

Subject: PATIENT CARE ADMINISTRATION	Page 1 of 10	Policy # 5.07 / 1.11
Title: INTEGRATED CODE OF ETHICS: PATIENT CARE AND GENERAL ADMINISTRATION	Revision of: 5/1/98	Effective Date: 04/12/01

I. PURPOSE

To define an overarching code of clinical and business ethics at Northwestern Memorial HealthCare and its affiliates and subsidiaries (“NM”).

II. POLICY

All members of the NM board, work force, medical staff, house staff and volunteers will conduct themselves with integrity and respect for patients/visitors and for each other, and in compliance with all relevant regulatory, accreditation, licensure and statutory authority. The Northwestern Memorial HealthCare Code of Ethics is attached to and a part of this policy (*see Appendix*). Ethical values which are honored by all who participate in fulfilling the mission of Northwestern Memorial include:

Northwestern Memorial is an academic medical center where the patient comes first. This mission statement forms the foundation for all other values:

- Respect for patients, their families and significant others, and for patients’ rights to make informed decisions about their care.
- Respect for privacy and confidentiality of information about patients, colleagues and visitors.
- Core values of Patients First and Best Patient Experience, Integrity, Excellence and Teamwork.
- Respect for colleagues and other members of the patient care team, whether directly involved in patient care or in administrative, support, educational or research functions.
- Respect for the need to protect the NM organizations, including compliance with all relevant authorities and standards, avoidance of conflict of interest and management of risk in order to support an ethical workplace.
- Honesty in dealing with patients, the public and the government, including honesty in marketing and public relations materials, accurate billing, admissions procedures, etc.

III. RELATED DOCUMENTS

Strategic Plan and Annual Implementation Plan
Employee Handbook/Rules of Personal Conduct
Northwestern Memorial HealthCare Code of Ethics (see Appendix)
Northwestern Memorial Hospital Medical Staff By-laws

IV. RELATED POLICIES

- 5.65 Admission Transfer and Discharge
- 5.43 Approval to Conduct Research
- 3.45 Conflict of Interest
- 5.33 Consent of Patients
- 5.53 Do Not Resuscitate
- 5.27 Emergency Services
- 5.51 EMTALA
- 5.39 Guide Dogs
- 5.78 Health Care Surrogates
- 5.57 Investigational Drugs
- 5.89 Living Will Act
- 5.90 Medical Ethics Consultation
- 5.05 Non-Discrimination in Service
- 5.81 Organ Donations
- 5.01 Patient Rights and Responsibilities
- 5.82 Patient Self-Determination Act
- 5.87 Power of Attorney for Healthcare
- 2.05 Public Relations and Marketing
- 5.09 Restraint of Patients
- 5.73 Interpreter/Limited English Proficiency
- 5.90 Medical Ethics Consultation

See also list of related policies at the end of the Appendix

V. Information and Resources

Primary support for ethical clinical decision-making is provided through resources organized by the Office of General Counsel and the Patient Representative Department, including professional consultation, the Medical Ethics Committee, and other resources. Primary support for ethical business decision-making is provided through resources organized by the Corporate Integrity Office (see Appendix). This policy is enforced through existing mechanisms as defined in Human Resources policies, the Northwestern Memorial HealthCare Code of Ethics, Medical Staff By-laws, and Graduate Medical Education (GME) and teaching affiliation agreements.

Responsible Party for Policy: Joy Cunningham
Senior Vice President, General Counsel
Electronically Approved: April 2, 2001

Responsible Party for Appendix: Liz O'Kelly
Corporate Integrity Officer
Electronically Approved: March 29, 2001

Policy Reviewers: Hospital Vice Presidents
Medical Ethics Committee, March 20, 2001
Medical Executive Committee, April 9, 2001

Reviewers for Appendix: Corporate Integrity Committee

Approval Party: Kathy Murray
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Electronically Approved: April 16, 2001

APPENDIX: Text of the NM Code of Ethics

Northwestern Memorial HealthCare
Code of Ethics
(Corporate Compliance)

Over the years, Northwestern Memorial and its affiliates have worked hard to earn a solid reputation as a top-quality provider of healthcare, ethical in their conduct, and fair in their dealings. Consumers consistently voted the hospital among Chicago's best, with the city's best doctors, best nurses and best care. With today's increasing competition, this is an enviable position. Northwestern Memorial recognizes that its continued good name not only reflects well on all employees and others associated with it, but depends upon their actions to maintain its high standards.

Our reputation is an asset of the business, no less valuable and no less important than the bricks and mortar that make up our buildings. To ensure that everyone understands what he or she must do to sustain and grow this asset, Northwestern Memorial created a Code of Ethics. It provides guidance in answering legal and ethical questions that may arise from our work. The Code requires that all of us conduct our activities honestly and lawfully and comply with regulations that apply to the healthcare industry. It also requires that we not cause other people, whether employed by Northwestern Memorial or not, to act dishonestly or break the law.

The board of directors has approved the Code. It is a guide by which employees must conduct themselves. The standards provided by the Code represent Northwestern Memorial's commitment to provide a healthy, fair, and productive work place that helps employees do their best work. In return, employees must treat all their co-workers with respect and consideration and do their best to uphold and enhance Northwestern Memorial's solid reputation.

The Code spells out Northwestern Memorial's policy and standards and applies to all "Covered Persons." Covered Persons includes all directors, officers, employees, agents, contractors and volunteers. It also includes members of the Northwestern Memorial Hospital medical staff or house staff who:

- Hold paid or unpaid hospital medical administrative positions;
- Have hospital procurement responsibility or the authority to effectively recommend such procurement; or
- Participate on Northwestern Memorial boards or board committees.

For ease of reading, the Code refers to employee(s) rather than "Covered Person(s)" when it means the Northwestern Memorial personnel to whom the Code applies.

I. Legal Compliance

Northwestern Memorial must ensure all its activities or actions on its behalf comply with applicable laws and appropriate ethical standards.

The following standards will help employees comply with applicable laws. Employees are required to comply with all applicable laws, whether or not specifically mentioned in this document. If there are questions about the existence, interpretation or application of any law, they should be directed to the Office of General Counsel or the Office of Corporate Integrity at 312-926-4800.

Compliance with General Laws

Employees must comply with all applicable laws that regulate how healthcare is provided. These laws include, but are not limited to, laws and standards affecting the regulation of the delivery of healthcare, including licensing and accreditation by the Joint Commission on the Accreditation of Healthcare Organizations; laws affecting employment, labor benefits and collective bargaining obligations; and environmental laws and regulations.

Labor Laws

Employees must comply with applicable labor and related laws that regulate employment. Examples of these laws include:

- Wage and hour requirements;
- Employment laws;
- State and federal civil rights laws, including laws protecting employees from sexual harassment and discrimination; collective bargaining and union laws, and laws protecting employees from arbitrary termination of employment.

Quality, Safety and Environmental Laws

In addition, all employees must comply with laws and policies that protect the safety and well-being of Northwestern Memorial patients and employees. Examples of these include:

- Laws prohibiting the discharge of some materials into the air or water; and
- Laws protecting employees and patients from exposure to toxic and other environmental hazards.

See the Administrative Policies and Procedures that relate to compliance with these laws and requirements. The rest of this summary describes the Corporate Compliance Program that deals with other areas of the law.

II. Corporate Compliance Program

Compliance with Specific Laws

Employees must comply with all applicable laws that regulate business practices involved in providing healthcare including, but not limited to, antitrust laws; fraud and abuse prohibitions; laws affecting tax-exempt corporations; and laws reflecting the relationship between Northwestern Memorial and physicians, other providers and vendors.

Obeying these laws, which are highlighted below, is the subject of Northwestern Memorial's Corporate Compliance training. Employees must commit to maintaining these standards and sign a document that shows they attended Corporate Compliance training. Employees whose jobs with Northwestern Memorial require them to have more detailed knowledge of specific areas of these laws also must attend specialized Northwestern Memorial educational programs. Employees should ask for help from the Office of General Counsel or the Office of Corporate Integrity when faced with business decisions that may involve a risk of violating one of these laws.

1. Accurate Books and Records

All books and records must be maintained in an accurate, complete and timely manner. Furthermore, Northwestern Memorial is subject to laws that require that certain records be retained for differing periods of time. It is the employee's duty to comply with all policies regarding record retention as well as all applicable laws. Any employee who is not sure about such policies and laws should contact the Office of Corporate Integrity.

Complete and accurate medical records are required for each patient treated. In order to ensure that medical records can support all of their various purposes, it is extremely important that the records be complete, accurate, timely and legible.

All medical records also must be maintained in a confidential manner to ensure the integrity of doctor-patient and Northwestern Memorial-patient relationships. Any request to see or copy a patient's medical record will be dealt with in accordance with the policy.

All books, records and accounts must accurately reflect the nature of the transactions recorded. All assets and liabilities of Northwestern Memorial must be recorded in the regular books of account. There shall be no undisclosed or unrecorded fund or asset in any amount for any purpose; no false or artificial entries for any purpose; and no payment shall occur, or purchase price be agreed to, with the intention or understanding that any part of such payment is for anything other than that described in the document supporting the payment.

Cost must be allocated and billed to a government contract, program or other entity properly and in accordance with regulations. Timely and accurate completion of time cards by all employees is essential. All employees shall report only the true and actual number of hours worked by them.

Expenses, properly incurred in performing Northwestern Memorial business, must be documented promptly with accuracy and completeness on expense reports. Employees must distinguish among personal expenses, travel expenses, conference expenses and entertainment expenses in expense reports.

2. Conflict of Interest

Employees must avoid situations in which their personal interests could reasonably be expected to, or even appear to, affect their independence of judgment with respect to Northwestern Memorial business. All employees should consider themselves to be persons in positions of trust and act accordingly.

No employee shall ask for, take, offer or give any payments, fees, loans, services or material gifts from or to any person or firm as a condition or result of doing business with Northwestern Memorial. Examples of prohibited gifts include personal use of a vendor's lodging facilities or abnormally frequent and/or lavish dinners and other forms of entertainment.

3. Fraud, Bribery and Theft

An employee may not make improper use of Northwestern Memorial, supplier or patient resources, or let others do so. In particular, employees may not make or offer bribes, kickbacks or illegal payments of cash or other gifts in any form and in any amount. Employees may, however, pay for or accept customary courtesies or amenities such as meals, provided the expenses are at a reasonable level and are not prohibited by law, policy or accepted ethical practice.

Other examples of the improper use of Northwestern Memorial's resources include unauthorized appropriation, possession or personal use of Northwestern Memorial, supplier or patient assets, such as charge cards, checking accounts, stationery, technology and patents, software, computers, communication and copying equipment, tools or office supplies. The unauthorized possession, inappropriate use, alteration, destruction or disclosure of Northwestern Memorial data also is forbidden.

4. False Claims

No employee may create or present for payment bills that contain false information or make or present false claims to the federal government for payment or use a false record or statement to obtain payment from the government.

5. Marketing and Purchasing

Two closely related and general principles should guide all marketing and purchasing actions by employees. First, never make misrepresentations or lie to anyone. If an employee believes another person may have misunderstood him or her, (s)he should promptly correct any misunderstanding. Honesty, based on clear communication, is the basis of integrity and is critical for good, long-lasting relationships.

The second principle is even simpler: Employees should treat fairly everyone with whom they do business. In addition, employees should contact the Office of General Counsel or the Office of Corporate Integrity if they encounter any circumstance where they feel they are being inappropriately pressured or influenced to do something.

6. Healthcare Fraud and Abuse

No employee may accept, ask for or offer any payment for the referral of individuals for a service covered by Medicare, Medicaid or other federal health benefit program. It also is a violation to accept or ask for payment for the purchasing or leasing of any good, item or service covered under such programs. In addition, physicians are prohibited from referring Medicare or Medicaid patients to a designated health service provider in which the physician or an immediate family member of such physician has a financial interest, unless permitted under the law.

7. Tax Exemption

Several Northwestern Memorial entities, including the hospital, are exempt from taxation. In order to maintain this status, they must follow certain rules such as avoiding private inurement and substantial activities unrelated to their exempt purposes. They may engage in some profit-making activities, even if those activities are unrelated to their exempt purposes, so long as the income from these activities is an insubstantial portion of the organization's total income and it pays taxes on the income from the activities that make a profit.

8. Political Contributions

Federal law and many states forbid contributions by corporations to political parties or candidates. In addition, the exemption from taxation of many Northwestern Memorial organizations requires us to observe strict rules prohibiting participation in any political campaign. Northwestern Memorial may not contribute or loan, directly or indirectly, any funds or other assets to any political party or for the support or campaign of any person for political office.

Northwestern Memorial, however, encourages employees to participate on an individual basis in political activities, on their own time and in their own way.

9. Emergency Medical Treatment and Labor Act

The Emergency Medical Treatment and Labor Act places certain obligations on medical service providers. This includes the performance of a medical screening and, in the event an emergency medical situation exists, the stabilization of a patient or appropriate transfer. It is Northwestern Memorial's policy to comply with all requirements of this Act.

10. Antitrust

All employees must comply with appropriate antitrust and related laws that regulate competition.

Examples of conduct that is forbidden by these laws include:

- Agreements to fix prices, collusion (including price sharing) with competitors;
- Boycotts, certain exclusive dealing agreements; and
- Unfair trade practices including bribery, misappropriation of trade secrets, deception, intimidation and similar cases.

11. Alleged Misconduct Relating to Research

It is the policy of Northwestern Memorial to require high ethical standards in research; to inquire into and, if necessary, investigate and resolve promptly and fairly all instances of alleged misconduct; and to comply in a timely manner with agency requirements for reporting on cases of possible misconduct in sponsored projects.

III. Process for Corporate Compliance Program

Code of Ethics

Employee Background "Screening"

Northwestern Memorial may not delegate "substantial discretionary authority" to people the organization knows or should have known had a propensity to engage in illegal activities. For this reason, and to comply with state law, criminal background checks are required on all employees and volunteers. It is every employee's obligation to assist and participate in this screening.

Responsibility for the Compliance Program

Northwestern Memorial has designated an Office of Corporate Integrity. The Office of Corporate Integrity has studied the Code, has access to past interpretations of it and will check whenever necessary with legal counsel to obtain answers to more complex employee questions. If an employee feels that the problem requires the attention of the Office of Corporate Integrity the employee must contact these individuals directly before initiating contact with persons not associated with Northwestern Memorial.

Responsibility to Report violations

All Northwestern Memorial employees have a duty to report promptly any actual or potential violation of the Code of Ethics by another employee or agent.

If an employee knows, or reasonably believes, that someone has or is about to commit a violation of the Code of Ethics and does not promptly report it as described below, he or she will be subject to appropriate disciplinary action. This may include demotion or termination of employment. Under no circumstance is criminal conduct by any Northwestern Memorial employee or agent considered within the scope of his or her employment or authority.

The distinction between criminal conduct and conduct that may violate a civil law is not always clear. So if an employee knows of any act by another employee which violates, or appears to violate, a provision of the Code, the employee must report it.

Confidentiality of These Reports

The Office of Corporate Integrity will keep the identity of a reporting employee and the contents of the report from the employee confidential. The Office of Corporate Integrity has the authority to release the information only to:

- Such third parties, including outside counsel and independent public accountants, as shall be determined by the Office of Corporate Integrity;
- Northwestern Memorial officers who are not the subject of the report and whose duties and responsibilities, in the opinion of the leadership of the Office of Corporate Integrity, require them to be told about the report or the results of the subsequent investigation of the report;
- The appropriate Board committee; and
- Law enforcement officials as appropriate.

Employees filing reports should not disclose the contents of the report to anyone other than the Office of Corporate Integrity. The Office of Corporate Integrity will treat and investigate anonymous reports as seriously and fully as those filed or communicated by employees who identify themselves.

Protection of a Reporting Employee

No retaliation will be allowed against any Northwestern Memorial employee who has filed a report based on a good faith belief that another employee or agent is about to commit, or has committed, a crime or violation of the Code of Ethics. Any employee who attempts to take or takes retaliatory action against an employee reporting such an incident will face appropriate disciplinary action, up to and including termination of employment.

Response to a Report

Upon receipt of a report, the Office of Corporate Integrity will do a comprehensive investigation and recommend actions ranging from those intended to prevent a recurrence to termination of the wrongdoer's employment or such other disciplinary action as appropriate under the circumstances.

Due Diligence in Delegation of Authority

Any employee who has authority or responsibility to act on behalf of Northwestern Memorial must be familiar with the provisions of Northwestern Memorial's Code of Ethics. Managers must be careful in delegating substantial discretionary authority and responsibility and have a duty before doing so to consider a person's prior business conduct and behavior.

Discipline for Violations

Disciplinary actions up to and including termination of employment may be taken for:

- Authorization of or participation in actions that violate the Code;
- Failure to report a violation of the Code;
- Refusal to cooperate in the investigation of a violation of the Code;
- Failure by a violator's manager(s) to detect and report a violation of the Code, if such failure reflects inadequate supervision or lack of oversight;
- Retaliation against an individual for reporting a violation of the Code.

Discipline and Mandatory Sanctions

Assuring compliance with the standards set forth in the Code of Ethics is an important Northwestern Memorial objective and requires all employees to take seriously their obligations as outlined above. Violations of the Code will not be tolerated and, consistent with applicable collective bargaining agreements, will result in one or more of the following sanctions, as appropriate:

- A warning;
- A reprimand which will be noted in the employee's permanent record;
- Temporary suspension;
- Probation;
- Demotion;
- Termination;
- Required reimbursement of losses or damages;
- Referral for criminal prosecution or possible civil action.

In most cases, progressive discipline (the gradual increase in the severity of sanctions for an act) will be employed. However, if the violation is sufficiently serious, or performed with willful disregard of the Code of Ethics, immediate termination may result.

How to Report an Offense or Suspected Offense

Employees of Northwestern Memorial are required to report any dishonest or illegal activities and probable violations of the Code of Ethics by other employees. If an employee is uncomfortable talking to his or her manager, or does not receive a satisfactory response, then he or she should contact the Office of Corporate Integrity or call the compliance line. Please note that it is a violation of the Code of Ethics to submit information the employee knows is not true.

The Office of Corporate Integrity may be contacted by:

- Telephone at 312-926-4800 or
- In writing 240 E. Ontario, Suite 340, Chicago, IL 60611.

The reporting employee also should describe the circumstances in writing as he or she knows it, and include any relevant documents relating to the suspected violation. If the information is in an envelope, it should be marked: "Personal and Confidential, to be opened only by the Director, Office of Corporate Integrity." To keep the report confidential, the reporting employee should not ask anyone else to file or communicate this report.

If an employee is:

- Uncomfortable talking to his or her manager or does not receive a satisfactory response; or
- Uncomfortable talking to the Director, Office of Corporate Integrity; or
- Unable to compile a written report and deliver it to the Director, Office of Corporate Integrity or an assistant to the Director;

That employee should call the Hot Line at 312-926-4866.

RELATED POLICIES

- 1.01 Reviewing Alleged Misconduct in Research
- 1.46 Confidentiality Policy
- 2.42 Confidentiality Statement: Medical Staff Files & Records
- 2.70 E-mail
- 2.71 Internet Usage
- 3.00 Compliance with Tax and Reimbursement Regulations
- 3.01 Expenditure Authorization
- 3.04 Revenue Management Standards
- 3.45 Conflict of Interest
- 3.75 Employee Expense
- 4.05 References and Criminal Background Investigation
- 4.65 Rules of Personal Conduct
- 5.51 EMTALA: Emergency Medical Treatment and Labor Act