MISSION STATEMENT

The mission of The University of Texas MD Anderson Cancer Center (MD Anderson) is to eliminate cancer in Texas, the nation, and the world through outstanding programs that integrate patient care, research, and prevention, and through education for undergraduate and graduate students, trainees, professionals, employees and the public. To fulfill this mission:

- We are committed to meeting the highest standards of medical and business ethics.
- We recognize that, regardless of payor source, appropriate, medically necessary services must be delivered in the most efficient manner and meet all applicable local, state, and federal guidelines and regulations.
- We are intolerant of fraud, waste, and abuse and violations of such guidelines and regulations.
- We are committed to providing education, monitoring, and oversight to ensure that faculty, employees, volunteers, trainees, contractors, and other persons whose conduct, in the performance of work for MD Anderson, is under the direct control of MD Anderson, whether or not they are paid by MD Anderson (collectively referred to as Workforce Members) are fully informed and committed to these standards.

We promote an open work environment so that all individuals associated with MD Anderson feel free to communicate openly on such issues. The mission of MD Anderson’s Institutional Compliance Program is to support MD Anderson’s Mission, Vision and Core Values and to help the institution fulfill its responsibilities to the people of Texas in an environment based upon ethical behavior and compliance with applicable laws, rules, and guidelines. To that end, the Institutional Compliance Program will provide all MD Anderson Workforce Members with the most accurate, concise, and up-to-date information and advice to assure that they are aware of their responsibilities with respect to sustaining such an environment. The Institutional Compliance Program will also continually assess the effectiveness and quality of the program to ensure that all MD Anderson business is conducted with integrity and in compliance with the law.

CODE OF CONDUCT

MD Anderson requires all Administration, Medical Staff, employees, and other Workforce Members to follow the Standards of Conduct adopted by the Board of Regents.

MD Anderson is committed to full compliance with all applicable laws, rules, and guidelines. To such end and in order to uphold MD Anderson’s core value of integrity, our Workforce Members are required to conduct themselves in accordance with the following principles of the Institutional Code of Conduct:
**Principle One: Know and follow the rules**

Know and follow the letter and the spirit of applicable laws, rules, and guidelines, as well as UT System and MD Anderson rules, policies, procedures, and compliance plans.

**Principle Two: Think and act ethically**

Follow our ethical standards and those of your professional organizations. Before you say or do something, ask yourself: How would this look to our patients and our community? Would this harm our reputation?

**Principle Three: Keep it confidential**

Handle all MD Anderson information, especially patient information, in ways that meet applicable laws, rules, guidelines, and document retention schedules. Treat our information the same way you treat yours.

**Principle Four: Commit to research integrity**

Perform all research efforts in ways consistent with applicable legal, ethical, and professional requirements, as well as our institutional rules, policies, and procedures.

**Principle Five: Avoid gifts**

In general, you can’t accept or give gifts, favors, benefits, services, or items of value – especially in return for preferential treatment or patient referrals.

**Principle Six: Bill accurately**

When you document and bill for the care you’ve provided, be accurate, be thorough, be honest – and be timely.

**Principle Seven: Focus on Making Cancer History**

Don’t use any MD Anderson resources, including your time and your colleagues’ time, in a wasteful manner, for personal benefit, to harm someone, for political activity, or for illegal activity.

**Principle Eight: Be true to our mission: Avoid outside influences**

Don’t engage in activities or enter into contracts that could or could seem to interfere with your MD Anderson work, make you disclose confidential MD Anderson information, or affect your independent judgment.

**Principle Nine: Be a good colleague**

Act with honesty and good faith in all matters. Don’t engage in discriminatory, harassing, retaliatory, inappropriate, intimidating, or disruptive behaviors.

**Principle Ten: When in doubt, point it out**

If you think or discover that someone isn’t following our Code of Conduct, promptly notify the Chief Compliance and Ethics Officer or Institutional Compliance. And always cooperate fully with all inquiries and investigations related to reported issues.
COMPLIANCE OVERSIGHT

The purpose of the Corporate Compliance Plan is to ensure that MD Anderson complies with the framework of federal and state laws, regulations, and guidelines, as well as U.T. System and MD Anderson policies that govern our corporate functions (e.g., supply chain management, asset and inventory management, vendor and industry relations, financial controls, and non-research related financial conflicts of interest).

Responsibility for oversight of the Corporate Compliance Plan rests with a multi-disciplinary Corporate Compliance Committee (CCC), whose membership is appointed by the Vice President, Chief Compliance and Ethics Officer (CCO) and annually approved by the Executive Institutional Compliance Committee (EICC). All members of the CCC must sign a statement assuring total confidentiality in all dealings of the CCC. Minutes of all CCC meetings are maintained in a confidential manner and are provided to the EICC. Minutes are maintained in the Institutional Compliance office.

The CCC is charged with the following tasks:

- Prepare and submit to the EICC an annual work plan that outlines the major activities and initiatives of the CCC for the upcoming fiscal year.
- Prepare and submit to the EICC an annual report that summarizes the CCC’s progress regarding each work plan objective contained in the CCC’s annual work plan for the preceding fiscal year.
- Validate the annual Compliance Risk Analysis related to corporate compliance matters.

The responsibility for implementing and managing the Institutional Compliance Program and Corporate Compliance Plan is assigned to the CCO, who functions within MD Anderson's organizational structure. The CCO, or designee, will, with assistance of the CCC, perform the following activities:

- Develop or assist with developing risk management plans for high risk areas identified through the annual Compliance Risk Analysis.
- Review the laws, regulations, statutes, policies and guidelines related to our corporate functions.
- Recommend the creation of new, and revisions to, corporate policies and procedures to the CCC for approval.
- Investigate new business trends that may have corporate compliance implications.
- Develop, implement, and monitor practical methodologies and systems to optimize corporate compliance.
- Develop, implement, promote, ensure compliance with, and document educational training programs to ensure the understanding of federal and state laws and regulations involving ethical and legal business practices, financial processes, asset management, and systems and applications impacting corporate activities.
- Promote responsible guardianship of state funds and resources entrusted to MD Anderson.
- Provide input and guidance, as needed, on investigations of alleged corporate-misconduct.
- Communicate regularly with the EICC on new and emerging issues.
POLICY & PROCEDURE GUIDANCE

The CCC will review, develop, and monitor institutional policies and procedures, as needed, regarding our corporate functions and activities, including but not limited to the following:

- Accounts payable & travel
- Alcoholic beverages
- Enterprise asset management
- Compliance with Subchapter F, Chapter 2261 Texas Government Code, concerning ethics, reporting, and approval requirements for certain contracts.
- Controller's office
- Financial controls
- Financial planning and analysis
- Financial reporting
- General accounting
- Grants and contracts accounting
- Materials management
- Payroll services
- Physicians Referral Service
- State and system reporting
- Supply chain management
- Treasury services
- Vendor relationships

As applicable, the persons or departments on the CCC involved in the above-listed functions are responsible for:

- Providing timely communication to the CCC regarding operational issues that may have compliance related implications;
- Developing and implementing methodologies, systems, and necessary changes in practices to assure adherence to applicable laws, regulations, and policies in their respective areas;
- Recommending new or revised financial policies and procedures, on an as-needed basis, for approval by the CCC or other appropriate parties;
- Conducting a risk assessment to identify critical corporate compliance areas;
• Carrying out institutional business with integrity and in a manner to ensure MD Anderson’s full compliance with the Federal, State, and local laws, regulations, and institutional policies and procedures;

• Recommending monitoring strategies for specific financial-related risk areas and assuring that financial compliance policies are being implemented as intended;

• Preparing and presenting reports, as necessary, to Institutional Compliance, EICC, MD Anderson executive management, the Board of Regents for The University of Texas System, and any other appropriate authority;

• Recommending, drafting, and/or implementing corrective and preventative actions plans, as necessary; and

• Communicating regularly with the CCC and Institutional Compliance regarding new and emerging issues related to corporate compliance.

**EDUCATION**

Compliance with all applicable laws and regulations is one of MD Anderson’s priorities. Workforce Members at MD Anderson must be knowledgeable about MD Anderson’s Institutional Code of Conduct and policies and plans regarding institutional compliance issues. Compliance with applicable laws, rules, guidelines, as well as institutional policies and plans is a condition of employment. Failure to comply may result in disciplinary action, including termination.

The CCC is responsible for education and training programs related to the Corporate Compliance Plan. The training programs may include such topics as:

• Newly adopted, revised and established MD Anderson policies and procedures regarding financial processes

• Internal Controls

• Emerging regulatory compliance issues

• Purchasing, including and especially enterprise-wide software products and services

• Check Request Processing

• Travel

• Statistical Sampling and Reconciliation Requirements Grants Financial Management and Administration

• Budgeting

• Incoming Subcontracts

• GASB Statements, Concepts, and Interpretations

• Sourcing and Contract Management

• Vendor Relationships

• Gifts and Benefits to State Employees
• Supply Chain Administration and Support Services
• HUB and Federal Small Business Program
• Materials Management Services/Enterprise Asset Management

With regard to equipment and asset management compliance in particular:

• The UTMDACC Property Manager/Designee is responsible for directing equipment compliance training programs. These training programs will focus on adherence to U.T. System procedures associated with the Regents' Rules for Physical Properties, Government Accounting Standards Board Statement No. 35, and the State Property Accounting User’s Manual for all property and equipment.

• MD Anderson will provide specialized equipment compliance education to employees involved in asset management. The Departmental Property Officer is responsible for oversight of the implementation of specific departmental equipment compliance training and for monitoring the attendance and outcome of this training. Equipment compliance education is part of MD Anderson's ongoing commitment to compliance.

**ONGOING MONITORING AND AUDITING**

1.0 Monitoring Activities

1.1 The CCO, or designee, shall meet periodically with designated departmental representatives to stay abreast of current and/or new matters related to financial compliance.

1.2 The CCO, or designee, shall monitor the progress of risk management plans.

2.0 Auditing Activities

The CCO, or designee, shall perform periodic audits or similar assurance activities regarding financial compliance.

In addition to monitoring and auditing directed by the CCC, audits of financial activities may be conducted by MD Anderson's Internal Audit Department and annual financial audits will be carried out by an independent, external organization.

**REPORTING PLAN – ASSETS**

Asset and inventory reports are an essential part of the institution’s asset management function, serving as assurance that the institution’s review and monitoring plans function as intended. These obligations exist outside of the Corporate Compliance Plan, therefore, nothing in this Plan should be read to affect those independent obligations. However, this Plan and the CCC should support and facilitate compliance with state and UT System asset management rules. Therefore, in addition to its regular reporting responsibilities, and working through the Associate Vice President, Supply Chain Services, the Asset Control Department will report:

• On an as-needed basis to the President and members of the CCC; and

• At the CCO’s direction, to the System-wide Compliance Officer in the fourth quarter compliance report.
CORRECTIVE AND/OR DISCIPLINARY ACTION

MD Anderson upholds a “zero tolerance” policy towards any illegal activity or knowing, intentional or willing non-compliance. Any employee knowingly, willingly, and/or intentionally in violation of the federal and state laws, regulations, Regents’ Rules and Regulations and/or institutional policies is subject to disciplinary actions, up to and including termination. All actions taken will be in accordance with MD Anderson’s Hospital Compliance Plan.

INVESTIGATION AND REMEDIATION

The CCO, with support from legal counsel and the EICC, addresses any violation of the laws, regulations, and MD Anderson’s policies and standards applicable to governmental compliance. Whenever a compliance issue has been identified through the hotline, direct contact, a third-party, or other source, the CCO will initiate a confidential investigation to determine the facts and circumstances of the potential violation. Compliance investigations will involve only those individuals necessary to resolve a fact or issue. The CCO does not apprise complainants or reporters of the status of investigations, barring exceptional circumstances.

The CCO may accept a previously conducted investigation if such investigation was conducted with knowledge and approval of the CCO. Compliance investigations will be performed with the assistance of legal counsel, as needed, and will be reported confidentially to the EICC and CCC, as appropriate. If the CCO believes the integrity of the investigation is at stake, the appropriate employee(s) may be removed from duty until the investigation is completed. The CCO ensures that steps are taken to prevent destruction of documents or other evidence.

The CCO promptly and fully investigates all reports professionally and without prejudice. Consultations follow with the appropriate division head(s), manager, and/or employee, as appropriate. The corrective action plan to be implemented is determined after the outcome of each investigation. In determining the corrective action plan, MD Anderson should not take into consideration an employee’s or faculty member’s economic benefit to MD Anderson. All corrective action taken will be in accordance with MD Anderson’s Hospital Compliance Plan.

If the investigation indicates that disciplinary action is warranted, such action will be imposed in accordance with MD Anderson’s written standards of disciplinary action.

Any misconduct that violates civil or criminal law, or rules and regulations may be reported to the appropriate governing body after receipt of the credible evidence of misconduct, along with a description of the appropriate disciplinary action taken. If applicable, plans for repayment of funds will be included in the report.

SANCTIONED INDIVIDUALS

MD Anderson prohibits the employment of or contracting with individuals or entities who: (a) have a criminal history related to health care; or (b) have been disbarred, excluded, or otherwise determined ineligible for participation by certain federal or state agencies (“Adverse Action Databases”). Sanction Checks are handled in accordance with the MD Anderson Hospital Compliance Plan.

REPORTING COMPLIANCE CONCERNS

Remaining silent and failing to report any violation or potential violation that a person knows or should have known of, may subject a person to disciplinary action up to and including termination. MD Anderson will
not accept an employee’s claim that improper conduct occurred for the benefit of MD Anderson. Any such conduct is not for the benefit of MD Anderson and is expressly prohibited.

To encourage open communication in all dealings with the CCO and the EICC, Workforce Members contacting the Institutional Compliance Office are assured non-retaliation in accordance with the Non-Retaliation Policy (UTMDACC Institutional Policy # ADM0254) and an atmosphere of confidentiality.

To report compliance concerns, Workforce Members may:

- Call the Compliance Hotline at: 1-800-789-4448;
- Contact the Institutional Compliance Office directly at: 713-745-6636; or
- Contact the CCO via the Page Operator at: 713-792-7090.
- Report suspected fraud, waste, and abuse involving state resources to the State Auditor’s Office’s Hotline at 1-800-TX-AUDIT (1-800-892-8348). The State Auditor’s Office provides additional information at its website, http://sao.fraud.state.tx.us.

MD Anderson has established the Compliance Hotline, listed above, for Workforce Members to report all suspected violations or questionable conduct. The hotline includes the following features:

- The hotline number is included in employment materials, employee badge cards, the Institutional Compliance Program website, MD Anderson’s Standards of Conduct: Do the Right Thing, and displayed in poster form on MD Anderson bulletin boards;
- Telephone calls to the hotline are treated anonymously, upon request, and confidentially to the extent possible;
- The caller is not recorded, traced or identified, and the caller is not required to furnish his/her name;
- Information provided to the hotline is treated as privileged to the extent permitted by applicable law;
- The CCO strictly complies with and enforces MD Anderson’s Non-Retaliation Policy (UTMDACC Institutional Policy # ADM0254).

Intentionally making false accusations is a serious violation of MD Anderson policy and will lead to disciplinary actions against the person making the accusation, up to and including termination of employment;

Employees may not use the hotline to protect themselves from the outcome of their own violations or misconduct, nor will the discipline be increased or decreased for an employee who reported his or her own violation;

Upon receiving information from the hotline, the CCO will communicate and disseminate all compliance complaints to the triage team and assign to the appropriate party for investigation;

Each report will be reviewed, and the CCO, or designee, will initiate any investigations, corrections and/or follow-up on an as-needed basis in accordance with provisions of this plan; and,

The CCO will provide routine reports and periodic updates as deemed necessary to the EICC and President.
REFERENCES

http://sao.fraud.state.tx.us

Standards of Conduct.

Disciplinary Action Policy (UTMDACC Institutional Policy #ADM0256)

Non-Retaliation Policy (UTMDACC Institutional Policy #ADM0254)

UT System Information Resources Use and Security Policy (UTS 165)

Tex.Gov't.Code § 2155.001

Tex.Gov't.Code § 403.271(b)

Tex.Gov't.Code § 2261.251

State Property Accounting User's Manual
## APPROVALS

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