

UNIVERSITY HOSPITAL CODE OF CONDUCT

COMMITTED *to* EXCELLENCE – UNIVERSITY HOSPITAL'S CODE *of* CONDUCT

At University Hospital, we have proudly served the Newark community for more than a century. The UH professionals who provide the highest quality of care, and do it with respect and expertise, are integral to our success. Together, we have helped make UH the prestigious, academic medical center that it is today. More than ever, our intent is to treat everyone with dignity; and it is through our conduct that we demonstrate our commitment to excellent medicine and excellent service for our patients and visitors – every time. You are responsible for continuing this legacy, and our Code of Conduct is meant to welcome you to the University Hospital family.

Adopted by the University Hospital Board of Directors on July 1, 2013, our Code of Conduct is a valuable resource that provides guidance on how employees are to carry out the hospital's mission and it also helps to guide the work that we do each day. The UH Code of Conduct outlines the ethical standards and core values that every employee of University Hospital is required to follow, especially in conducting the business of patient care.

Every professional on the University Hospital team is required to comply with our Code of Conduct to ensure that we continue to offer the care and services at the highest levels of professionalism, no matter what.

Purpose

The pursuit of UH's fourfold mission—excellence in patient care, public service, teaching, and research—requires a shared commitment to UH's core values and ethical conduct in the discharge of one's duties, responsibilities and all other UH activities. The Code of Conduct ("Code") is a statement of that commitment, emphasizing key aspects of dealings inside and outside UH which demand ethical and professional behavior and is intended to inform us of the basic principles which UH requires us to follow in conducting UH business. All members of the UH community are expected to adhere to the Code as well as to applicable laws, regulations and UH policies. The UH Community includes Board of Directors, the Community Oversight Board, the UH management, clinical staff, researchers, employees, contractors, agents and others associated with or supporting UH (collectively "persons").

THE 16 BASIC TENETS OF THE UH CODE OF CONDUCT

1. Respect for our Clinical Mission

UH is committed to providing high quality health care in a manner that is appropriate, medically necessary, and efficient, in accordance with current medical and ethical standards, which

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includes the obligation to provide medical screening exams or emergency care. UH respects the rights of patients to make choices about their own care including the right to refuse treatment. Providers inform patients and their representatives about the alternatives and risks associated with the care they are seeking and/or which is recommended by professional staff in order to obtain informed consent. Information is provided in a language that the patient can understand.

2. Respect for Public Service Mission

UH is committed to its legacy of service, has respect for our public mission, and has served the greater community for generations. It brings the gold standard of modern medical care to all our patients, including the uninsured or underinsured. UH serves as a center of referral for many of the state's most advanced medical services and specialty care programs.

3. Respect for our Educational Mission

UH is one of the Principal Teaching Hospitals of Rutgers Biomedical and Health Sciences, and any other medical education programs located in Newark. UH is committed to providing high quality medical services in accordance with all laws, regulations, program requirements, and accreditation standards. We do this through:

- Accurate representations of all credentials;
- Accuracy and completeness of UH records;
- Compliance with standards for maintaining intellectual property and copyrights;
- Demonstrating behavior acceptable to UH and the community at large;

Efforts to attract and retain high quality medical and academic staff and to reward existing staff for growth and development, bearing in mind that quality medical and academic performance is directly related to the quality of the staff who provide such services.

4. Respect for our Research Mission

UH researchers shall conduct their research with integrity, intellectual honesty and the appropriate respect for human subjects. All research involving human subjects is to be approved by the institutional review board. Researchers obtaining approvals for research must comply with all the conditions imposed by the institutional committees. Research misconduct is prohibited. UH researchers are not to: fabricate data or results; change or knowingly omit data or results to misrepresent results in the research record; or intentionally misappropriate the ideas, writings, research, or findings of others. All those engaged in research are expected to pursue the advancement of knowledge while meeting the highest standards of honesty, accuracy, and objectivity. They are also expected to demonstrate accountability for the funds of sponsors, payors and UH, and they are to comply with specific terms and conditions of contracts and grants.

5. Individual Responsibility and Accountability

UH persons must meet the highest professional standards and must exercise responsibility appropriate to their position and delegated duties. All UH business is expected to be conducted

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in accordance with UH's Shared Values and this Code of Conduct, and in a manner exercising sound judgment and serving the best interests of the institution, the community and the State of New Jersey. We are responsible to one another both for actions and inactions and cooperate with all internal inquiries in order to resolve detected or reported issues. To this end, all persons shall have compliance with this Code of Conduct as part of their annual performance appraisal, to the extent that these persons are eligible for annual performance appraisals.

6. Respect for Others

UH is committed to treating everyone with respect and dignity, and, among other things, to:

- prohibit discrimination or harassment;
- to have zero tolerance for workplace violence;
- provide equal opportunities for all members of the UH community and job applicants regardless of race, color, national origin, religion, sex, gender identity and expression, pregnancy, physical or mental part of their annual performance appraisal, to the extent that these persons are eligible for annual performance appraisals.

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- acknowledge that although consensual relationships between persons are within the realm of individual privacy, these relationships may expose UH to potential liability. Persons in these relationships in supervisory or management roles have a responsibility to discuss with their immediate superior whether the relationship poses any conflict, so that UH may take steps to eliminate the conflict in accordance with its policies.
- commit to creating and maintaining a safe and healthful work environment. All persons are expected to comply with all safety and health standards.
- expect persons providing medical and clinical services to be committed to the ethical and compassionate treatment of patients/clients and to follow established policies and statements of patient/clients rights in support of this principle.

7. Respect for UH and State Resources

UH persons are caretakers of UH's and of the State's resources. Persons must thus exercise reasonable care in the use of UH and State property and must report any damage or misuse to appropriate UH officials. UH resources, including but not limited to cash, property, facilities, intellectual property rights, patient records, name and logo, information technology and electronic resources may only be used for activities on behalf of UH and not for private gain or

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personal purposes. UH shall respond promptly with discipline for willful or negligent damage to UH property; theft or dishonesty; unauthorized use of UH vehicles, mail services, identification and credit cards, telephones, computers or computer equipment, or other UH equipment or materials; and tampering with or destroying UH data, records or other information, gaining unauthorized access to such information, disclosing confidential information, or otherwise misusing UH data or information.

Computers and computer accounts are provided to persons to assist them in the performance of their jobs. Persons do not have a right to privacy in anything they create, send or receive on the computer. UH has the right to monitor, for any reason, any and all aspects of any UH computer system, including employee email. Persons may not solicit, collect money, or circulate petitions on UH property at any time unless it is expressly allowed under current UH policies or by law.

8. Compliance with Applicable Laws and Regulations

Persons are expected to comply with the laws and regulations bearing on their areas of responsibility. Many of the laws and regulations are unique to health care, research and higher education, and many, but not all, are embodied in UH policies. Failure to comply can have serious adverse consequences both for individuals and for UH in terms of reputation, finances and the health and safety of the community. UH business is to be conducted in conformance with legal requirements, including contractual commitments undertaken by individuals authorized to bind UH to such commitments. The Office of Legal Management has the responsibility to work with departments to provide legal guidance and opinions.

9. Compliance with Applicable UH Policies, Procedures,

Codes and Other Forms of Guidance and Avoidance of Conflicts of Interest Policies and procedures for UH and our Department are designed to guide our everyday job activities and to give persons a clear understanding of expectations for work-related behavior. Persons are expected to seek clarification of a policy, procedure or other directive which they believe is unclear, outdated, or at odds with UH or Department objectives or applicable laws or regulations. It is not acceptable for persons to ignore or disobey policies with which he or she may disagree. In addition, persons are expected to keep current with updates and revisions to UH and Department policies and procedures. Some persons must also comply with all ethical codes or standards of their professions or disciplines. They are expected to comply with those codes and standards, in addition to complying with all applicable UH policies and procedures. Persons must comply with specific and/or specialized codes of conduct developed by UH, such as a Code of Conduct for a specific department/area. UH persons are expected to devote primary professional allegiance to UH and to the missions of patient care, public service, teaching, and research. Outside employment must not interfere with UH duties and must be disclosed to and approved by UH on an annual basis before such outside employment is accepted. Outside professional activities, personal financial interests, or acceptance of benefits from third parties can create actual or perceived conflicts between UH's mission and an

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individual's private interests, and UH persons are expected to disclose them in compliance with applicable conflict of interest laws, regulations and policies.

Practices such as accepting from industry small gifts or pharmaceutical samples; support for resident/continuing medical education; funds for physician travel, speakers' bureaus, ghostwriting, consulting; and clinical trials and research contracts may pose challenges to professional or business ethics, especially in an academic health center environment. To avoid the appearance of or actual impropriety and to ensure that healthcare professionals always put the best interests of their patients first, avoid bias in decision-making, and adhere to the principles of scientific integrity, UH persons shall truthfully and accurately provide disclosures to UH and to patients regarding industry relationships to ensure that those relationships between healthcare professionals and industry are at arm's length. In all such matters, UH persons are expected to take appropriate steps, including consultation with the Chief Compliance and Privacy Officer, if issues are unclear, to avoid both conflicts of interest and the appearance of such conflicts.

10. Compliance with the New Jersey Conflict of Interest Laws and State Ethics Code

As public employees, UH persons must comply with State of New Jersey Conflict of Interest Laws, State of New Jersey Ethics Guidelines, and UH policy to avoid actual or perceived conflicts between their UH roles and other interests (including their personal and/or financial interests).

11. Protecting Confidentiality and Privacy of Records

UH is the custodian of many types of information. Persons with access to confidential, proprietary and/or private information are expected to understand and to comply with applicable laws and UH policies, procedures, directives and agreements pertaining to access, use, protection and disclosure of such information. Computer security, privacy of personal information, privacy of patient information, and appropriate use of electronic devices, are subject to New Jersey State law, federal laws including Health Insurance Portability and Accountability (HIPAA) Act/ Health Information Technology for Economic and Clinical Health (HITECH)Act, as well as UH policy.

The public right to access information is governed by New Jersey Open Public Records Act and UH policies. UH policies contain information about patient information and privacy laws. Questions relating to the release of patient records should be directed to the Custodian of Medical Records. Questions relating to the release of UH records should be directed to the Chief Compliance and Privacy Officer

12. Accurate Financial Reporting

All UH patient records, accounting and financial records, expense reports, time sheets and effort reports, and other documents including those submitted to government agencies must be accurate, clear and complete.

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All published financial reports must make full, fair, accurate, timely and understandable disclosures as required under generally accepted accounting principles for government entities, bond covenant agreements and other requirements. Certain individuals with responsibility for the preparation of financial statements and disclosures, or elements thereof, may be required to attest to the accuracy of those documents. Failure to fully comply with reporting requirements could jeopardize UH's participation in Federal healthcare programs. In addition, individual persons may be:

- Subject to disciplinary actions, up to and including termination, for failure to comply with the reporting requirements or to report suspected violations; and
- Potentially subject to fines, penalties, revocation of licenses and accreditation, criminal and civil actions as well as exclusion from federal and state healthcare programs for failure to comply with the financial reporting rules or to report suspected violations of the Rules.

13. Need for Adherence to Internal Controls

Internal control, a major part of managing an organization, comprises the plans, methods and procedures used to meet our mission, goals and objectives. Internal controls also serve as the first line of defense in safeguarding assets and in preventing and detecting fraud, waste, abuse and possible errors. Internal controls help managers achieve desired results through effective stewardship of resources, support performance-based management and are intended to provide reasonable assurance regarding the achievement of objectives in all aspects of UH operations including the following categories:

- Effectiveness and efficiency of operations including the use of UH's resources;
- Reliability and accuracy of financial reporting, including reports on budget execution, financial statements and other reports for internal and external use; and
- Compliance with applicable laws and regulations.

All department heads are specifically responsible for ensuring that internal controls are established, properly documented and maintained for activities within their jurisdiction and that internal controls set by the UH Board of Directors and/or UH management are followed.

Any person entrusted with funds, including principal investigators, is responsible for ensuring that adequate internal controls exist over the use and accountability of such funds and to adherence to internal controls which may be set by the Board or management.

14. Fair Dealing in Agreements

When we need to obtain services or goods we comply with:

- UH policies governing procurement, including public bidding requirements and New Jersey laws, where applicable;
- The UH policies relating to potential vendors;
- The federal and state laws relating to anti-referral and anti-kickback arrangements;
- Laws that prevent us from doing business with excluded individuals or companies; and

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- Other state and federal laws that may require that certain terms and conditions be included in our agreements.

UH is committed to competitive bidding for the procurement of goods and services, except in limited situations permitted by statute and/or UH policies. Vendors are to be evaluated and selected on the basis of quality, technical excellence, delivery, cost-effectiveness and appropriateness for the identified task or need, in accordance UH policies and New Jersey laws where applicable. All UH agreements are to be managed in a fair and reasonable manner, free from conflicts of interest and consistent with all applicable laws and good business practices. The highest ethical standards must be adhered to in all UH business arrangements for selection, negotiation, determination of awards and the administration of all purchasing activities. UH persons have an obligation to be honest, consistent and truthful in all marketing and advertising practices pertaining to the business of UH's academic health centers and health systems and to adhere to fair business practices.

15. Full compliance with all state and federal healthcare

program statutes, regulations, directives and guidelines Federal and state healthcare programs like Medicare and Medicaid require UH to comply with all applicable statutes, regulations, directives and guidelines, including the rules of Medicare fiscal intermediaries or carriers, UH policies and procedures and any agreements that UH may enter into with state or federal regulatory agencies (collectively, "Rules"). UH persons may be required to attest to their and UH's compliance with the Rules, supported by appropriate documentation, because, among other things, failure to fully comply with the Rules could jeopardize UH's participation in these healthcare programs. When providing clinical patient care that may be submitted for payment to private or public payors, persons are required to:

- Provide only such clinical care as is medically necessary;
- Submit timely and accurate bills for payment and accurate cost reports;
- Follow up to make sure that payments to UH are paid in a timely fashion
- Report all suspected violations of Rules immediately when there are allegations of patient harm; and
- Report all suspected violation of Rules no later than thirty (30) days.

UH persons may be subject to disciplinary actions, up to and including termination for failure to comply with the Rules or to report suspected violations of the Rules as well as being subject to fines, penalties, revocation of licenses and accreditation, criminal and civil actions as well as exclusion from federal and state healthcare programs.

UH persons are subject to recurring background checks. In accordance with Federal and State laws, UH will not employ or enter into contracts with any individual or entity currently excluded by the Office of the Inspector General (OIG) and/or the General Service Administration (GSA) from participation in Federal health care programs. If it is determined that an employee, a nonemployee provider with current clinical privileges, or an individual or entity with a contractual relationship

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with UH is on the exclusions lists, the employment and/or contractual relationship shall be immediately terminated.

16. Protection from Retaliation

In accordance with UH Policy, UH persons are required to report all known or suspected improper activities to appropriate authorities, and persons who report such misconduct are to be protected from retaliation.

Office of Ethics and Compliance

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