must educate their employees and subcontractors on the Children's National principles and requirements of this Vendor Code. Vendors are obligated to require such employees and subcontractors to agree to and abide by the provisions set forth herein. Children's National may prohibit any Vendor employee from providing services to Children's National if the employee has behaved in a manner that is unlawful or inconsistent with this Vendor Code or with any Vendor-applicable policy of Children's National (e.g., social media, HIPAA Privacy and Security).

Vendors shall conduct appropriate oversight of their subcontractors and retain information necessary to demonstrate monitoring related to this Vendor Code, and make such information available to Children's National upon request. Vendors are also expected to take appropriate action against their employees and contractors who have violated the law or the terms of this Vendor Code. Vendors that employ subcontractors to supply goods or services to Children's National must disclose the names of all subcontractors to Children's National upon request.

## ***Children's National Code of Conduct and Reporting Concerns***

Children's National Code of Conduct describes actions and behaviors expected of all individuals who work for or on behalf of the organization, its affiliates and subsidiaries. The Code of Conduct is available to all Vendors on the Children's National Vendor website.

Vendors and their employees should work with their Children's National primary business contact to resolve any business practice or compliance concerns. However, should it not be

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<sup>1</sup> This Vendor Code of Conduct applies to all Vendors of Children's National and its wholly owned affiliated entities, including but not limited to, Children's National Hospital, Children's Research Institute, Children's Pediatrics and Associates, Children's National Health Network, Children's Hospital Foundation, Children's National Pediatric Specialists of Virginia, HSC Pediatric Center, and Health Services for Children with Special Needs, Inc. (HSCSN), (collectively known as "Children's National").



possible or appropriate to resolve a concern directly with their primary business contact, Vendors may contact Children's National's Compliance directly.

Vendors can report suspected violations of this Vendor Code or Children's National policies, requirements and standards using one of the following:

- Engaging Compliance directly at 202.471.4860, or [compliance@childrensnational.org](mailto:compliance@childrensnational.org)
- Utilizing Children's National's Compliance Hotline, TEL-A-BEAR (844-835-2232)

Children's National will not tolerate any retaliation taken against an individual who has in good faith sought out advice or has reported questionable behavior or a potential violation.

### ***Compliance with the Law***

Vendors are required to conduct their business activities in compliance with all applicable local, state, federal, and national laws and regulations of the jurisdiction in which they are doing business. This includes laws that are applicable to individuals and entities receiving federal funds, and to the extent that a Vendor is a first tier, downstream or related entity ("FDR"), laws that are applicable to FDRs.

### ***Conflicts of Interest***

Vendors must avoid Conflicts of Interest ("COI") as well as the appearance of conflict or impropriety. If a Vendor employee or a Vendor's employee's spouse, domestic partner or other family member/relative is employed by Children's National or is a board member, then such individual may not participate in any contract negotiations involving the Vendor nor provide services to Children's National on behalf of the Vendor. When an actual, potential or perceived COI occurs, it must be disclosed by the Vendor in writing or by phone. Children's National employees are not permitted to work for a Vendor if Children's National is the client.

### ***Gifts and Business Courtesies***

The following items are never acceptable to give to Children's National employees or board members:

- Gifts of any value given to Children's National Personnel for the purpose of influencing a purchasing and/or contracting decision.
- Children's National employees, faculty, researchers, residents, and clinical volunteers shall not directly accept gifts or entertainment (including food and meals), regardless of value, from pharmaceutical companies, or medical device manufacturers or suppliers with respect to any activity at any Children's National site<sup>2</sup>.
- Gifts that reasonably could be perceived as a bribe, payoff, deal, or any other attempt to gain a competitive advantage;
- Cash, gift cards or items redeemable for cash such as checks, stocks, etc.;
- Gifts to or from government representatives;
- Gifts or other incentives given for the purpose of encouraging or rewarding patient referrals; and
- Gifts that may violate the law or Children's National policy.

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<sup>2</sup> Per Children's National Policy C-20: Interaction with Pharmaceutical, Biotechnology, and Device Industry



In addition, Vendors shall avoid giving anything of value to Children's National employees or board members that could inappropriately influence Children's National business decisions or provide an unfair advantage, such as:

- Gifts, meals, or entertainment, including tickets to sporting events or shows that exceed a nominal value. Generally speaking, "nominal value" is considered to be \$100.00 or less; and
- Business meals that a layperson would consider lavish (in excess of \$100/per person), or that occur on a frequent basis (i.e., more than twice annually with the same vendor).

Children's National may accept medical or scientific books, anatomical models, or illustrations from Vendors if neither the item nor its packaging have a company name or logo on it and if the books or other educational materials are distributed through the hospital.

### ***Healthcare Fraud, Waste and Abuse (FWA)***

Vendors must comply with all federal and state healthcare fraud, waste and abuse laws. These laws prohibit persons from soliciting, offering, receiving or paying any compensation to induce someone to order or purchase items or services that are in any way paid for by Medicare, Medicaid or other federal or state-funded healthcare programs. The Federal False Claims Act and similar state laws make it a crime to present or cause to be submitted any fraudulent claim for payment by the federal government. These laws also protect "whistleblowers" – people who report non-compliance or fraud, or who assist in investigations – from retaliation. Vendors are prohibited from retaliation of any kind against individuals exercising their rights under the Federal False Claims Act, the Deficit Reduction Act of 2005 or state laws.

Vendors are expected to fully cooperate in all investigations conducted by Children's National including those related FWA and, as appropriate, take corrective action where violations are confirmed.

### ***Ineligible Vendors***

Children's National will not do business with any Vendor if it or any of its officers, directors or employees is or becomes excluded by, debarred from or ineligible to participate in any federal care program, or is convicted of a criminal offense which under state law excludes the provision of health care goods or services. Children's National also expects all Vendors to be responsible for assuring that its employees and contractors providing services to Children's National, directly or indirectly, are not excluded from participation in any federal or state program based on state and federal exclusion lists.

### ***Protection of Children's National Property and Brand***

Vendors entrusted with Children's National property for use during their business relationship must protect that property in a responsible manner. Vendors are also prohibited from distributing advertising, press releases, or public announcements regarding its business relationship with Children's National, or use Children's National trademarks, intellectual property, copyrights, branded materials, or trade secrets without the express written consent of Children's National. Additionally, Children's National has a policy that prohibits that the organization has endorsed, sponsored, approved or recommended any vendor, product, event or service<sup>3</sup>.

### ***Privacy and Security***

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<sup>3</sup> See Children's National Policy CNMC:A:53 - Endorsements and Testimonials at Children's National Health System



If a Vendor's business relationship requires access to or the disclosure of Protected Health Information (PHI) as defined by the Health Insurance Portability and Accountability Act (HIPAA) and any and all amendments thereto, the Vendor may be required to sign the Children's National's Business Associate Agreement.

Additionally, if the Vendor's business relationship includes access to credit card data, the Vendor must meet the requirements of the Payment Card Industry Security Standards Council, and provide proof to Children's National upon request.

Vendors are responsible for assuring that all Vendor employees and contractors who provide products and/or services to Children's National know about and comply with these privacy and security requirements.

### ***Protection of Confidential Information***

Vendors with access to confidential and proprietary information are required to maintain the confidentiality, privacy and security of Children's National information in accordance with state and federal laws, as well as Children's National's policies. Select Vendors are granted access to this information during the course of their business relationship with Children's National. This information belongs to Children's National and must be kept safe and in strictest confidence. Additionally, Vendor's may also be asked by Children's National to provide evidence and assurance of the controls implemented place to ensure the privacy and security of PHI and/or confidential data.

Vendors and their employees and contractors are prohibited from using social media, email, blogs, or texting services to post information or images obtained through their work with Children's National or while on-site.

### ***Protection of the Environment and Community Support***

Children's National is committed to purchasing equipment, products and services from vendors whose environmental impact optimizes human health and a healthy environment. Children's National expects Vendors to develop price competitive, environmentally sound, and safe goods and services that help us achieve these objectives. Upon request, Vendors are required to provide evidence of environmental sustainability and community support activities to Children's National.

### ***Visitor Policy***

When visiting Children's National's facilities, Vendors must comply with the Children's National's visitor policies, as well as vendor access and credentialing requirements. This includes wearing identification at all times while on site, as well as registration or check-in prior to entering any Children's National facility, and confining access to areas for which they are approved to visit.

### ***Infection Control Policies***

Vendor personnel whose activities require access to direct patient care environments are required to adhere to Children's National infection control requirements.

### ***Essential Services and Business Continuity***

If a Vendor's services are deemed vital to Children's National's ability to provide medical or other health care services, the Vendor must agree to develop, test and implement business continuity and disaster recovery plans. Vendors are also expected to implement adequate



security safeguards to prevent cybersecurity interruptions and protect Children's National information stored within their Information Systems.

### ***Diversity, Non-Discrimination and Protection from Abuse***

Children's National fosters an inclusive environment free of discrimination based on sex, age, race, color, religion, national origin, sexual orientation, gender identity, disability, or veteran status. Children's National does not tolerate harassment. Vendors must create and foster a work environment where employees and business partners feel valued and respected for their diversity. Any verbal, visual or physical interaction that creates or fosters intimidation or a hostile work environment is strictly prohibited.

### ***Fair Treatment and Labor Practices***

Vendors shall comply with all applicable legal and regulatory requirements as well as relevant International Labor Organization standards. This includes compliance with requirements related to minimum employment age, minimum wages and other compensation components (e.g., Workers Compensation), overtime, and legally mandated benefits. Vendors shall also respect employees' rights specific to voluntary participation in associations or worker organizations.

### ***Safe Working Conditions***

Vendors shall proactively manage the work environment to minimize employee risk of physical and emotional harm by implementing and monitoring industry-specific controls. Vendors must also ensure that employees have adequate breaks, access to potable water and restrooms, and receive appropriate safety training specific to their role with Children's National.

### ***Vendor Records Retention***

Vendors shall create, maintain and retain for the legally required time period(s), complete and accurate financial records in accordance with all state, federal and financial industry standards, and contractual requirements.