**AUBURN COMMUNITY HOSPITAL &**

# **THE FINGER LAKES CENTER FOR LIVING**

**17 LANSING STREET**

**AUBURN, NEW YORK 13041**

| Department: Administration; Corporate Compliance  |  |
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| Subject: **Code of Conduct** | Policy No.: CC: 17 |
|   | Date Issued: 1/25/2012 |

**Policy Statement:** Individuals providing services on behalf of any business have an obligation to observe certain general rules of conduct as they perform their designated and required job duties. Affected Individuals of the Hospital must speak and act at all times in such a manner as to guarantee considerate and respectful treatment of their fellow employees, patients/residents, visitors, management, medical staff, and all others with whom they have contact and shall not engage in any behavior which is unethical, or which can negatively impact departmental productivity, the job performance of others, or the organization’s professional image, or does not support the Hospital’s compliance efforts, including its Compliance Program and Code of Conduct.



**SCOPE:**

This Policy applies to all Board members, officers, managers, and other workforce members, including employees, trainees, volunteers, providers, consultants, independent contractors, students, and temporary workers of Auburn Community Hospital (“Affected Individuals”) and its affiliated entities, as appropriate.

**PURPOSE:**

This Policy sets forth the expectation of ethical behavior and conduct in operations and communications of the Hospital, and serves as the foundation for the organization’s compliance program and sets forth the acceptable behaviors consistent with laws and regulations and with the Hospital’s commitment to meeting all requirements of the mandatory compliance program law and regulation.

**PROCEDURE:**

General Code of Conduct:

General Rules of Conduct for all employees must be followed. Violation of Hospital rules may result in progressive disciplinary action which consists of the following steps:

1. **Documented Verbal Warning**

 2. **Written Warning**

 3. **Suspension**

 4. **Termination**

Although not all inclusive, the following actions are considered **Violations of Hospital Rules:**

 1. Soliciting for any organization without the approval of the Administration.

 2. Being absent or late without correct notice to your supervisor.

 3. Improper conduct toward patients/residents or employees, or interfering with others doing their work.

 4. The use of cell phones while working.

 5. Failure to start or stop work on time idleness and/or failure to do work assigned.

 6. Performing duties in an unsafe manner.

 7. Posting notices without administrative approval.

 8. Smoking in an area that is prohibited for smoking.

 9. Discussing personal affairs with patients/residents.

 10. Arguments or disagreements with co-workers that are disturbing to patients.

 11. Entertaining personal visitors at your work area.

 12. Accepting excessive personal phone calls at your workstation and/or making outgoing personal calls without supervisor approval.

 13. Leaving your department or work area unless business requires you to be in other

 parts of the building.

 14. Excessive absences/tardiness and/or unexcused absences/tardiness.

***IMMEDIATE DISMISSAL***

Certain actions by employees are viewed by the organization to warrant consideration of immediate termination of employment. When an employee is found guilty of one of these actions, the warning procedures described in the prior section of this policy may be waived and the employee may be suspended or dismissed from employment as soon as management becomes aware of the conduct.

Although the list is not all inclusive, the following represents acts that may result in the

**Immediate Termination** of an employee:

 **1. Breach of patient confidentiality/HIPAA regulations**

 **2. Being under the influence of alcohol or illicit drugs to include narcotics on Hospital property or on paid time.**

 **3. Refusal to obey instructions**

 **4. Insubordination**

 **5. Gross negligence**

 **6. Theft**

 **7. Purposely destroying property**

 **8. Verbal or physical abuse or inconsiderate treatment of patients/residents**

 **9. Fighting or other serious misconduct**

 **10. Acts that would bring discredit to the Hospital**

 **11. Improper, illegal use, possession of, or distribution of illicit drugs to include narcotics on Hospital property or on paid time.**

 **12. Possession of weapons on hospital property; including but not limited to, firearms & knives.**

 **13. Misuse of hospital records**

 **14. Tampering with or altering patient’s/resident’s records**

 **15. Falsification of documents or Hospital records**

In every case involving **Violation of Hospital Rules** and **Employee Conduct**, the circumstances are different; the situation will be investigated and the facts considered to determine what level of discipline will be issued, if any.

Code of Conduct for Corporate Compliance:

1. It is the responsibility of all Affected Individuals to abide by applicable laws, and regulations, support the Hospital’s compliance efforts, and to participate in the Compliance Program. Accordingly, all Affected Individuals must report their good faith belief of any violation of applicable local, state or federal law or Hospital policies and procedures, including, without limitation, the Hospital’s Compliance Program and Code of Conduct.

Any Affected Indiviual may be disciplined for any of the following:

* + 1. failing to report suspected problems,
		2. participating in or facilitating non-compliant behavior, and
		3. encouraging, directing or permitting active or passive non-compliant behavior.
1. No Affected Indiviual may disregard any requirement of the compliance program. Affected Individuals, in his or her individual capacity, are responsible for guaranteeing that his or her conduct fully complies with any of the Hospital’s policies. A violation of such policy may be the basis for stern disciplinary action including reprimand, loss or reduction of compensation, seniority or promotional opportunity, demotion, suspension or discharge.
2. Affected Indiviuals have an individual responsibility to immediately report any activity involving or concerning the Hospital that appears to violate the Compliance Program, the Code of Conduct, or any Hospital policy, as well as applicable laws, rules, or regulations. Therefore, the Hospital has established a means for concerns or complaints to be reported in a safe and private manner. There is absolutely no retaliation permitted for the good faith reporting of actual or suspected compliance problems. Failure to report may, by itself, be a violation of the Hospital’s Compliance Program, which may subject the person to discipline, up to and including termination of employment of affiliation with the Hospital.
3. The Hospital has established written policies to detect and prevent Medicare and Medicaid fraud and abuse as part of its Corporate Compliance Plan which includes detailed information about:
* The federal False Claims Act, 31 USC §§ 3729-3733;
* The federal administrative remedies for false claims and statements, 31 USC §§ 3801-3812;
* The New York State False Claims Act, New York State Finance Law §§ 187-194, and various New York State laws pertaining to civil and criminal penalties for false claims and statements and
* Federal and state whistleblower protections,31 USC § 3730(h) and NYS Finance Law § 191.

A summary of these laws and your right to be protected as a “whistleblower” is available in the Hospital’s Corporate Compliance and Ethics Program.

Approved: Corporate Compliance Officer 10/29/2024

Name Title Date

Revised: 12/11/2018

Reviewed: 6/15/14, 8/30/2016, 12/11/2018, 10/29/2024