



CODE OF CONDUCT



WHO SHOULD READ THE CODE?

This Code of Conduct (the “Code”) applies to employees, trustees, officers, faculty, medical staff, residents, fellows, students, volunteers, trainees, vendors, contractors, consultants and agents of NYU Langone Health.

WHO IS COVERED UNDER NYU LANGONE HEALTH?

“NYU Langone Health” includes NYU Langone Health System, NYU Langone Hospitals (including all inpatient and ambulatory facilities), NYU School of Medicine, and all entities that are controlled by any of them, except where specifically excluded. This Code also has been adopted by the Family Health Centers at NYU Langone; therefore, for purposes of this Code, “NYU Langone Health” also includes the Family Health Centers at NYU Langone.

This Code is not a contract of employment nor does it create any rights or expectations regarding continued employment or benefits at NYU Langone Health. All employment is deemed at-will (i.e., can be terminated by the employee or NYU Langone Health at any time, with or without cause) unless a written contract of employment exists setting forth a specific duration and executed by an authorized NYU Langone Health signatory. Notwithstanding the statements in this Code, NYU Langone Health remains free to repeal, modify, or amend the Code, and to change wages, benefits, and all other working conditions, without prior notice.

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LETTER FROM THE DEAN & CEO

Dear Colleague,

As dean and CEO of NYU Langone Health, I am proud to introduce our new Code of Conduct, a key element of our Corporate Compliance Program. The Code supports our mission, values, and policies to promote conduct that is honest, ethical, and lawful. It is important that you understand your personal obligations under this Code.

NYU Langone Health has a long-standing commitment to demonstrating the highest level of ethical and legal conduct and daily decision-making when interacting with our patients, our colleagues, our community, and our business partners. Our new Code explains this commitment in greater detail and provides guidance on how to make ethical decisions that are reflective of our core principles.

This Code applies to every member of the NYU Langone Health community: trustees, officers, faculty, full- and part-time employees, medical staff, students, residents, fellows, volunteers, trainees, consultants, vendors, contractors, and agents of NYU Langone Health.

While the Code is comprehensive, it cannot cover every situation you might encounter. It's up to each individual to seek advice when faced with a question about any of the principles outlined in the Code. As a member of the NYU Langone Health community, you are also required to familiarize yourself with this Code on at least an annual basis.

Additionally, it is your responsibility to report any matters you believe to be a violation of the Code; federal, state, or local laws and regulations; or NYU Langone Health policies. If you become aware of a potential violation, you should immediately report



it to your supervisor, the NYU Langone Health confidential Compliance Helpline at 866-NYU-1212, our online form available on atNYULMC, or directly to the Compliance Office. We will not tolerate any form of retaliation against you for reporting any compliance concerns in good faith.

As you read through this Code, you will see that compliance is the responsibility of every member of the NYU Langone Health community. Collectively, it takes each of us to achieve the standards set forth in this Code. I am asking each of you to join me in making a personal commitment to uphold this Code of Conduct without exception.

Sincerely,

Robert I. Grossman, MD

Robert I. Grossman
Dean and CEO

NYU LANGONE HEALTH'S MISSION & VALUES

The mission of NYU Langone Health is to serve, to teach, and to discover. We are committed to making world-class contributions that place service to human health at the center of an academic culture devoted to excellence in research, patient care, and education. We shall provide the facilities and personnel necessary to carry out these functions in the most professional manner possible, and in all activities, we shall maintain the highest standards of excellence and consideration for the dignity of the individual.

Education

In educating the physician, we shall merge the best traditions of the past with the most relevant content and vital teaching methods of the present. Our goal is to instill in each student a respect for his or her profession and the people he or she serves, to provide for the continuing education of physicians throughout their careers, and to foster an atmosphere of learning for all staff throughout NYU Langone Health.

Research

We shall stimulate research into the fundamental basis of life processes, as well as the nature of diseases and disorders and the means by which they can be overcome. We shall encourage collaboration among independent researchers, interpret the value of research to patients and the general public, and foster a spirit of inquiry throughout NYU Langone Health.

Patient Care

We shall place the patient at the center of all efforts. In providing direct patient care, we shall serve patients from metropolitan New York and those referred from other areas of the nation and the world. We shall provide professional care and treatment for patients in accordance with high standards of medical service, offer programs of health education, and maintain a climate in which each member of the healthcare team can learn and carry out his or her responsibilities in the most professional manner possible.

Values

We have set the standard for patient care, scientific research, and medical education. We have built a tradition of service that has touched the lives of countless people in New York City, across the country, and around the world. Our strength as an institution is based on the individual acts and the spirit of dedication of our physicians, healthcare professionals, scientists, employees, and students.

To ensure that we remain at the forefront of the medical profession and a place where people can build successful careers, we have adopted a set of values that are designed to reflect not only our history, but also our commitment to the future. The values are meant to complement, not replace, our existing codes of ethics and professional responsibilities. They are intended to be used as a means to enhance the way we deliver services to our patients, their families, visitors, and our colleagues.

We believe the five values—**Performance**, **Respect**, **Integrity**, **Diversity**, and **Excellence**—will enable us to build on our tradition of service, to foster a culture of collaboration and teamwork, and to better meet the needs of those we serve.

- **Performance** – Accountable, responsible, and dedicated to learning and growing professionally by collaborating with one another.
- **Respect** – Communicates openly and professionally, shares resources, listens to one another, and recognizes one another's contributions.
- **Integrity** – Fosters a culture of the highest ethical standards, trust, and honesty.
- **Diversity** – Creates a community of cultural competence and opportunity by embracing a wide breadth of resources, skills, ideas, and knowledge.
- **Excellence** – Passionate about promoting quality, innovation, and safety to achieve world-class patient care, education, and research.

FOUNDATION STATEMENT – YOUR PERSONAL COMMITMENT

All members of the NYU Langone Health community are expected to make decisions that are guided by principles of honesty, integrity, high ethical standards, and a personal commitment to:

- **Maintain honesty and act in good faith in all aspects of your job.** This includes:
 - Not making false or misleading statements;
 - Not falsifying or altering data; and
 - Not manipulating or concealing information that is essential for conducting investigations or work-related activities.

- **Consider the consequences before acting.** If you are asked to do something that you believe may be a violation of this Code, you should seek advice from the Office of Compliance directly, or via the confidential Compliance Helpline, Human Resources, or the Office of Legal Counsel as described on page 18.
- **Notify your supervisor of any mistakes you make as soon as they are identified.** Covering up a mistake is a serious matter that could lead to disciplinary action.

QUALITY OF CARE – COMMITMENT TO OUR PATIENTS

We are committed to providing high-quality, compassionate, skilled patient care in a safe and healing environment. Everyone, even those not working directly with patients, has a responsibility to:

- **Provide patients with care that is medically necessary,** appropriate to the situation, safe, and in compliance with professionally recognized standards of care;
- **Involve patients in decisions regarding their care;**
- **Adhere to infection prevention and control practices;**
- **Maintain complete and accurate records** of patient information that fulfill the requirements of NYU Langone Health policies, accreditation standards, and applicable laws and regulations;
- **Identify opportunities to improve service and quality of care;**
- **Ensure every patient receives important information about their rights,** including but not limited to the documents Your Rights as a Hospital Patient in New York State and the Notice of Privacy Practices;
- **Maintain current credentials, expertise, education and training, and competence to provide patient care;**
- **Seek clarification from your supervisor about any duties or NYU Langone Health policies**

and procedures that you do not understand;

- **Courteously and professionally assist patients and visitors** in person, on the phone, and by other means of communication;
- **Protect the confidentiality of patients.** The Protected Health Information (PHI) of patients should only be used or disclosed for treatment, payment, or business purposes as permitted under HIPAA laws and regulations;
- **Assist patients in communicating compliance or quality of care-related issues** to the Office of Patient Relations or to the Office of Compliance directly or via the confidential Compliance Helpline as described on page 18;
- **Inform management of any issues** that may interfere with your ability to fulfill your professional responsibilities;
- **Report patient care incidents and issues that do not appear to meet, or that violate NYU Langone Health's standards of quality.** You should report such violations to your supervisor, the Office of Compliance directly or via the confidential Compliance Helpline as described on page 18, or if appropriate, to the Centers for Medicare and Medicaid Services, The Joint Commission, New York State Department of Health, or other regulatory agency. We will not



take disciplinary action if you report a concern in good faith;

- **Take pride in your job and do it to the best of your ability.** Every member of the NYU Langone Health community contributes to our success, our mission, and our ability to provide quality patient care, cutting-edge research, and education to future physicians; and
- **Fulfill your personal responsibilities to report quality measures.** You should promptly and efficiently fulfill your responsibilities regarding compliance with, but not limited to, the standards provided below. Members of the NYU Langone Health community working in extended care and rehabilitation, senior housing, adult day care, child day care, and other community service facilities should follow applicable standards for the specific patient, client, or resident populations.
 - Conditions of Participation for Hospitals (Centers for Medicare and Medicaid Services)
 - Hospitals—Minimum Standards (New York

State Public Health Law)

- Standards and Surveys of The Joint Commission (including Standards for Long Term Care), Commission on Accreditation of Rehabilitation Facilities, College of American Pathologists, Accreditation Council for Graduate Medical Education, and other accrediting/certifying agencies
- Requirements for accreditation by the Liaison Committee on Medical Education (LCME)
- Standards adopted by the Magnet Recognition Program, recognizing excellence in nursing service
- Consensus measures of the National Quality Forum
- Principles of the Leapfrog Group for Patient Safety
- Recommendations and guidelines issued by other regulatory and voluntary groups identified as appropriate by NYU Langone Health

CONDUCT WITH PATIENTS, COLLEAGUES, & OTHERS

NYU Langone Health's values should guide us in our relationships with patients and their families, visitors, colleagues, vendors, and with whomever we do business. We need every member of the NYU Langone Health community's commitment to:

- **Strive to create the best possible experience** for our patients, their families, and visitors.
- **Take the initiative** to find safe, creative, and effective solutions to patient-related concerns.
- **Maintain positive work relationships with colleagues, vendors, and others with whom we do business.** You should demonstrate respect for your colleagues by communicating positively with them and about them, and treating them with dignity in your interactions.
- **Treat each person respectfully, as a unique individual.** NYU Langone Health will not tolerate discrimination against or harassment of anyone on the basis of race, color, religion, sex, sexual orientation, gender and/or gender identity or expression, marital or parental status, national origin, ethnicity, citizenship status, veteran or military status, age, or disability.
- **Comply with NYU Langone Health policies** on maintaining an alcohol-, drug-, and smoke-free workplace.
- **In addition to this Code of Conduct, follow the specific guidelines on conduct** outlined in the manual and documentation applicable to your position in the NYU Langone Health community (i.e., Faculty Handbook, Residency Training Program Contract, GME House Staff Manual, Postdoctoral Handbook, Student Handbook, Staff Handbook, By-Laws of the Medical and Dental Staff, Rules

and Regulations of the Medical and Dental Staff, Patient Care and Nursing Standards, and the Administrative Policy and Procedures Manual).

- **Not engaging in disruptive behavior.** Disruptive behavior is any inappropriate behavior, confrontation, or conflict, ranging from verbal abuse to physical, sexual, or other forms of harassment that interfere with an individual's ability to carry out his/her responsibilities. Examples of disruptive behavior include but are not limited to:
 - behavior that is abusive, angry, belligerent, or intended to publicly humiliate the individual
 - public comments about lack of competence in front of patients and/or colleagues
 - yelling, cursing, and/or tirades
 - abusive or hostile verbal or physical mistreatment of others such as but not limited to insulting, teasing, mocking, degrading, or ridiculing
 - repeated unprofessional written comments
 - throwing items or slamming doors
 - systematic belittling of individuals or repeated initiation of negative comments instead of addressing with supervisory personnel
 - any behavior that fails to support a culture of safety
- **Support and promote a positive work environment,** free from disruptive behavior by:
 - promoting respectful, courteous, and collegial relationships with all
 - encouraging the reporting and investigation of disruptive behavior in a non-retaliatory environment
 - implementing the necessary actions to remedy disruptive behaviors

What is EMTALA?

The Emergency Medical Treatment and Labor Act (EMTALA) is also known as the patient anti-dumping statute. This federal statute sets the rules for providing medical services and

treatment to individuals with an emergency medical condition without consideration of the individual's insurance coverage or ability to pay.

What Constitutes Harassment?

Harassment is doing or saying things that make a person feel uncomfortable. Harassment can be based on race, color, religion, sex, sexual orientation, gender and/or gender identity or expression, marital or parental status, national origin, ethnicity, citizenship status, veteran or military status, age, disability, and any other legally protected basis.

Examples of sexual harassment may include the following:

- Inappropriate or uninvited promise of something in exchange for a sexual favor (e.g., a promotion)
- Telling lewd jokes or making sexual references or gestures
- Unwelcome touching or fondling
- Sharing, sending, or displaying sexually inappropriate images, videos, emails, or notes

- Making sexual comments about someone's clothing, body, appearance, or personal life
- Staring in a sexually suggestive or offensive manner
- Any other uninvited comments, conduct, or behavior about someone's sex, gender, or sexual orientation

The above list provides just a few examples of sexual harassment, but harassment in general can be defined as any verbal or physical behavior that creates a hostile work environment, and should immediately be reported to your supervisor or Human Resources.

For additional guidance, please refer to the harassment policies in the manual and documentation applicable to your position in the NYU Langone Health community.

EMERGENCY CARE (EMTALA)

If you are in a role working with patients, you are expected to comply with NYU Langone Health's EMTALA Policy on Screening, Stabilization, and Transfer of Individuals with Emergency Medical Conditions. To uphold this policy, you have a responsibility to:

- **Honor patients' rights to receive medical screening examinations**, and, if necessary, stabilizing treatment, by qualified medical professionals. Patients have this right even if they cannot pay and do not have insurance. They are also entitled to these services regardless of race, color, religion, sex, sexual orientation, gender and/or gender identity or expression, marital or parental status, national origin, ethnicity, citizenship status, veteran or military status, age, disability, diagnosis, or socioeconomic status.
- **Come to the aid of individuals** at any of NYU Langone Health's emergency services or urgent care facilities who request a medical screening examination, or whose appearance or behavior indicates that they are in need of emergency care. You should not discourage such individuals from getting emergency care at the facility where you work or redirect them to another facility.
- **Help secure medical transport** to an emergency department for individuals who come to an off-campus site requesting treatment for an emergency condition.
- **Make sure medical screening examinations and stabilizing treatments are not delayed** while inquiring about payment method, obtaining payment, or checking on insurance status.
- **Arrange appropriate transfer** to another medical facility for patients who cannot be treated at NYU Langone Health's emergency care services or urgent care facilities because of their capability or capacity.

PHARMACEUTICALS, PRESCRIPTION DRUGS, & CONTROLLED SUBSTANCES

If you have responsibility for, or access to, prescription drugs, controlled substances, over-the-counter drugs, or any street-valued medical supplies (for example, needles), you have a duty to:

- **Follow the laws, regulations, policies, procedures, and standards that apply to your responsibilities.** You should become familiar with the laws, internal policies, and Patient Care and Nursing Standards that govern your work with these drugs and supplies, including but not limited to the handling of waste, outdated, deteriorated, or unusable drugs.
- **Keep all drugs and supplies secure.** You should take particular care to keep drugs secured at

all times and be sure they are never available to or provided to anyone who does not have a valid order from a provider licensed by the State of New York to write prescriptions. Controlled substances must be secured at all times.

- **Report security problems.** If you are aware of, or suspect, a lapse of security or the inappropriate distribution, handling or diversion of drugs, you must report it immediately to your supervisor, Security, the Office of Compliance directly, or via the confidential Compliance Helpline as described on page 18.

ENVIRONMENTAL HEALTH & SAFETY

NYU Langone Health has safety and health policies and procedures to ensure that patients, students, faculty, employees, visitors, and the environment are protected from undue health risks and unsafe conditions. To maintain these safety standards, we must all:

- **Comply with laws, regulations, and policies** regarding the shipping, handling, use, storage, transportation, and disposal of all hazardous materials, including radioactive materials and medical or chemical wastes.
- **Handle and dispose of hazardous materials legally and appropriately,** if you have responsibilities that include handling and/or disposing of such materials.
- **Comply with NYU Langone Health's permits** that allow for the safe management of waste discharge.

- **Contract only with reputable, and where applicable, licensed vendors** to evaluate, monitor, remediate, transport, and/or dispose of hazardous materials and conditions.
- **Accurately maintain the records required** by federal and state laws and regulations.
- **Report suspected violations.** If you suspect a violation of an environmental or occupational safety or health law, or an unsafe condition, you must report it immediately to your supervisor or Environmental Health and Safety, the Office of Compliance directly, or via the confidential Compliance Helpline as described on page 18.
- **If you work in extended care and rehabilitation, senior housing, adult day care, child day care and/or other community service facilities you should comply with the safety standards for your specific patient, client, or resident populations.**

LAWS, REGULATIONS, & POLICIES

All members of the NYU Langone Health community must obey the letter and spirit of the laws, regulations, and policies that are applicable to them. Each person has a responsibility to:

- **Familiarize yourself with the laws and regulations** that relate to your position and facility, and uphold both the written words and the meaning behind those words.
- **Maintain any licenses and/or credentials** required for your position.
- **Familiarize yourself with and avoid the actions that constitute professional misconduct** if you are a licensed professional governed by a New York State board.
- **In addition to this Code of Conduct, learn and comply with NYU Langone Health's policies that relate to your position.** These policies are included in our mission, values, By-laws of the Medical and Dental Staff, Rules and Regulations of the Medical and Dental Staff, GME House Staff Manual, Faculty Handbook, Residency Training Program Contract, Postdoctoral Handbook, Student Handbook, Staff Handbook, Patient Care and Nursing Standards, and

Administrative Policy and Procedures Manual. Many of our organization-wide policies can be found via NYU Langone Health's Policies and Procedures intranet site at atnyulmc.org. You should also learn and follow the policies and procedures within your own department.

- **Ask questions.** If you have questions about laws, regulations, and policies or your responsibilities to them, you should ask your supervisor, Human Resources, the Office of Compliance, or the Office of Legal Counsel.
- **Inform NYU Langone Health if you become excluded from participating in federal or state healthcare programs.** NYU Langone Health receives money from the federal and state government agencies, including entities such as Medicare, Medicaid, Tricare, and the National Institutes of Health. Because we receive these funds, we cannot employ or contract with anyone excluded from participating in a program funded by the federal or state government. If you learn that you have become excluded, you must contact the Office of Compliance directly to inform NYU Langone Health of your exclusion.

What Constitutes Professional Misconduct?

According to the Office of Professional Misconduct, examples of misconduct include but are not limited to:

- Engaging in acts of gross incompetence or gross negligence on a single occasion or more than one occasion
- Permitting or aiding an unlicensed person to perform activities requiring a license
- Refusing to provide services because of race, creed, color, or national origin
- Practicing beyond the scope of the profession
- Releasing confidential information without authorization

- Being convicted of a crime
- Failing to return or provide copies of a record on request
- Being sexually or physically abusive
- Abandoning or neglecting a patient in need of immediate care
- Performing unnecessary work or unauthorized services
- Practicing under the influence of alcohol or other drugs

For all other licensed professionals, refer to the relevant governing board.

What Does it Mean to be “Excluded”?

An exclusion disallows participation in Medicare, Medicaid, and all federal healthcare programs. Excluded individuals and their employer cannot receive payment for items and services directly or indirectly derived from federal healthcare programs.

Examples of situations that can result in becoming excluded include but are not limited to:

- Default on a health education loan or scholarship
- License revocation or suspension
- Felony conviction related to healthcare fraud
- Felony conviction related to a controlled substance

- Conviction related to patient abuse
- Conviction of a crime related to federal or state healthcare programs
- Submitting claims for excessive charges, unnecessary services, or services that fail to meet professionally recognized standards of healthcare

An exclusion remains in force until an official reinstatement has been granted by the State or Federal Office of Inspector General for participation in Medicare, Medicaid, and any federal healthcare programs.

RESPONSIBILITIES OF MANAGERS & SUPERVISORS

If you have management or supervisory responsibility, you have an additional duty to:

- **Make a diligent effort to keep up with regulatory changes** that affect your areas of responsibility by reviewing professional journals, listservs and other publications, and online resources.
- **Seek out both internal and external professional development opportunities.**
- **Act as a role model for your staff**, demon-

strating your understanding of and compliance with laws and regulations.

- **Ensure that departmental policies and standards are complete and up-to-date.**
- **Make sure your department obtains** all necessary licenses, permits, and approvals required for operation.
- **Support all regulatory initiatives** including ensuring that all required education and training is completed.



ANTI-KICKBACK & PHYSICIAN SELF-REFERRAL

We prohibit our employees and service providers from soliciting, receiving, offering or paying anything of value in exchange for referring patients, products, or services. If you accept or make referrals, you must:

- **Adhere to NYU Langone Health guidelines on accepting referrals.** If you are in a position to accept patient referrals and admissions, you must do so based solely on the patient's medical needs and our ability to render the services needed. You should never offer anything of value, directly or indirectly, to physicians or anyone else in exchange for referral of patients.
- **Adhere to guidelines on making referrals.** If you are in a position to make referrals, you will not solicit or receive anything of value, directly

or indirectly, in exchange for referring patients.

- **Not demand or expect anything in return for referring business.** If you are in a position to make referrals to another healthcare provider, you will not take into account the volume or value of referrals that the provider has made, or may make, to NYU Langone Health.
- **Learn the rules that apply to the Stark law that governs physician self-referrals** for Medicare and Medicaid patients.
- **Not refer patients for “designated health services” to a facility that you have an ownership interest in, or compensation arrangement with,** if services are being paid for by Medicare or Medicaid, unless a specific exception applies.

What are “Designated Health Services”?

The following have been identified by the Centers for Medicare and Medicaid Services (CMS) as “designated health services” under the Stark law and regulations:

- Clinical laboratory services
- Physical therapy services
- Occupational therapy services
- Outpatient speech-language pathology services
- Radiology services
- Radiation therapy services and supplies

- Durable medical equipment and supplies
- Parenteral and enteral nutrients, equipment, and supplies
- Prosthetics, orthotics, and prosthetic devices and supplies
- Home health services
- Outpatient prescription drugs
- Inpatient and outpatient hospital services

ACCURATE & TRUTHFUL DOCUMENTATION

If you are responsible for documentation, financial reporting, or coding and billing, you should perform your duties accurately, truthfully, and promptly. You have a duty to:

- **Create and maintain thorough, accurate records.** You should promptly document records as required by your job, following legal requirements, ethical professional standards, and departmental policies.
- **Fairly and accurately represent the financial condition** of NYU Langone Health or any area

you are responsible for.

- **Ensure that the financial transactions you report reflect actual transactions** and conform to Generally Accepted Accounting Principles (GAAP).
- **Accurately record** all funds, assets, liabilities, revenues, and expenses and avoid financial reporting practices that may be considered fraud, such as the following:
 - Hiding expenditures, funds, assets, or liabilities
 - Knowingly providing false or inaccurate

- information to an employee, management, auditors, legal counsel, government agencies, or accreditation organizations
- Providing untrue statements of material fact or omitting material facts
- Intentional apportioning of incorrect costs on reports
- **Produce cost reports that are true, correct, and complete**, and prepared in accordance with regulatory requirements.
- **Take responsibility.** If coding or billing is done on your behalf, you should have a thorough knowledge of the claims and verify that they are accurate. You should never sign a document without being certain it is accurate.
- **Bill Medicare, Medicaid, and commercial payors** only for services that are medically necessary.
- **Comply with NYU Langone Health's policy on Compliance Concerns: Reporting, Investigating and Protection from Retaliation.**
- **Follow all federal and state laws and regulations** including, but not limited to Anti-Kickback, NY State and Federal False Claims Act, Stark, and HIPAA laws.
- **Only assign and report billing codes that are clearly and consistently supported by**

- documentation** in the health record.
- **Avoid coding practices that may be considered fraud or abuse**, such as the following:
 - Using “default codes” or selecting codes because they guarantee payment, instead of coding and billing the products and services actually provided
 - “Upcoding,” or selecting the code for a more serious diagnosis or more extensive procedure than is actually performed
 - “Unbundling” a group of procedures and coding them separately in order to receive a separate payment for each procedure, when one or more are components of a global code
 - Billing for medically unnecessary services
 - Cutting and pasting or copying forward the history of present illness, exam, or medical decision making in the electronic health record
- **Immediately report any improprieties** that you may suspect in accounting, internal controls, or auditing to the Office of Compliance directly, or via the confidential Compliance Helpline as described on page 18.
- **Promptly report and return** any identified overpayments.
- **Report any activity** that involves the submission of fictitious or fraudulent claims.

INVESTIGATIONS, ACCREDITATIONS, SURVEYS, AUDITS, OR INQUIRIES

NYU Langone Health cooperates fully with requests from governmental agencies, accrediting organizations, external auditors, and internal parties concerning our operations. We need everyone's commitment to:

- **Uphold NYU Langone Health's policy** on Responding to Governmental Investigations and Law Enforcement Requests.
- **Report any requests you receive** from a government investigator to your supervisor, who will contact the Office of Legal Counsel or the Office of Compliance.
- **Follow the guidance** provided by the Office of Legal Counsel if you are asked to surrender documents to external investigators.

- **Cooperate with representatives** from accrediting associations such as The Joint Commission (including Standards for Long Term Care), and the Commission on Accreditation of Rehabilitation Facilities (CARF) in an open and honest manner.
- **Cooperate with all investigations, examinations, and audits** from both internal and external parties.
- **Never destroy or alter records** requested for an investigation, or provide untruthful or misleading statements on or about those documents.
- **Never pressure or suggest to anyone to hide information** from, or provide false information to, government investigators, accreditation surveyors, internal parties, or external auditors.

CONFIDENTIALITY & HIPAA PRIVACY

Every member of the NYU Langone Health community is responsible for safeguarding protected information about patients, research subjects, employees, students, and the institution itself. We each have a duty to:

- **Safeguard protected and confidential information** to prevent disclosing it to anyone who does not have a business purpose to know.
- **Follow NYU Langone Health's confidentiality and security guidelines.** Pay particular attention to the specific guidelines included in the following:
 - Privacy, Information Security, and Confidentiality Agreement
 - Workforce Members IT Policy
 - HIPAA Privacy Policies
- **Access protected information only to perform your responsibilities** and for no other purpose.
- **Limit use and disclosure of protected information to only that which is relevant to only business or other intended purposes.**
- **Refrain from sharing competitive information** concerning NYU Langone Health with representatives from other hospitals, healthcare providers, or medical schools. Among the classes of confidential information you should not discuss are the following:
 - Business arrangements. Our financial and contractual arrangements with suppliers and managed care companies.
 - Plans. Information about our strategic plans, potential acquisitions, and planned investments.
 - Marketing. Our marketing efforts or future plans.
 - Financial information. Our prices, professional fees, reimbursements, and salary levels.
- **Comply with NYU Langone Health's guidelines for reporting breaches of Protected Health Information (PHI).** If you discover that unsecured PHI has been accessed, used, or disclosed, or if you find or receive PHI that you are not authorized to have, you must immediately report the incident to the HIPAA Helpline at 877.PHI.LOSS (877.744.5677) or www.incidentform.com/HIPAA.nyulmc.jsp, or the Office of Compliance directly as described on page 18.

If you work directly with patient information, you have an additional duty to protect PHI as set forth in the Health Insurance Portability & Accountability Act (HIPAA). You can comply with HIPAA by taking the following actions:

- **Encrypt all email containing PHI being sent to recipients outside NYU Langone Health**, by using SendSafe secure email.
- **Securely dispose of equipment that contains PHI** including but not limited to computers, telephones, fax machines, and copiers by contacting MCIT.
- **Properly dispose of paper that contains PHI** by shredding it with cross cut shredders or placing in designated shredder bins.
- **Provide physical safeguards to PHI** by locking or logging off your computer, not sharing your passwords and changing them often, and locking your doors and drawers.
- **Only use mobile and portable devices equipped with NYU Langone Health encryption and data erasing software to access NYU Langone Health data.**
- **Refrain from talking about PHI in public places.**
- **Not accessing PHI in the view of unauthorized individuals.**
- **Only use a NYU Langone Health issued email address** (e.g., @nyumc.org or @med.nyu.edu) to conduct all NYU Langone Health business.
- **Not transporting PHI on unencrypted portable devices** and instead accessing PHI through atnyulmc.org, or if necessary, transporting PHI on a MCIT issued encrypted flash drive (Iron Key).
- **Not sharing patient information using text messaging or social media.**
- **Only use MCIT supported and authorized communication methods when sharing PHI.**
- **Access NYU Langone Health Information offsite via webmail or the atNYULMC portal.**

What is Protected Health Information (PHI)?

Protected Health Information (PHI) means individually identifiable health information that is transmitted or maintained in any form (oral, electronic, paper) that:

- Identifies or could be used to identify an individual
- Is created or received by a healthcare provider, health plan, employer, or healthcare clearinghouse)

And relates to the:

- past, present, or future physical or mental health or condition of an individual
- provision of healthcare to an individual
- past, present, or future payment for the provision of that healthcare

Examples of HIPAA Identifiers include but are not limited to:

- Names
- Photos

- Addresses
- Certificate/license numbers
- Telephone numbers
- Vehicle identifiers
- Fax numbers
- Biometric identifiers
- Social security numbers
- Device identifiers & serial numbers
- Medical record numbers
- Web URLs
- Health plan numbers
- IP addresses
- Account numbers
- Email addresses
- Dates (admission, discharge, etc.)
- Other unique identifiers

What is HIPAA Privacy?

The HIPAA Privacy Rule governs how NYU Langone Health uses and discloses PHI and provides patients with rights related to their health information.

What is HIPAA Security?

The HIPAA Security Rule governs the protection of PHI in electronic form and requires implementation of administrative, physical, and technical safeguards to protect PHI.

PROTECTION & USE OF NYU LANGONE HEALTH'S ASSETS

Every member of the NYU Langone Health community is responsible for protecting NYU Langone Health's assets from loss, damage, theft, misuse and waste. These assets include:

- **Time** - You will work productively and report your time and attendance accurately.
- **Equipment and supplies** - You will not remove NYU Langone Health's supplies and equipment from the premises for personal use. These supplies and equipment include vehicles, machinery, tools, computers, printers, telephones, and medical devices, as well as

office, medical, cleaning, and food supplies.

- **Departmental funds** - If you are in a supervisory or management position, you will maintain careful internal controls and accurate records of departmental funds, including cash and cash equivalents. You will exercise appropriate oversight of financial reports, expense accounts, and timesheets.
- **Records** - You will comply with all record retention and destruction policies and schedules that apply to your job responsibilities.

Audit Checklist

- Audit Satisfactory
- Nonconformance found
- Observations made

POLITICAL PARTICIPATION

NYU Langone Health's funds, time, and equipment should not be used for political activity of any kind, including campaigning for (or against) a political candidate. Participation in political campaigns could jeopardize NYU Langone Health's tax-exempt status. This can be prevented by each member of the NYU Langone Health community complying with the following guidelines:

- **Participate in political activity only as a private citizen, not as a representative of NYU Langone Health.** You are entitled to participate in, or contribute to, any political organization or campaign you choose. However, you will clearly label any personal communication with legislators as your own, not as correspondence coming from NYU Langone Health, and cannot use your NYU Langone Health email address if sending correspondence electronically.

- **Use your own funds** for any political participation and do not attempt to be reimbursed by NYU Langone Health. This includes contributions through professional organizations to Political Action Committees (PACs).
- **Refrain from providing or offering any benefit in an attempt to influence government officials.** If you are responsible for conducting transactions or handling contracts with governmental agencies, you should ensure that they are handled honestly and ethically.
- **Report inappropriate requests for benefits.** If a government representative requests or demands any type of benefit from NYU Langone Health, you should report it immediately to the Office of Compliance or the Office of Legal Counsel.

CONFLICTS OF INTEREST

We have a duty to avoid situations in which our business or personal interests influence (or appear to influence) our ability to act in the best interest of NYU Langone Health. If you believe you have a conflict of interest, you should disclose it. You also have a responsibility to:

- **Learn to recognize conflict of interest situations.**
- **Submit an annual disclosure** if you are one of the following:
 - Paid faculty (full or part-time)
 - Chairs, vice chairs, vice presidents, deans, associate and assistant deans, and department/division administrators
 - Director-level and above employees
 - Investigators and all other key personnel on grants; investigators, co-investigators, sub-investigators, and research coordinators on IRB applications
 - Employees involved in purchasing decisions

- on behalf of NYU Langone Health
- Members of any oversight committees related to patient care, purchasing, research, or education
- All employees of the Offices of Compliance, Legal Counsel, Government Affairs, and certain NYU Langone Health Office of Science and Research Staff
- Any other member of the NYU Langone Health community who may have a conflict of interest
- **Refuse personal gifts or benefits** from vendors, patients, or others. NYU Langone Health's Gift Policy includes guidelines about the acceptance and/or solicitation of gifts or benefits from vendors, patients, and others for an inappropriate use or purpose.
- **Never use your position to profit personally** or to assist others in profiting at the expense of NYU Langone Health.

What Should I do if I Think I Have a Potential Conflict of Interest?

You must immediately notify the Conflicts of Interest Management Unit for further guidance on how to formally disclose this information for review and evaluation. The Conflicts of Interest Management Unit can be reached at cimu.disclosures@nyumc.org.

If you are a research investigator or other research team member involved in research at NYU Langone Health campuses, you have an obligation to conduct research that is free from any appearance of impropriety or conflict of interest. You also have a responsibility to:

- Perform research with objectivity and trustworthiness that maintains the integrity of the research, as well as the institution, and is in the best interest of the subjects enrolled in the study.
- Understand the Policy on Conflicts of Interest

in Research and Sponsored Programs and stay informed of any laws and regulations related to conflicts of interest in research. Education is available via the Conflicts of Interest Management Unit and external resources.

- Disclose any financial interests and/or relationships related to Sponsored Programs that you, or your immediate family members, have with any entity that may reasonably appear to affect or be affected by the design, conduct, or reporting of the research.
- Adhere to any stipulations issued in relation to research that have been implemented to manage any potential conflicts of interest that may exist. All potential conflicts of interests must be evaluated, and managed and/or eliminated under the Policy on Conflicts of Interest in Research and Sponsored Programs.

How Can I Recognize a Conflict of Interest Situation?

You may have a conflict of interest if you or a member of your immediate family is an owner, a part-owner, or an employee of—or is receiving money from—a company that:

- does business with NYU Langone Health
- proposes to do business with NYU Langone Health
- competes with NYU Langone Health
- solicits employees from NYU Langone Health

You may also have a conflict of interest if you have the authority to recommend doing business with an NYU Langone Health vendor or contractor and a member of your immediate family is an owner, a part-owner, or an employee of—or is receiving money from—that vendor or contractor.

Why Should I Submit an Annual Disclosure?

The Policy on Conflicts of Interest in Business Affairs requires certain members of the NYU Langone Health community to submit an Annual Disclosure

to the Conflicts of Interest Management Unit. This requirement helps to ensure that NYU Langone Health's mission is carried out with integrity.

SCIENTIFIC & CLINICAL RESEARCH

NYU Langone Health is committed to developing and conducting research with the highest ethical standards. If you are involved in research, you have a responsibility to produce work that is consistent with federal, state, and local laws and regulations, as well as NYU Langone Health policies, and to:

- **Obtain all required approvals** and follow all NYU Langone Health guidelines, policies, and procedures, including those of the following:
 - Institutional Review Board (IRB), for approval of all research involving human subjects
 - Institutional Animal Care and Use Committee (IACUC), for approval of all research involving animals
 - Institutional Bio-Safety Committee (IBC), for approval of all research involving recombinant DNA and highly infectious agents
 - Institutional Review Entity (IRE) for approval of all research involving dual use research of concern (DURC)
 - Embryonic Stem Cell Research Oversight Committee (ESCRO) for approval of research involving human embryonic stem cells
 - Sponsored Programs Administration (SPA)

and Research Finance (RF), for guidance on complying with the many administrative and fiscal requirements for government-sponsored research as well as research sponsored by industry and non-profit organizations

- Office of Clinical Trials (OCT), which facilitates the conduct of clinical research studies, such as contract and budget negotiations and business development
- **Submit accurate, truthful, and complete accounting, record keeping, and billing records.**
- **Comply with governmental and sponsor requirements**, as well as NYU Langone Health policies and procedures including those relating to:
 - Clinical Research and Billing
 - Cost Transfers on Sponsored Projects
 - Institutional Cost Sharing
 - Effort Reporting for Sponsored Research Projects
 - Program Income Earned on Sponsored Projects
 - Charging Direct Costs to Sponsored Projects
- **Never participate in research misconduct** by fabricating, falsifying, or plagiarizing results.

Which Compliance Areas are of Particular Importance to Researchers?

Our top priorities are ...

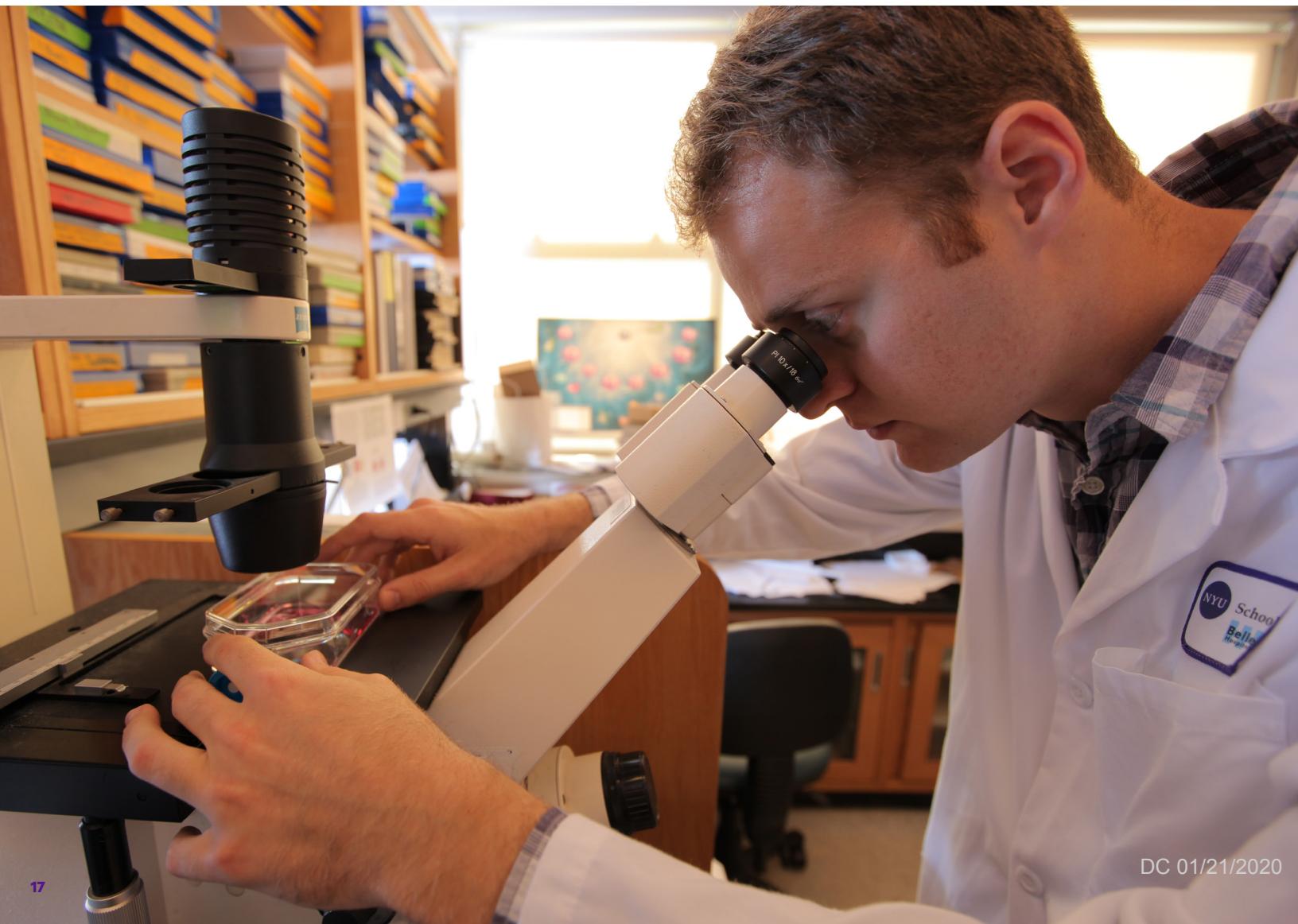
- Protecting individuals and upholding their rights during clinical trials and other research in which they participate.
- Fully informing research participants of their rights and responsibilities, risks, expected benefits, and alternatives.
- The humane care and use of laboratory animals in biomedical and behavioral research and education.

In addition, researchers need to be especially familiar with:

- Administrative responsibilities that are needed to ensure that the federal government, state

government, and other sponsors are charged only for what they have agreed to pay for and for the work we have actually performed.

- Good clinical practice. Researchers must receive certification of training and education in good clinical practice as a prerequisite to conducting research with human subjects by completing the required IRB tutorials.
- Principles for managing research data. In accordance with HIPAA rules, researchers are responsible for the privacy and security of their research data. Transfer of research data from NYU requires approval.



RESPONSIBILITY TO REPORT

Compliance is the responsibility of every member of the NYU Langone Health community. If you suspect violations of the Code, NYU Langone Health policies, or federal, state, or local laws, you must immediately report it using one of the following methods, even if you are not sure it is a true violation:

- **Make a report to your supervisor.** Make an appointment so you can discuss the issue confidentially and thoroughly. Be prepared to present any evidence you have to support your allegations.
- **Make a report to a representative from the Office of Compliance, Human Resources, or the Office of Legal Counsel.** If you are uncomfortable talking with the person who supervises your work, you can contact any one of the following areas:
 - **Office of Compliance:** 212-404-4079
 - **Compliance Email:** compliancehelp@nyumc.org
 - **Compliance Helpline:** 866-NYU-1212
(May be anonymous) or
compliancenyulmc.alertline.com/gcs/welcome
 - **HIPAA Helpline:** 877-PHI-LOSS or
877-744-5677 or
www.incidentform.com/HIPAA.nyulmc.jsp
 - **Human Resources Department—Employee Relations:** 212-404-3857
 - **Office of Legal Counsel:** 212-404-4075
 - **Patient Relations:**
Tisch: 212-263-6906
HJD: 212-598-6336
Lutheran: 718-630-7310

The Compliance and HIPAA Helplines are multilingual, toll-free, and available seven days a week, 24 hours a day. When calling the Compliance Helpline, you do not need to reveal your identity and can request that your report remain confidential. You should give enough specific information to enable a complete investigation of the issue you are reporting. In some instances, your identity might need to be revealed in order for an investigation or legal proceeding to move forward. Whether your report is anonymous or not, your compliance concern will only be shared with others who have a need to know in order to conduct an effective investigation and to determine an appropriate course of action.

- **Make a report in writing.** Send a description of your concern by letter, memo, or fax to:

NYU Langone Medical Center
Office of Compliance
One Park Avenue, 3rd floor
New York, NY 10016
Confidential Compliance Fax:
212-404-4041

Failing to report a violation is a violation in itself. If you know of, or suspect, a violation and do not report it, you can face disciplinary action.

POLICY ON AFFIRMATIVE ACTION/EQUAL OPPORTUNITY

NYU Langone Health is committed to a policy of equal treatment and opportunity in every aspect of its relations with its faculty, students, and staff members, without regard to age, citizenship status, color, disability, marital or parental status, national origin, race, religion, sex, or sexual orientation. This includes, but is not limited to, recruitment, hiring or appointment, selection for training, transfer, layoff, promotion, granting of tenure, rates of pay and other forms of compensation and participation in University-sponsored educational, social, and recreational programs.

It is the policy of NYU Langone Health, in accordance with Title VI of the U.S. Civil Rights Act of 1964 and Section 504 of the Rehabilitation

Act of 1973, not to discriminate on the basis of race, color, national origin, or handicap in any educational program or activity. Furthermore, it is the policy of NYU Langone Health, in accordance with Title IX of the Education Amendments of 1972, not to discriminate on the basis of sex in any educational program or activity.

Inquiries regarding the application of Title IX and its implementing regulations may be referred to the NYU Grossman School of Medicine Title IX Coordinator (Molree Williams-Lendor, 212-404-3825, One Park Avenue, 4th Floor, New York, NY 10016, molree.williams-lendor@nyulangone.org), or to the Office for Civil Rights at OCR@ed.gov or 800-421-3481.

NON-RETALIATION POLICY

All members of the NYU Langone Health community are protected from retaliation if in good faith and with reasonable belief, you report violations of this Code, NYU Langone Health policies, or federal, state, and local laws.

There will be no retaliation against you if in your reasonable belief you raise concerns or questions about misconduct or report violations of this Code, NYU Langone Health policies, or federal, state, and local laws. Reported compliance concerns are considered to be made in bad faith if they are reported maliciously (with ill intent) or with reckless disregard for their truth or falsity. Individuals making reports in bad faith may be subject to disciplinary or other employment action

by NYU Langone Health and may also be subject to legal claims by the individuals about whom the bad faith reports were made.

Examples of retaliation include but are not limited to termination of employment, unjustified negative performance reviews, harassment, or exclusion from department meetings or social activities.

If you report a violation and believe you are experiencing retaliation, you have the right to report this situation to the Office of Compliance or Human Resources. Anyone who retaliates against someone who has raised a concern or reported a violation of the Code will be subject to disciplinary action, including possible termination.

DISCIPLINARY ACTION

Violations of this Code, NYU Langone Health policies, or federal, state, and local laws, could lead to serious disciplinary action.

Any member of the NYU Langone Health community who violates this Code of Conduct, will be subject to disciplinary action, up to and including termination. The specific disciplinary action will depend on the nature and severity of the violation. Disciplinary actions will be consistent with the manual and documentation applicable to your position in the NYU Langone Health community (i.e., Faculty Handbook, Residency Training Program Contract, GME House Staff Manual, Postdoctoral Handbook, Student Handbook, Staff Handbook, By-Laws of the

Medical and Dental Staff, Rules and Regulations of the Medical and Dental Staff, Patient Care and Nursing Standards, and the Administrative Policy and Procedures Manual).

Examples of actions subject to disciplinary action specific to this Code include the following:

- Participating in activities that violate this Code
- Encouraging, directing, facilitating, or permitting activities that violate this Code
- Failing to report suspected violations of this Code
- Failing to detect violations of this Code that should have been discovered in the course of your supervisory or management responsibilities

