

Policy Title:	Code of Ethical Conduct - Compliance - SVHC	Policy ID	847
Department	*Administration, *SVHC Corporate Compliance		
Keywords	Ethical, Conduct, Laws, Regulations, Gifts, Kickbacks, Referrals, Photography, Videography, Video, Audio, Photos, Fraud, Waste, Abuse		

I. Purpose of Policy

Southwestern Vermont Health Care (SVHC) is committed to promoting high quality patient care, and recognizes that an effective compliance and ethics program supports that goal. Therefore, SVHC's Board of Trustees has adopted this Code of Ethical Conduct to provide standards for employees and providers that promote integrity, honesty, respect, compassion, and personal responsibility and accountability for one's actions in order to protect the health system and enhance SVHC's ability to achieve its mission.

The Code of Ethical Conduct is a series of principals and their subsidiary rules that govern all interactions. The Code contains two key complimentary sections: obligations and ideals. **“Obligations”** refer to *necessary* behaviors that are required by the ethical foundation of our organizational mission. **“Ideals”** refer to *desirable* behaviors to which all SVHC personnel should aspire.

II. Policy Scope

The code of Ethical Conduct applies to **all members of the SVHC community** including:

- A. Members of the Board of Trustees and Boards of Directors of subsidiary corporations
- B. The President and CEO and all members of Executive Management
- C. All physicians and other medical professionals credentialed by SVHC
- D. All employees, including contracted and per diem employees
- E. All volunteers, students and contracted personnel who speak or act on behalf of SVHC or subsidiary corporations.

II. Definitions

- A. **Code of Ethical Conduct:** a series of principals and their subsidiary rules that govern all interactions at SVHC.
- B. **Personnel:** All members of the SVHC community as listed above.

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- C. **Gifts, Gratuities, Prizes and Honoraria Policy: (“Gifts and Gratuities Policy”):** SVHC policy that prohibits accepting, soliciting, or providing an improper payment, gift, service or other item of value (“kickback”) offered or received in return for increased business such as patient referrals.
- D. **Conflicts of Interest:** When an SVHC community member conducts or enters into business, financial or other relationships, or transactions that conflict with the interests of SVHC, that conflict with their ability to perform the duties of their role or compromises professional judgement.

IV. Policy Statement

- A. The Code of Ethical Conduct is an important document that serves as a tool and governing document for all conduct at SVHC. When an individual does not meet the high standards outlined in the Code, applicable SVHC policies, procedures and professional staff bylaws, including those addressing disciplinary and adverse actions, will govern the corrective action necessary to address the non-compliance.
- B. As part of each individual’s obligation to maintain the highest level of integrity and accountability, each individual to whom this Code applies is required to alert a supervisor, senior manager, Corporate Compliance Officer or by reporting on the SVHC Compliance and Ethics Helpline a suspected or actual violation of this Code, SVHC policies and procedures, or applicable laws and regulations.
- C. SVHC personnel are both obligated and expected to conduct themselves in the following manner:
 - 1. **Act Ethically and with Integrity:** All members of the SVHC community shall promote a culture of ethics, honesty, integrity and compliance with federal law, applicable state regulations, any applicable ethics codes that apply to a respective licensee, and all SVHC Policies and Procedures. SVHC community members shall:
 - a. Act according to the highest ethical and professional standards of conduct;
 - b. Lead others to ethical standards through example, instruction, and personal accountability;
 - c. Be truthful in all communications;

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- d. Acknowledge personal errors and take steps to correct them and prevent their recurrence;
- e. Refrain from knowingly or intentionally providing inaccurate, misleading or deceptive information; and
- f. Cheating, stealing, plagiarizing or otherwise acting dishonestly will not be tolerated.

See also: [SVHC Employee Handbook](#)

- 2. Practice Respect for All Persons:** All members of the SVHC community shall:
- a. Treat those whom they serve, with whom they work, and the public in which they interact with respect and courtesy at all times;
 - b. Treat patients and colleagues with kindness, dignity, and always strive to maintain psychological safety;
 - c. Provide care that is both medically necessary and appropriate, include patient preferences for treatment in the plan of care to the fullest extent possible, and uphold the autonomy of patients and their designated surrogate in health care decision-making;
 - d. Respect the privacy and modesty of patients;
 - e. Avoid using discriminatory, harassing, hostile or profane language, either verbally or in writing; or engaging in physically, verbally, psychologically, or sexually harassing behavior while performing their duties and responsibilities or while representing SVHC in the community;
 - f. Seek to resolve interpersonal conflicts and avoid allowing interpersonal conflicts to interfere with patient care or the operations of the organization;
 - g. Ensure that all communication, including documentation in the patient's medical record, is constructive and free of patronizing, judgmental or hostile overtones;
 - h. Practice discretion in patient care settings and other settings where conversations may be overheard by others.
- 3. Follow all Laws and Regulations:** All members of the SVHC community, individually and as managers, shall ensure that legal requirements are met as they perform their work function/s. SVHC community members shall:
- a. Adhere to local, state and federal laws, regulations, and policies;
 - b. Ensure that subordinates adhere to all of the foregoing;
 - c. Promote the prevention of fraud and abuse by complying with CMS regulations, avoiding improper payments that do not comply with applicable billing and coding rules and regulations, complying with the federal anti-kickback statute, federal stark law, and other relevant fraud and abuse laws which are further outlined in the SVHC Gifts and Gratuities Policy;

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- d. Comply with the False Claims Act by documenting patient care completely, accurately and in a timely manner, and performing billing and claims payment processes in a manner consistent with federal health care program and other payer requirements in accordance with SVHC billing policies and procedures; and
- e. Ensure that all personnel receive appropriate education and training on applicable laws, regulations, and policies;

See also: [Law and Regulation Education and Compliance Policy - SVHC Corporate Compliance](#)

[False Claims Act Notification Policy - Compliance - SVHC](#)

4. **Promote a Culture of Compliance:** All members of the SVHC community shall actively promote compliance and ethical behaviors within the SVHC community by:
 - a. Working to identify, prevent and detect all potential and actual issues;
 - b. Reporting actual or suspected incidents of fraud, waste or abuse in federal or state health care programs to a supervisor, senior management, the Corporate Compliance Officer or the SVHC Compliance Helpline;
 - c. Properly disclosing and resolving reports of non-compliance within their area of responsibility; and
 - d. Treating all reporters of suspected non-compliance with respect and at no time engaging retaliation that is prohibited by law and undermines a culture of Compliance.

See also: [Non-Retaliation Policy - Human Resources - SVHC](#)

5. **Avoid Conflicts of Interest:** SVHC community members shall:
 - a. Refrain from outside activities that hinder or interfere with the ability to perform their job at SVHC or results in using SVHC resources for non-job related purposes;
 - b. Maintain objectivity in decision-making by avoiding real and perceived conflicts of interest;
 - c. Refer patients for services or products on the basis of independent medical judgement, medical necessity, and patient preference;
 - d. Disclose to their supervisor, director, or to the Corporate Compliance Officer all activities that may present or appear to present a conflict of interest;
 - e. Ensure that personal relationships do not interfere with the impartial performance of job duties;
 - f. Decline to provide services or endorsements for a competitor of SVHC or any similar type organization without the express approval of their supervisor (for staff, from their Director; for employed credentialed medical staff, from the Chief Medical Officer; for EMT, from the Chief Executive Officer).

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- g. Decline all gifts and gratuities *except* in accordance with the current *Gifts and Gratuities Policy*.

See also: [Conflicts of Interest Policy - Compliance - SVHC](#), [Gifts, Gratuities, Prizes and Honoraria Policy - Compliance - SVHC](#), [Gifts and Gratuities \(FAOS\) - Compliance - SVHC](#), [Moonlighting Policy - Human Resources - SVHC](#)

6. **Practice Financial Responsibility:** At all times, members of the SVHC community shall behave in a financially prudent and honest manner by:

- a. Communicating honestly and candidly with internal staff and external auditors regarding all SVHC financial matters;
- b. Prudently using SVHC's assets and funds by adhering to laws and institutional policies to protect, spend and account for money and resources to which they are entrusted;
- c. Creating and maintaining accurate financial records, and never falsifying or improperly altering information in any records, reports or other documents, including electronic communications, to reflect untruthful positions; and
- d. Submitting all time cards and financial records in an accurate and timely manner (for example, budget requests, expense reports, and other financial records).

See also: [Travel Reimbursement Policy - Finance - SVHC](#), [Time and Attendance - Human Resources - SVHC](#)

7. **Protect Confidential Information:** All members of the SVHC community are responsible for maintaining the confidentiality of sensitive information of many types. SVHC community members are expected to:

- a. Maintain the privacy of all patients in accordance with the Health Insurance Portability and Accountability Act (“HIPAA) and other state and federal laws and regulations governing patient privacy and security, as well as SVHC HIPAA policies and procedures;
- b. Hold all patient protected health information in the highest regard, keeping it confidential at all times, and only accessing patient information when required (“need to know”) for the performance of their duties at SVHC;
- c. Limit conversations, to the greatest extent possible, regarding patients to private locations where the conversations cannot be overheard;
- d. Refrain from publically identifying a patient, either verbally, in writing, or on social medial, without documented permission or adequate justification;
- e. Protect the confidentiality of all SVHC proprietary business information including business records, plans, trademarks, symbols and personnel information;
- f. Maintain data security and privacy of all electronic information;

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- g. Ensure computer system passwords are not shared and that they remain confidential and secure;
- h. Refrain from taking or posting photographs, video recordings, and/or audio recordings of/with patients and/or their families unless it is medically necessary and the patient/family has given their written authorization to do so;
- i. Utilize best efforts to to learn and comply with all laws, regulations, and policies regarding the use, access to, retention, and destruction of confidential information; and
- j. Protect the confidential or proprietary information of any business associate of SVHC by not using such information to give SVHC an unfair competitive advantage.

See also: [Confidentiality of Information - HIPAA - SVHC](#) , [Media Access, Photography and Recording Policy - SVHC HIS HIPAA](#); [Social Media](#)

8. **Promote a Safe and Healthy Workplace:** SVHC community members share responsibility for creating a healthy and secure workplace, and shall:
- a. Learn and follow all laws, regulations, policies and procedures relating to environmental and workplace safety;
 - b. Actively promote a safe and healthy workplace by
 - a. Notifying the appropriate SVHC official of any workplace accidents, injuries and unsafe conditions;
 - b. Adhering to institutional policies and procedures governing health screenings and immunizations;
 - c. Using all appropriate personal safety equipment and required precautions to safely perform their duties and protect patients and co-workers;
 - d. Assuring their physical and mental health render them fit to work and alerting their supervisor immediately if they believe they are not fit to work;
 - e. Maintaining the security of SVHC's physical plant and assets;
 - f. Protecting the environment through the careful handling of potentially harmful materials;
 - g. Using resources wisely through reuse and recycling of materials; and
 - h. Reporting system problems, incidents or concerns that may place patients, personnel or others at risk of harm through the system's event reporting system.

See also: [Safety Management Plan - Environment of Care](#)

9. **Promote Diversity, Equity and Inclusion in the Workplace:** All members of the SVHC community shall be committed to the fair and equitable treatment of all individuals and make decisions without regard to personal classifications or characteristics. SVHC community members shall:
- a. Follow all laws, regulations, and policies regarding fair labor practices;
 - b. Practice the principle of equal opportunity and non-discrimination;
 - c. Promote an atmosphere in which we can discuss concerns about diversity and inclusion without fear of retaliation or retribution;
 - d. Refrain from referring to individuals by their socio-economic class, insurance, color, or sexual orientation in a derogatory manner; and
 - e. Maintain dignity and respect for all persons without regard to race, color, religion, national origin, gender, ancestry, age, disability, service in the armed forces, sexual orientation or gender identity, or other classification prohibited by state or federal law.

See also: [Equal Employment Opportunity EEO Policy - Human Resources - SVHC](#)

10. **Assume Responsibility for Quality Patient Care:** Members of the health care team shall:
- a. Avoid engaging in unsupervised involvement in areas or situation where they are not adequately trained unless in an urgent or emergent situation;
 - b. Obtain the patient's or authorized surrogate decision-maker's informed consent for diagnostic tests or treatments, and confirm the decision-making capacity of the patient as appropriate;
 - c. Take responsibility for patients under their care, and coordinate such care when off duty or on vacation by assuring patients are adequately cared for by another practitioner with a coherent and consistent treatment plan;
 - d. Never abandon a patient. If they are unwilling or unable to continue care, they have an obligation to arrange for alternative care for the patient;
 - e. Follow up on ordered laboratory tests and complete record documentation in accordance with SVHC documentation policies and SVMC Medical Staff By-Laws;
 - f. Charge patients or their insurers only for clinical services provided, supervised, and/or permitted by applicable laws and regulations;
 - g. Provide the same standard of care to all patients regardless of their ability to pay;
 - h. Comply with SVHC's Substance Abuse and Drug-Free Workplace policy. Report suspected drug misuse or diversion in accordance with applicable SVHC policies and procedures;
 - i. Cooperate with other members of the health care team, including providing appropriate and timely response to pages, calls and emails;

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- j. Honestly disclose consequential, unanticipated outcomes to patients and families in according with SVHC’s Disclosure of An Unexpected Outcome Guidelines; and
- k. Be accountable for the safety of our patients, peers and coworkers by respectfully and openly sharing ideas for improving patient or organizational outcomes.

11. Practice Professional Etiquette: Members of the health care team shall:

- a. Clearly identify themselves and their role to patients and staff, and wear their name tag in a way that is both visible and accessible to others;
- b. Dress in a neat, clean manner following SVHC policies that govern acceptable attire, and maintain personal hygiene;
- c. Maintain a professional composure despite the stresses of fatigue, professional pressures and personal problems;
- d. Refrain from engaging in disruptive behaviors and other behaviors that undermine a culture of safety;
- e. Resolve professional disagreements through respectful discussions and address such behaviors in accordance with the SVHC Disruptive Behavior Policy

12. Delegation of Authority:

The SVHC Board of Trustees endorses this code and delegates the enforcement and support for this code to the Chief Executive Officer and administrative staff for the endorsement and periodic review of the appropriate policies, procedures, review, and education. The SVHC Board of Trustees shall review and approve all changes to this code after first receiving a recommendation and approval by the SVHC Board of Trustees Audit and Compliance Committee.

V. References

Not Applicable

Responsible Owner:	Patricia Bradley (*Risk Manager)	Original Creation Date	10/21/1998
Approved By:	Approved: Board Audit and Compliance Committee, June 2022 Approved: Board of Trustees, June 2022	Last Modified	06/14/2022
Approval Date:	08/16/2022	Next Periodic Review	08/16/2025

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Related Polices & Procedures:	Law and Regulation Education and Compliance Policy - SVHC Corporate Compliance False Claims Act Notification Policy - Compliance - SVHC Non-Retaliation Policy - Human Resources - SVHC Conflicts of Interest Policy - Compliance - SVHC Gifts, Gratuities, Prizes and Honoraria Policy - Compliance - SVHC Travel Reimbursement Policy - Finance - SVHC Time and Attendance - Human Resources - SVHC Moonlighting Policy - Human Resources - SVHC Confidentiality of Information - HIPAA - SVHC Media Access, Photography and Recording Policy - SVHC HIS HIPAA Safety Management Plan - Environment of Care Equal Employment Opportunity EEO Policy - Human Resources - SVHC
Related Job Aids:	Gifts and Gratuities (FAOS) - Compliance - SVHC

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