VA Hospital Policy Memorandum 578–09-001-108 (R1) Hines, IL 60141 March 10, 2014

# CODE OF CONDUCT / STATEMENT OF ORGANIZATION ETHICS

**Highlights**: Updated policy. Appendix reviewed and references updated accordingly. Replaced references to “VA Great Lakes Health Care System” with “Edward Hines, Jr. VAH”. No substantive changes to content.

**Education/Training:**

* Service level review of policy with all staff and copies of the signed attestation maintained at the service level.
* Review of 14 Principles of Ethical Conduct (Attachment A)
* Review of Edward J Hines VAH Code of Conduct (Attachment B)
* All employees to review and acknowledge/sign Attachment B, 90 days following the approval of this policy by the facility director, and annually thereafter. Annual review will be done via the 14 Principles of Ethical Conduct, the Code of Conduct and the Human Resources Annual Employee Notice.
* The Code of Conduct (see Attachment B) will be included in New Employee Orientation and will be signed at that time and then will be as part of the annual review of the 14 Principles of Ethical Conduct, the Code of Conduct and the Human Resources Annual Employee Notice.

**Related Forms:** None

**Keywords:** Conduct

VA Hospital Policy Memorandum 578–09-001-108 (R1) Hines, IL 60141 March 13, 2014

**CODE OF CONDUCT / STATEMENT OF ORGANIZATION ETHICS**

1. **PURPOSE**: To establish and implement a code of behavior for employees that provides an ethical framework that maintains a culture of safety and quality throughout the facility.

2. **POLICY**:

 a. The Edward Hines, Jr. Hospital has established this Code of Conduct in recognition of the ethical responsibility a health care organization has to the patients and community it serves. Hines is committed to promoting healthy working relationships that respect and honor the dignity within everyone. It is the responsibility of every employee and volunteer to put forth honest effort in the performance of their duties andto comply with federal law, regulations, and VA-wide policies, and to act in a manner that is consistent with the intent of this statement of organizational ethics and its supporting policies.

 b. The Edward Hines, Jr. Hospital desires that all patient care activity take place in an atmosphere of collegiality, cooperation, and professionalism. All employees are expected to conduct themselves in a matter consistent with the Mission, Vision, and Core Values.

 c. The Code of Conduct (see Attachment B) will be included in New Employee Orientation and will be reviewed and signed annually by all staff.

 d. The Compliance and Integrity Reporting Tracking System (CIRTS) will be utilized as a helpline for persons to report any Code of Conduct issues and also as a tracking mechanism for issues that are reported.

 e. Issues of patient safety are addressed via the Patient Safety Improvement Program as detailed in Policy Memorandum 578-01-011-057 (R-3) Patient Safety and Risk Management.

f. The Hospital Director may authorize an administrative investigation to examine and allegation of waste, fraud, abuse, and other wrongdoing. Generally, resources are provided and deadlines set to ensure that the completed investigative report is delivered to the Convening Authority within 45 days of the date the Administrative Investigation Board is convened. A variety of VA organizations, other federal agencies, and state agencies may have jurisdiction over matters that could also be the subject of an administration investigation. In the event that an outside authority is conducting the investigation, the deadline for completion may exceed 45 days depending on the complexity of the case.

 g. Nationally, the Office of the Inspector General (OIG) has established a Combined Assessment Program (CAP), which assesses VA medical facilities and regional offices on a cyclic basis. During the CAP reviews, the Inspector General offices conduct fraud and integrity awareness training to raise employee awareness of fraudulent activities that can occur in VA programs. Inspector General CAP review provides facilities with reports of their findings within 30 days. In general, facility responses to recommendations for improvement are required within 15 days of receipt of the draft report unless other guidance is provided for a specific report.

3. **RESPONSIBILITIES**:

 a. Employees must place loyalty to the public trust above anyone’s private gain in order to prevent a conflict of interest or the appearance of a conflict of interest.

 b. Employees must abide by all federal rules and regulations governing the acceptance or giving of gifts (see 5 C.F.R., Part 2635).

 c. Employees must review the 14 Principles of Ethical Conduct, the Code of Conduct and the Human Resources Annual Employee Notice annually.

d. The Chief, Fiscal Service Line has the responsibility to immediately report all over expenditures or other financial management violations in conjunction with the Anti-Deficiency Act once aware of the violation.

e. The Integrated Ethics Council will review complaints, or issues involving code of conduct that are entered into CIRTS.

4. **ACTIONS**: Our behavior is, and will be, guided by a dedication to the principle that all patients, employees, volunteers, and visitors deserve to be treated with dignity, respect, and courtesy.

 a. We have Respect for Others

 (1) Hines VA Hospital is committed to providing quality medical care in an atmosphere in which the human needs and concerns of the patient are met and his/her individual rights and interests are protected.

 (2) This atmosphere must be based on care, which is provided in a courteous, concerned, and compassionate manner.

 (3) To the maximum extent practical, patients and their families, or significant others, will be involved in decisions regarding the care that we deliver.

 (4) We will constantly strive to understand and respect patients' and their families' objectives and competent decisions for care.

 (5) In all circumstances we will treat patients and in a manner giving reasonable thought to their background, culture, religion, heritage, and personal beliefs.

 (6) We value each person and treat each other with dignity.

 (7) Each of us supports and respects one another by keeping the workplace free of discrimination.

 b. We utilize Informed Consent

 (1) It is this VA Hospital’s policy that every patient has the right to as much information as needed, or available, to make an informed decision regarding his/her care. Except in emergency situations, practitioners must inform patients of the purpose and description of any diagnostic/therapeutic procedures, expected results of both consenting to and forgoing proposed procedures, significant risks, and alternative treatments in language that is understandable to the patient.

 (2) All patients involved in research protocols will be accorded the informed consent procedures as outlined by Appendix 9c, M-3, Part 1 (Procedures for Obtaining Informed Consent; Requirements for the Protection of Human Subjects) and Policy Memorandum 578-03-151-004 (R-2) Human Research Protection Program.

 c. We avoid Conflicts of Interest

 (1) Employees must not use their positions, including official time, information, property, or endorsements, for personal gain or the private gain of anyone.

 (2) Employees will not solicit or recruit VA patients into their private practices or

businesses for treatment, services, or supplies that can be provided to the veteran and or by the VA.

 (3) Employees may not hold financial interests that conflict with the conscientious performance of duty; or use public office for private gain.

 (4) Employees may not demonstrate partiality or preferential treatment to any private organization or individual.

 (5) Employees may not engage in outside employment or activities, including seeking or negotiating employment that conflicts with official government duties and responsibilities.

 d. We Maintain Confidentiality/Privacy

 (1) Hines VA Hospital recognizes a responsibility to respect patient privacy and maintain patient and other information in a confidential manner.

 (2) Patient information will not be shared in an unauthorized manner. Information from patient files and computerized files will only be released when proper authorization has been received.

 (3) Patient privacy is to be respected in conducting physical examinations and interviews; professional discussion of patients in public places (e.g., elevators, lobbies) is to be avoided.

 (4) Sensitive information concerning personnel and management issues will be maintained in strict confidence and utilized only by those individuals authorized to review and act upon such information.

 e. We Maintain a Workplace that is free of Disruptive Behavior

 (1) Disruptive behavior will not be tolerated by staff, contractors, or vendors, as detailed in Hines Policy Memorandum 578-01-007-019 (R5)Violence and Disruptive Behavior in the Workplace. Examples include but are not limited to:

(a) Threatening, profane, or abusive language directed at staff, patients, or visitors (e.g. belittling, berating, or intimidating another individual);

(b) Degrading or demeaning comments regarding patients, families, staff, or the hospital;

 (c) Inappropriate physical contact with another individual that is threatening or intimidating;

 (d) Public derogatory comments about the quality of care provided by other physicians and healthcare providers; and

(e) Inappropriate medical record entries concerning the quality of care being provided by the hospital, contractor, or vendor.

(2) Workshops on prevention and management of disruptive behavior of varying lengths and intensity are provided on a regular basis.

(3) The Prevention and Management of Disruptive Behavior coordinator is available for consultation and scheduling of additional specific classes on an as needed basis.

 f. We Maintain a Workplace that is Free of Unsafe Personal Behavior

 (1) We act in accordance with policies and meet expectations for safe and prudent behavior in the workplace.

 (2) We have zero tolerance for any breaches in the code of conduct.

 (3) We have a zero tolerance policy for anyone using or being under the influence of illegal drugs or alcohol while fulfilling ANY duty on behalf of this hospital.

g. We support Resolution of Conflicts

(1) From time to time conflicts will arise among those who participate in hospital and patient care decisions. Whether this conflict is between members of administration, medical staff, employees, or between patient caregivers and the patient (or the patient's family/significant other), we will strive to resolve all conflicts fairly, objectively, and at the level most directly involved with the conflict. In cases where mutual satisfaction cannot be achieved, it is the policy of this hospital to involve the Service Consumer Affairs Representative, the Administrative Officer of the Day (AOD), appropriate service chief or designee, to oversee the resolution / mediation of the conflict. Other staff and second opinions will be sought as needed to pursue a mutually satisfactory resolution.

 (2) The Employee Assistance Program (detailed in Policy Memorandum 578-06-122-008) is available to assist with problems of a personal nature that may have an adverse effect on an employee's performance and conduct.

 (3) Conflicts over end of life treatment decisions should follow the conflict resolution mechanism as stated in hospital policy, Foregoing Cardiopulmonary Resuscitation and Other Life-Sustaining Treatments. The Hospital Ethics Committee Bulletin outlines the steps involved to access the assistance of the Hospital Ethics Committee.

1. We review Eligibility/Admission/Transfer/Discharge/Protective Services

(1) Any person requiring emergency care will be treated.

(2) All eligible veterans requiring hospital care will be admitted to Edward Hines, Jr. Hospital or will be transferred to another hospital for appropriate care.

(3) Ineligible veterans and non-veteran patients who require non-emergency hospitalization will be transferred to another hospital for that care.

 (4) Any patient being transferred to another hospital will first be treated to stabilize his/her medical condition and to minimize further compromise of that condition. The patient will not be transferred until accepted by the receiving facility. Responsibility for the patient during transfer will be established and all pertinent medical information will accompany the patient.

 (5) Patients may be discharged from the hospital on completion of acute medical care or on stabilization of a chronic medical condition. Discharge planning will be coordinated with patients and families to ensure that appropriate provisions are made prior to discharge in order to meet the patient's continuing care needs. Arrangements for any needed continuing medical care will be made at the time of discharge. Patients considered to be vulnerable adults (those unable to care for or advocate for themselves due to neglect, abuse or exploitation), shall be accorded access to protective services.

 (6) Decisions regarding admissions, discharges or transfers will be based upon the patient's clinical condition and will not be influenced by the patient's insurance coverage or ability to pay.

 i. We utilize Fair Billing Practices

 (1) In compliance with existing federal regulations and public law, Edward Hines, Jr. Hospital will bill veterans as mandated. The hospital will also provide assistance to veterans seeking to understand the cost relative to their care.

 (2) According to federal regulations, some veterans may be required to pay a pharmacy co-pay. An effort will be made to resolve questions and/or complaints in a tactful, courteous, and timely fashion in the best interests of both the patient and the hospital.

 j. We provide Ethical Business Practices

1. Our medical and business decisions are based on the best possible care for our patients, not our personal financial interests.
2. Government business shall be conducted in a manner above reproach and, except as authorized by statute or regulation, with complete impartiality and with preferential treatment for none.

 (3) Transactions relating to the expenditure of public funds require the highest degree of public trust and an impeccable standard of conduct.

 (4) The general rule is to strictly avoid any conflict of interest in Government-contractor relationships. As a rule, no Government employee may solicit or accept, directly or indirectly, any gratuity, gift, favor, entertainment, loan, or anything of monetary value from anyone who:

(a) Has or is seeking to obtain Government business with the employee's agency,

(b) Conducts activities that are regulated by the employee's agency, or

(c) Has interests that may be substantially affected by the performance or nonperformance of the employee's official duties.

(5) Employees shall disclose waste, fraud and abuse and corruption to appropriate

authorities. Employees can disclose waste, fraud and abuse and corruption to their immediate supervisor, service/service line manager, hospital leadership or to the Veterans Administration (VAOIG) Office of the Inspector General. The website for the VAOIG is http://www.va.gov/oig/homepage.htm. The VAOIG relies on concerned VA employees and citizens to provide information regarding alleged fraud, waste, and mismanagement in the VA.

(6) Employees shall satisfy in good faith their obligations as citizens, including all

financial obligations, especially those such as Federal, State, or local taxes that are imposed by law.

(7) Employees shall adhere to all laws and regulations governing federal employees including those that provide equal opportunity for all Americans regardless of race, color, religion, sex, national origin, age or handicap.

(8) Employees shall endeavor to avoid any actions creating the appearance that they are violating the law or the ethical standards set forth in this Code of Conduct. Whether particular circumstances create an appearance that the law or these standards have been violated shall be determined from the perspective of a reasonable person with knowledge of the relevant facts.

 k. We Provide Outreach and Public Information

 (1) It is the public policy of the Edward Hines, Jr. Hospital to promote, assist, and support both the flow of, and access to, information that will serve to communicate an understanding of the hospital's mission and the services it provides.

 (2) The hospital communicates policy with the public in an honest and forthright manner that minimizes confusion and broadens both individual and public understanding.

 (3) Informational materials will accurately reflect services provided.

5. **REFERENCES**:

 a. Hospital Ethics Committee Bulletin C-41 (R1).

 b. Hospital Policy 578-06-002-005 (R-2) Ethical Conduct and Therapeutic Boundaries in Employee-Patient Relationships.

 c. Hospital Policy 578-01-007-019 (R5) Violence/Disruptive Behavior in the Workplace

 d. Hospital 578-03-001-035 (R2), Automated Information Systems (AIS) Security Program.

 e. Hospital Policy 578-03-001-023 (R1) Consumer and Public Affairs.

 f Hospital Policy 578-02-011-016 (R-3) Patient Abuse.

 g. Hospital Policy 578-03-011-054 (R3) Organ and Tissue Procurement Program.

 h Hospital Policy 578-05-011-072 (R2) Foregoing CPR and Other Life-sustaining Treatments.

 i. Hospital Policy 578-02-011-074 (R1) Patients' Advance Directives for Future Health Care.

 j. Hospital Policy 578-01-011-057 (R5) Patient Safety Improvement/Risk Management Program

 k VHA Directive 2008-077 “Quality Management (QM) and Patient Safety Activities That Can Generate Confidential Documents: dated November 7, 2008.

l. Hospital Policy 578-03-011-101 (R-2) Informed Consent.

m. VISN Policy Memorandum 10N12-03-09, VISN 12 Utilization Management Plan .

 n. Hospital Policy 578-07-135-004 (R1) Gifts and Donations.

 o. Hospital Policy 136-033 (R-3), Processing and Eligibility of Applicants for Medical Care.

 p. Hospital Policy 578-06-136-180 (R1) Privacy/Release of Information.

 q. Hospital Policy 136-144 (R-2), Eligibility and Priority for Outpatient Care and Services.

 r. Hospital Policy 578-03-181-009 (R2) Hospice Palliative Care Program.

 s. VHA Handbook 1200.05, Requirements for the Protection of Human Subjects in Research, dated May 2, 2012.

 t. 5 C.F.R., Part 2635, Standards of Ethical Conduct for Employees of the Executive Branch, dated 1995.

u. 38 CFR 17.33, Respect for Patients.

v. 38 USC 1210, Eligibility/Admissions.

w. United States Office of Government Ethics’ An Ethics Handbook for Executive Branch Employees, January 1995.

x. VA Handbook 0700 Administrative Investigations July 31, 2002 Chapters 1-3.

y.. Hospital Policy 578-04-004-065 Bill for Collection – OF-1114B.

z. Hospital Policy 578-03-004-046 (R-) Unannounced Audit of Cash Assets.

aa. Hospital Policy 578-04-004-40 Change 1 Antideficiency Act dated February 27, 2004.

bb. Statement of the Honorable Richard J. Griffin Inspector General, Department of Veterans Affairs, Before the United States House of representatives, Committee on Veterans Affairs Hearing on Past and Present Efforts to Identify and Eliminate Fraud, Waste, Abuse, and Mismanagement in Programs Administered by the Department of Veterans Affairs – May 8, 2003.

6. **RESCISSION**:Hospital Policy 578-09-001-108 Code of Conduct/, Statement of Organizational Ethics, dated January 16, 2009.

7. **RECERTIFICATION**: This Policy Memorandum will be recertified on or before March 13, 2017.

8. **FOLLOW-UP RESPONSIBILITY**: Integrated Ethics Council

Joan Ricard, FACHE

Hospital Director

Attachments: (2)

Distribution: Hines Internet Website and Service Chiefs/Service Line Managers via E-mail

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 Attachment A

**Fourteen Principles of Ethical Conduct for Federal Employees**

**(Executive Order 12731)**

* 1. Public service is a public trust, requiring employees to place loyalty to the constitution, the laws and ethical principles above private gain.
	2. Employees shall not hold financial interests that conflict with the conscientious performance of duty.
	3. Employees shall not engage in financial transactions using nonpublic Government information or allow the improper use of such information to further any private interest.
	4. An employee shall not, except as permitted by the Standards of Ethical Conduct, solicit or accept any gift or other item of monetary value from any person or entity seeking official action from, doing business with or conducting activities regulated by the employee’s agency, or whose interests may be substantially affected by the performance or nonperformance of employee’s duties.
	5. Employees shall put forth honest effort in the performance of their duties.
	6. Employees shall not knowingly make unauthorized commitments or promises of any kind purporting to bind the Government.
	7. Employees shall not use public office for private gain.
	8. Employees shall act impartially and not give preferential treatment to any private organization or individual.
	9. Employees shall protect and conserve Federal property and shall not use it for other than authorized activities.
	10. Employees shall not engage in outside employment or activities, including seeking or negotiating for employment, that conflicts with official Government duties and responsibilities.
	11. Employees shall disclose waste, fraud, abuse, and corruption to appropriate authorities.
	12. Employees shall satisfy in good faith their obligations as citizens, including all financial obligations, especially those such as Federal, State, or local taxes—that are imposed by law.
	13. Employees shall adhere to all laws and regulations that provide equal opportunity for all Americans regardless of race, color, religion, sex, national origin, age or handicap.
	14. Employees shall endeavor to avoid any actions creating the appearance that they are violating the law or the ethical standards set forth in the Standards of ethical conduct. Whether particular circumstances create an appearance that the law or these standards have been violated shall be determined from the perspective of a reasonable person with knowledge of the relevant facts.

I certify that I have reviewed and agree to the Fourteen Principles of Ethical Conduct for Federal Employees. I agree to comply fully with the standards, policies, procedures and other provisions of the Fourteen Principles of Ethical Conduct for Federal Employees. I understand that compliance with the provisions contained in the Fourteen Principles of Ethical Conduct for Federal Employees is a condition of employment.