

# Vendor Code of Conduct



Kaiser Permanente<sup>1</sup> strives to comply with all applicable laws, regulations, and Kaiser Permanente policies and to demonstrate high ethical standards in our business practices. Our Vendors<sup>2</sup> play an integral role in helping to reach these goals. We have created the Vendor Code of Conduct to communicate the minimum standards by which all Vendors are expected to conduct themselves when providing goods and services to Kaiser Permanente. Please share this Vendor Code of Conduct with your employees.

**Compliance with Laws** – Vendors understand and agree they are expected to conduct their business activities in compliance with applicable laws and regulations, including laws that are applicable to individuals and entities receiving federal funds and, to the extent a vendor is a first tier, downstream, and/or related entity (FDR), laws that are applicable to FDRs (including the Federal Flowdown Requirements).<sup>3</sup> Our Vendors shall not engage in or support human trafficking or the use of forced labor. Vendors are also expected to take appropriate action against their employees and contractors who have been found to have violated the law or the Vendor's policies.

**Kaiser Permanente Principles of Responsibility and Compliance Hotline** – The Kaiser Permanente *Principles of Responsibility* is the code of conduct for KP Personnel<sup>4</sup> in their daily work and is available to Vendors. Vendors are expected to report any suspected wrongdoing. The Kaiser Permanente Compliance Hotline is a convenient and anonymous way for Vendors to report suspected wrongdoing, including fraud, waste, and abuse, safety concerns, and compliance violations, without fear of retaliation. It is available 24 hours a day, 365 days a year. Our toll-free Compliance Hotline number is **1-888-774-9100**. Appropriate action is taken against those found to have violated applicable law or Kaiser Permanente policy.

**Privacy and Security** – Kaiser Permanente and its Vendors are required to maintain the privacy and security of the information of Kaiser Permanente members and KP Personnel in accordance with federal and state laws and Kaiser Permanente's privacy and security policies.

- If a Vendor's business relationship includes access to credit card data, the Vendor must meet requirements of the PCI Security Standards Council®.
- If a Vendor's business relationship with Kaiser Permanente requires access to or the disclosure of Protected Health Information (PHI) as defined by the Health Insurance Portability and Accountability Act (HIPAA) and implementing regulations, the Vendor may be required to sign Kaiser Permanente's business associate agreement.

Vendors are responsible for assuring that all Vendor employees and contractors who provide products and/or services to Kaiser Permanente know about and comply with these privacy and security requirements. Vendors are required to report privacy and security incidents to the Kaiser Permanente Compliance Hotline at **1-888-774-9100**.

**Gifts and Business Courtesies** – Kaiser Permanente discourages Vendors from providing gifts, meals, entertainment, or other business courtesies to KP Personnel. The following items are never acceptable:

- Gifts or entertainment that exceed \$25.00 in value
- Gifts, meals or entertainment that are given on a regular basis
- Cash or cash-equivalents, such as checks, gift certificates/cards, stocks, or coupons
- Gifts or entertainment that violate the law or Kaiser Permanente policy
- Gifts or entertainment that reasonably could be perceived as a bribe, payoff, deal, or any other attempt to gain advantage
- Gifts or entertainment given to KP Personnel involved in Kaiser Permanente purchasing and contracting decisions

Some Kaiser Permanente organizations have adopted stricter limits on acceptance of gifts and business courtesies, in which case, the Vendor must follow the more stringent policy. For example, KP Personnel working in the Northern California Region are not permitted to accept gifts or entertainment of any kind or value.

**Conflicts of Interest** – Conflicts of interest between a Vendor and KP Personnel, or the appearance thereof, should

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## As used in this Vendor Code of Conduct

<sup>1</sup> "Kaiser Permanente" consists of the entities participating in the integrated health care delivery organization doing business as Kaiser Permanente® and its affiliates, which includes, without limitation, Kaiser Foundation Health Plan, Inc., Kaiser Foundation Hospitals, The Permanente Federation, the Permanente Medical Groups, Kaiser Permanente Insurance Company, Kaiser Permanente Ventures, and all subsidiaries and successors of the foregoing.

<sup>2</sup> "Vendor(s)" include any contractors, manufacturers, suppliers, distributors, wholesalers, service companies, and other businesses that provide, or seek to provide, products and/or services to Kaiser Permanente and/or Kaiser Permanente members or patients. Vendor(s) does not include contractors who provide direct medical services (e.g., physicians and hospitals).

<sup>3</sup> For more information on first tier, downstream, and/or related entities (FDRs) go to <http://supplier.kp.org/compliance/training.html>.

<sup>4</sup> "KP Personnel" means Kaiser Permanente physicians, employees, volunteers and contingent staff.

be avoided. When an actual, potential, or perceived conflict of interest occurs, that conflict must be disclosed, in writing, by the Vendor to a person in authority at Kaiser Permanente other than the person who has the relationship with the Vendor. KP Personnel are not permitted to work for a Vendor if Kaiser Permanente is the client.

**Fraud, Waste and Abuse (FWA)** – Kaiser Permanente will investigate allegations of Vendor FWA, and, where appropriate, will take corrective action, including but not limited to civil or criminal action. The Federal False Claims Act and similar state laws make it a crime to present a false claim to the government for payment. These laws also protect “whistleblowers” — people who report noncompliance or fraud, or who assist in investigations — from retaliation. Kaiser Permanente policy prohibits retaliation of any kind against individuals exercising their rights under the Federal False Claims Act or similar state laws.

**Ineligible Vendors** – Kaiser Permanente 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 health care program, or is convicted of a criminal offense in relation to the provision of health care. Kaiser Permanente expects each Vendor to assume full responsibility for taking all necessary steps to assure that its employees involved in providing goods and services to Kaiser Permanente, directly or indirectly, have not been or are not currently excluded from participation in any federal program.

**Non-Discrimination** – Kaiser Permanente does not discriminate on the basis of sex, age, race, color, religion, national origin, sexual orientation, gender identity, disability, or veteran status. Kaiser Permanente strives to follow federal and state non-discrimination laws and regulations and requires Vendors to follow non-discrimination regulations applicable to them.

**Environmental Purchasing Policy** – In support of our mission to improve the health of our members, patients, KP Personnel, and the communities we serve, Kaiser Permanente is committed to purchasing products and services whose environmental impacts are healthier for the environment and human health. Kaiser Permanente expects Vendors to develop price competitive, environmentally sound, and safe products and services that help us achieve our environmental purchasing objectives.

**Supplier Diversity Program** – Kaiser Permanente has a long tradition of support for programs that foster diversity in our organization and in our communities. Where applicable, Kaiser Permanente expects its Vendors to mirror our commitment through subcontracting opportunities with diverse and veteran-owned businesses.

**Visitation Policy** – When visiting Kaiser Permanente facilities, Vendors must comply with the applicable Kaiser Permanente supplier visitation policies which are available at facilities upon request. Vendor representatives are required to schedule appointments and must register prior to visiting any Kaiser Permanente medical facility. Representatives will be required to state the area to be visited and visits must be restricted to those location(s) only. Visitor badges provided by the facility must be worn at all times.

**Publicity** – Vendors are not permitted to distribute advertising, press releases, or any other public announcement regarding its products or services in Kaiser Permanente facilities unless you have obtained prior written authorization from an authorized Kaiser Permanente management employee. A Vendor is not permitted to use the names, trade names, service marks, trade dress or logos of Kaiser Permanente in any advertising, publicity, on the internet or otherwise without first obtaining Kaiser Permanente’s consent.

**Business Record Retention** – Kaiser Permanente requires Vendors to retain and make available records related to business with Kaiser Permanente in accordance with applicable law, regulation, and contract requirements.

**Resources** – For more information on Kaiser Permanente’s policies, contact your contract manager or visit Kaiser Permanente’s Vendor compliance Web site at: <http://supplier.kp.org/compliance/index.html>.



Compliance Hotline 1-888-774-9100 • Compliance Online [kp.org/compliance](http://kp.org/compliance)

