

## Vendor Code of Conduct

Sanford Health is committed to operating with the highest professional and ethical standards and we expect the same of our Vendors.<sup>1</sup> Sanford Health has created this Vendor Code of Conduct to communicate the standards by which all Sanford Health Vendors are expected to conduct themselves when providing goods or services to our organization. Some departments within Sanford Health may adopt guidelines more restrictive than described in this document, in which case, the stricter guidelines apply.

### **Conflicts of Interest**

Vendors and Sanford Health employees must disclose any actual, apparent or perceived conflict of interest. Specifically, any family, personal or financial relationships that exist between the Vendor (or Vendor representative) and Sanford Health or its employees must be disclosed. Vendors are also expected to avoid actions that may result in a conflict of interest. This could include offering gifts, travel expenses, excessive meals or entertainment, or any other item of value to a Sanford Health employee. Vendors may not employ Sanford Health employees without Sanford Health's prior approval.

### **Gifts and Gratuities**

Sanford Health permits employees to accept non-personal gifts of nominal value. Gifts that violate applicable laws or are, or appear to be, intended to encourage the referral of patients or federal health care business are strictly prohibited. Acceptance of meals are acceptable if modest and infrequent. Gifts of cash or cash equivalents are never allowed. If a Vendor would like to contribute to Sanford Health, it should contact the Sanford Health Foundation. Sanford Health employees or Vendors with questions on the acceptance of gifts should contact Sanford Health's Compliance Department.

### **Compliance with Laws and Policies**

Sanford Health requires its Vendors to conduct their business in accordance with any applicable laws and regulations. It is also the responsibility of the Vendor to comply with Sanford Health policies and procedures.

### **Privacy and Security**

Sanford Health Vendors are expected to comply with applicable security and privacy laws, including the Health Insurance Portability and Accountability Act (HIPAA) Privacy and Security Rules. If the relationship requires access to or the disclosure of protected health information, a business associate agreement is required. Vendors are also required to ensure all Vendor employees and sub-contractors comply with security and privacy laws.

### **Confidentiality and Business Records**

Information learned while working with Sanford Health is considered confidential. Vendors who have been given access to confidential information as a part of the business relationship should not share this information with anyone unless authorized by Sanford Health. Sanford Health also expects Vendors to keep accurate records and retain all records related to business with Sanford Health in accordance with law, regulation or contract. If a Vendor believes it has received confidential information in error, it must immediately notify Sanford Health.

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<sup>1</sup> The term "Vendor" is used herein to refer to all suppliers, independent contractors, agents, representatives, and all other business partners providing goods or services to Sanford Health. The term "Sanford Health" includes Sanford Health and all its subsidiaries and affiliates, including and without limitation, The Evangelical Lutheran Good Samaritan Society, and its subsidiaries.

### **Bribery and Anti-Corruption Laws**

Sanford Health is committed to complying with the Foreign Corrupt Practices Act (FCPA), and Vendors acting on behalf of Sanford Health must as well. Under no circumstance may anything of value, directly or indirectly, be given to a government official in order to obtain improper benefit or advantage, unless approved by the Sanford Health Legal Department. Vendors acting on behalf of Sanford Health must also comply with all applicable laws regarding bribery and anti-corruption and shall not engage in or support human trafficking or forced labor.

### **Ineligible Vendors**

Sanford Health will not conduct business with any Vendor (or sub-contractor to a Vendor) excluded, debarred or otherwise ineligible to participate in state or federal health care programs, or whose officers or employees are excluded. Vendors are responsible for ensuring its employees and sub-contractor employees are not excluded from participation in any state or federal health care program. Vendors should also conduct a reasonable and prudent background investigation and screening before hiring employees who have access to patients or who have discretionary authority to make decisions that may involve compliance with the law. A Vendor must notify Sanford Health immediately if any officer of the Vendor, the Vendor itself, or any employee of the Vendor is excluded from participation in any state or federal health care program.

### **Fraud, Waste and Abuse**

Sanford Health will investigate any allegations of fraud, waste and abuse (FWA) and take corrective action when appropriate. Federal and state laws make it a crime to submit a false claim to the government and these same laws also protect whistleblowers. Sanford Health prohibits retaliation of any kind against individuals who report suspected FWA in good faith. Vendors must not take retaliatory action against any employee or sub-contractor who in good faith reports a concern, questionable behavior or illegal activity.

### **Health and Safety**

Vendors should maintain a secure and safe work environment that minimizes accidents, injury and exposure to health risks. This includes complying with all applicable local and national health and safety laws. Vendors on site must be credentialed through Sanford Health's Vendor credentialing program.

### **Medicare Managed Care Obligations**

Sanford Health is required to comply with certain compliance program requirements when contracting with Medicare Parts C and D health plans / plan sponsors. These requirements extend to Vendors who 1) provide health care services to Medicare eligible individuals, or 2) provide administrative services related to Medicare program activities. Sanford Health Vendors, when applicable, are required to adhere to these compliance program requirements as outlined by the Centers for Medicare and Medicaid Services.

### **Compliance Acknowledgment and Verification**

Vendors are expected to educate, train, and monitor their employees on this Vendor Code of Conduct. Vendors may be required, as a condition to maintaining an active Vendor relationship with Sanford Health, to acknowledge their obligation to comply with this Vendor Code of Conduct. Sanford Health may also prohibit any Vendor or Vendor employee from providing services to Sanford Health who behaves in a manner that is unlawful or inconsistent with this Vendor Code of Conduct or with any Sanford Health policy.

**Reporting Violations**

Vendors who suspect or know of a violation to our Vendor Code of Conduct, policies or any laws or regulations, including by an employee or sub-contractor, have a responsibility to promptly report such activity to Sanford Health. Reports can be made to our compliance hotline at 1-800-325-9402 or [compliancehotline@sanfordhealth.org](mailto:compliancehotline@sanfordhealth.org). You may choose to remain anonymous. All reported violations will be investigated and appropriate action will be taken.