



DMC Code of Conduct

Effective: February 23, 2015

DMC Compliance Hotline: 800 – 8ETHICS

DEPARTMENTS

Anesthesiology
Dermatology
Emergency Medicine
Family Medicine
Internal Medicine
Neurology
Neurosurgery
Obstetrics/Gynecology
Ophthalmology
Orthopedics
Otolaryngology
Pathology
Pediatrics
Physical Medicine & Rehabilitation
Psychiatry
Radiation Oncology
Radiology
Surgery
Urology

This code of conduct is intended to reflect in the clearest possible terms the commitment to excellence, quality, and patient safety of those providing care at the DMC.

Obligation to Report

We rely on you to consistently demonstrate that at DMC, we act with integrity in the way we do our work and care for patients. Everyone is expected to follow the Code of Conduct, applicable Tenet Policies, DMC Policies, Departmental Policies and Procedures, laws, and regulations. To that end, all Department members are expected to report to the DMC Compliance Officer suspected violations of the Federal Healthcare Program, this Code of Conduct or violations of Tenet, DMC or departmental policies and procedures.

Should you feel that someone has violated the provision of this Code of Conduct, applicable policies and procedures, or any laws or regulations that affect us, you should immediately report this information as directed below.

Compliance Program Guidance and Reporting Violations

If you have questions regarding the standards included in the Code of Conduct, need to report a suspected violation, or believe concerns cannot be addressed through the normal channels of communication, you must contact the DMC Compliance Officer or call the Compliance Hotline 800 - *ETHICS. Failure to report a known violation may subject you to disciplinary action, even if you are not involved. You will remain anonymous unless you choose to identify yourself.

Non-Retaliation Policy

No disciplinary action or other form of retaliation will be taken against any member of the department who reports in good faith an issue, problem, concern, or violation to the DMC Compliance Officer or to the Compliance Hotline.

Investigation of Reports

All concerns brought to the attention of the DMC its Compliance Officer or the Compliance Hotline will be investigated promptly. To the extent practical, all reported concerns will be kept confidential. All staff members are expected to cooperate fully with our investigation efforts.

Receipt of the Code of Conduct

The DMC Specialist-in-Chief of the Department will be responsible for assuring that all DMC Department members, including trainees and staff, attest to their receipt of a copy of the Code of Conduct.

DMC CODE of CONDUCT

The Code of Conduct provides guidance to ensure that care is provided and work is done in a safe, ethical and legal manner. It emphasizes the shared common values, guides our actions, and specifies resources to help resolve questions surrounding appropriate conduct at DMC.

All DMC employees staff and affiliated Department members will follow the standard for the in the Code of Conduct. Failure to adhere to the standards is a serious matter that may lead to disciplinary action, including immediate termination. Conduct that violates applicable laws may also subject a given individual or the group to criminal prosecution or civil monetary penalties imposed by governmental agencies.

DMC and its Compliance Officer have been charged with a special obligation to be available and responsive to employees and staff when questions arise about adherence to the Code of Conduct.

The Code of Conduct is a living document which will be amended and revised periodically to respond to changing conditions and to better reflect the following standards:

Standard 1: Quality of Care and Patient Safety

We are committed Safety for Life. We are committed to improving the health of the community we serve by providing healthcare services in a safe, caring and efficient manner in accordance with all applicable Tenet and DMC standards of professional practice.

- A. We are committed to respecting the uniqueness of each person within our community and assuring that each patient is treated with respect, dignity and courtesy at all times.
- B. We are committed to non-discrimination.
- C. We will ensure that each patient receives safe, quality care.
- D. We will provide treatment to our patients in a safe manner, based on their clinical and psychological needs.

Standard 2: Privacy and Confidentiality

We are committed to fulfilling regulatory standards designed to handle all facets of information management, including reimbursement, coding, security and patient records.

- A. We will protect against the unauthorized access, use and disclosure of protected health information.
- B. We will not disclose restricted/confidential information or documents
- C. We will not permit any person to examine or make copies of any restricted confidential information, unless authorized to do so.
- D. We will follow all DMC and Tenet policies regarding Protected Health Information (PHI). As such, we will comply with DMC Policies: Confidentiality; Computer Password [1 IS 004](#); Encryption, Decryption and Data Integrity [1 IS 019](#); and Device and Media Controls [1 IS 030](#).

Standard 3: Coding/Billing Integrity and Record Keeping

We are committed to maintaining timely and accurate patient records and billing only for services actually rendered as documented in patient medical records.

- A. We will take steps to ensure that all clinical documentation, including that to support bills submitted for payment, is accurate and complies with federal and state laws and regulations.
- B. We will assure that clinical documentation complies with CMMS DHHS Guidelines for Teaching Physicians, Interns and Residents ICN: 006347/1210.
- C. We will ensure that documentation, coding and billing accurately describe only the exact clinical services that were provided.
- D. We will take immediate steps to alert the payor, correct the bill and refund credits when due if inaccuracies are discovered in documentation that may impact a bill that has already been submitted.

Standard 4: Compliance with Laws and Regulations

We require all members to conduct their individual duties on all DMC operations in a manner that meets all applicable legal, ethical and regulatory standards.

- A. We will not pursue any business opportunity that requires participation in unethical or illegal activity.
- B. We will not participate in any corrupt business practice, including bribery, kickbacks or payoffs.
- C. We will not engage in conduct that may violate health care fraud and abuse laws, including:
 - 1. Making or receiving direct or indirect payments in any form in exchange for the referral of patients;

2. Submitting false or fraudulent claims to any governmental or other payor for health care services, such as claims for services not actually rendered, claims for services that were not medically necessary, claims involving “upcoding” (that is, incorrect classification of services to obtain higher payment) and claims for services not covered under a particular program;
 3. Making false representations to anyone in order to obtain payment for any services or to obtain or to retain status as a participation in any program; and
 4. Failing to disclose information affecting the right of DMC or of anyone else to obtain or to retain payments for services or charge under a payment program.
- D. We will maintain all clinical and business data, records, and reports completely and accurately in accordance with Tenet/DMC policies and procedures.
- E. We will not make any false or misleading statements about other members of the Department or about Tenet/DMC.

Standard 5: Environmental Conduct and Practices

We are committed to creating an environment in which residents, students, employees, physicians, and others are treated fairly and afforded opportunities for professional development.

- A. We will not discriminate. We will hire, train, and promote without regard to race, color, religion, gender, national origin, age disability, or other classifications protected by law.
- B. We will not employ or establish a business relationship with any individual or entity currently under sanction or exclusion by authorized law enforcement, regulatory or licensing agency.
- C. We will not tolerate harassment or workplace violence. As our commitment to provide a safe workplace, we will maintain a workplace free of misconduct that disrupts or interferes with an individual’s work performance or creates intimidating, offensive or hostile environment that includes threats or acts of violence in the workplace. All persons within the department will:
1. Refrain for any threats or acts of violence and immediately report any threats or acts of violence to appropriate personnel and/or security.
 2. Remain free of the influence of illegal drugs or alcohol.
 3. Refrain from the non-prescribed use of controlled substances.
 - a. If you have questions or concerns about the effects of prescribed medications, and their effects on your performance, please contact the DMC Compliance Officer.
 - b. Some members have access to prescription drugs, controlled substances, and other medical supplies. These items must be

maintained, dispensed and transported in compliance with Tenet/DMC policies, laws and regulations and then only by authorized individuals.

4. Not allow persons to report to work, or otherwise provide patient care services unless they possess the mental acuity and sharpness necessary to perform their tasks in a safe and prudent manner.
- D. We maintain the integrity and quality of our clinical performance by insuring that Department members are familiar with the applicable policies, rules and regulations governing their area of work. In this regard, we will:
1. Ensure that Department members who provide patient care are properly licensed and trained;
 2. Rely on employees, trainees and Department members to report deficiencies, errors, and safety events; and
 3. Identify areas for improved care reliability and support steps to make positive changes.

Standard 6: Professionalism

We are committed to carrying out professional responsibilities and an adherence to ethical principles as demonstrated by:

*-compassion, integrity, and respect for others;
-responsiveness to patient needs that supersedes self-interest;
-respect for patient privacy and autonomy;
-accountability to patients, society and the profession; and
-sensitivity and responsiveness to a diverse patient population, including but not limited to diversity in gender, age, culture, race, religion, disabilities, and sexual orientation.*

- A. We are committed to educating all Department members concerning the professional responsibilities of physicians to appear for duty appropriately rested and fit to provide the services required by their patients.
- B. We are committed to and responsible for promoting patient safety and trainee well-being in a supportive educational environment.
- C. We are committed to active participation in interdisciplinary clinical quality improvement and patient safety programs, including:
 1. The monitoring of patient care performance improvement indicators;
 2. Adherence to DMC Medical Staff Policies on professionalism [1 MS 031](#) and peer review [1 MS 022](#) ; and
 3. Assuring that all potential conflicts of interest in the peer-review process, which may arise because of familial or other relationships, are addressed with Department leadership and the DMC Compliance Officer.

- D. We are committed to assuring that patient care and professional responsibilities are not be compromised by excessive reliance on residents to fulfill non-physician service obligations.
- E. We are committed to demonstrate an understanding and acceptance of our personal role in the following:
 - 1. Assurance of the safety and welfare of patients entrusted to our care;
 - 2. Provision of patient- and family-centered care;
 - 3. Assurance of our own fitness for duty;
 - 4. Recognition of impairment, including illness and fatigue, in ourselves and in our peers;
 - 5. Attention to lifelong learning;
 - 6. Honest and accurate reporting of duty hours, patient outcomes, and clinical experience data.
- F. We are committed to demonstrating responsiveness to patient needs that supersedes self-interest. We recognize that under certain circumstances, the best interests of the patient may be served by transitioning that patient's care to another qualified and rested provider.
- G. We acknowledge examples of unprofessional behavior include, but are not limited to:
 - 1. Treating patients without due consideration and response to their needs and concerns;
 - 2. Being routinely late for assignments and other duties such as completing charts, returning phone calls;
 - 3. Inappropriate dress or behavior that indicates a distinct lack of respect for others;
 - 4. Failure for trainees or supervising practitioners to comply with the educational requirements of this training program.
- H. We are committed to adhering to DMC Policy [1 MS 024](#) that requires us, when there is reasonable suspicion that a Physician appointed to the medical staff is disruptive, to immediately notify his or her supervisor, or the most senior or most immediately available administrative or medical staff member (e.g., Chief of Staff, Chairperson of Department, head nurse, supervisor of the department, senior staff Physicians, Hospital administrator on call).

Standard 7: Trainee Supervision

We are committed to assuring proper supervision of health care delivered by trainees and are responsible for providing residents with direct experience and progressive responsibility for patient management commensurate with their individual progress in experience, skill, knowledge, and judgment.

- A. We will adhere to the principle that supervising practitioners are responsible for the care provided to each patient. Fulfillment of that responsibility requires personal involvement with each patient and each resident/trainee who is participating in the care of that patient. Each patient must have a supervising practitioner whose name is identifiable in the patient record. Other supervising practitioners may at times be delegated responsibility for the care of the patient and the supervision of the residents involved. It is the responsibility of the supervising practitioner to be sure that the residents involved in the care of the patient are informed of such delegation and can readily access a supervising practitioner at all times.
- B. Within the scope of the training program, we will assure that all residents and students function under the supervision of supervising practitioners.
- C. In order to ensure patient safety and quality patient care while providing the opportunity for maximizing the educational experience of the resident in the inpatient, home, or ambulatory setting, we will assure that an appropriately-privileged supervising practitioner is available for supervision at all times. Supervising practitioners are responsible for ensuring the coordination of care that is provided to patients.
- D. We will ensure that the training program provides appropriate supervision for all residents as well as a duty hour schedule and a work environment that are consistent with proper patient care, the educational needs of residents, and all applicable program requirements.
- E. We will adhere to the DMC Education and Research GME Policy on Supervision of Residents and Fellows found at <http://www.dmc.org/gme> and any Departmental Policies on Supervision of Residents, Fellows, and trainees.

Standard 8: Research

We are committed to following high ethical standard in any research conducted by departmental providers, including trainees and other professional staff.

- A. We will follow all Tenet, WSU, MSU, Tenet and DMC Clinical Research Office policies and procedures, including [1 CLN 050](#), [1 CLN 061](#) , [1 HIM 160](#), and [1 HIM 156](#) .
- B. We will not engage in any research study that does not have IRB approval or is not registered with the DMC Clinical Research Office.

- C. Patients whose Department member proposes to engage in, or perform research affecting their care or treatment will:
 1. Have the right to refuse such participation and not compromise their health care;
 2. Be given a description of the research/treatment and expected benefits;
 3. Be advised of potential discomfort and risks of the research/treatment; and,
 4. Be given a description of alternative beneficial services, if available.
- D. We will not inappropriately bill for experimental or unapproved drugs or devices.
- E. We will not misuse or abuse information obtained while conducting research.
- F. We will follow all Tenet and DMC policies regarding Protected Health Information (PHI) and assure that all PHI remains secure on DMC servers. PHI will **NEVER** be downloaded or saved to any laptop, external drive or desktop. As such, we will comply with DMC Policies: 1; Computer Password [1 IS 004](#); Encryption, Decryption and Data Integrity [1 IS 019](#); and Device and Media Controls [1 IS 030](#).
- G. We will apply for, and administer grant funds in accordance with the terms of the grantor.

Standard 9. Conflicts of Interest

We are committed to regulating our activities to avoid conflicts of interest, actual impropriety and/or an appearance of impropriety.

- A. Department members are prohibited from using their position or knowledge obtained through their position to profit personally or to assist others in profiting inappropriately at the expense of Tenet/DMC.
- B. We will conduct all business transactions without inappropriate inducement, gifts, or favors and will comply with the DMC Ethics of Business Conduct Policy 1 CG 015.
- C. We will not solicit or accept any tangible benefit, including monetary gifts, trips, or discounts that would create any obligation from vendors or others.
- D. We will ensure that all potential conflicts of interest, which may arise because of familial or other relationships, are disclosed to the DMC Compliance Officer.

Standard 10. Protecting Property, Assets and Information

We are committed to protecting our assets, and the assets of others entrusted to us, against loss, theft, destruction, and misuse.

- A. We will protect Tenet/DMC assets, property, facilities, equipment and supplies, as well as the property of others from theft, damage, or other misuse.
- B. We will not inappropriately disclose information, directly or indirectly, or use it for any purpose except as required in the course of our DMC-related duties.
- C. We will not, at anytime, during or after employment disclose restricted, confidential patient or provider information or documents nor permit any person to examine or make copies of any restricted/confidential information, unless authorized to do so.
- D. We will refrain from discussing restricted/confidential information in any public areas, such as open office areas, elevators, hallways, cafeteria, etc.
- E. We will comply with DMC Policies: Computer Password [1 IS 004](#); Encryption, Decryption and Data Integrity [1 IS 019](#); and Device and Media Controls [1 IS 030](#)

I attest to the fact that I have received, read, and understand the terms and conditions of the DMC Code of Conduct.

I agree to abide by the standards outlined in the Code of Conduct.

Printed Name

Signature

Date