

Subject: HLD0039 Corporate Compliance Code of Conduct	Published Date: 06/26/2024
Leadership	Next Review Date: 06/26/2025
Scope: SBM Southampton Campus	Original Creation Date: 08/01/2017

Printed copies are for reference only. Please refer to the electronic copy for the latest version.

Policy:

Stony Brook University Hospital (including all campus locations, collectively SBUH) has a Corporate Compliance Code of Conduct (“Code of Conduct”) that provides written guidance on principles and expectations related to workplace conduct. The Code of Conduct reflects the mission, vision, and values of SBUH and complies with applicable federal and state laws, rules and regulations, SBUH policies and procedures, and appropriate standards of ethical conduct. SBUH representatives (“Hospital Representatives”) in their activities for and on behalf of SBUH have an affirmative duty to abide by the Code of Conduct in their personal and professional conduct as a condition of association with SBUH.

Definitions:

Anti-Kickback Statute (“AKS”): Refers to a criminal law that prohibits the knowing and willful payment of “remuneration” to induce or reward patient referrals or the generation of business involving any item or service payable by the federal health care programs (e.g., drugs, supplies or health services for Medicare or Medicaid patients).

Gifts: Anything of value an individual receives where that individual did not pay or perform services in a manner consistent with routine commercial transactions. Examples of gifts include, but are not limited to, money, services, loans, travel, lodging, meals, refreshments, entertainment, discounts, or a forbearance of an obligation or a promise that has monetary value.

Hospital Representatives: Employees, volunteers, trainees, medical staff members, including state, research foundation, professional employer organization, personnel employed through contracted agencies, the governing body, contracted or subcontracted agents, vendors or consultants who furnish products or services on behalf of SBUH and other individuals affiliated with SBUH regardless of whether the individual is paid by SBUH.

Immediate Family Member: Includes spouse; birth and adoptive parents; children and siblings; stepparents, stepchildren and stepsiblings; fathers-in-law, mothers-in-law, brothers-in-law, sisters-in-law, sons-in-law and daughters-in-law; and grandparents and grandchildren. (NY PHL §238. Definitions)

Nominal Value: Considered such a small amount that acceptance could not reasonably be interpreted or construed as intending to influence a Hospital Representative. Items that have a fair market value of \$15 or less are deemed to be of nominal value. Alcoholic beverages, cash, and cash equivalents (e.g. gift cards) regardless of value are not allowed.

Protected Health Information: A patient's oral, written or electronic health information created or received by a Covered Entity, that is identifiable or for which there is a reasonable basis to believe that the information can be used to identify the patient, and relates to 1) the past, present, or future physical or mental health condition of a patient, or 2) the provision of health care or payment for health care to a patient. HIPAA details the below 18 identifiers that render health information identifiable:

1. Names
2. All geographic subdivisions smaller than a [State](#), including street address, city, county, precinct, zip code, and their equivalent geocodes, except for the initial three digits of a zip code in certain situations.
3. All elements of dates (except year) for dates directly related to an individual, including birth date, admission date, discharge date, date of death; and all ages over 89 and all elements of dates (including year) indicative of such age, except that such ages and elements may be aggregated into a single category of age 90 or older;
4. Telephone numbers;
5. Fax numbers;
6. Electronic mail addresses;
7. Social security numbers;
8. Medical record numbers;
9. [Health plan](#) beneficiary numbers;
10. Account numbers;
11. Certificate/license numbers;
12. Vehicle identifiers and serial numbers, including license plate numbers;
13. Device identifiers and serial numbers;
14. Web Universal Resource Locators (URLs);
15. Internet Protocol (IP) address numbers;
16. Biometric identifiers, including finger and voice prints;
17. Full face photographic images and any comparable images; and
18. Any other unique identifying number, characteristic, or code.

Remuneration: Includes the transfer of anything of value, directly or indirectly, overtly or covertly, in cash or in kind.

Research misconduct: Fabrication, falsification, or plagiarism, in proposing, performing, or reviewing research or in reporting research results. (Refer to the Federal Research Misconduct Policy available at <https://ori.hhs.gov/federal-research-misconduct-policy>)

- a. Fabrication is making up data or results and recording or reporting them.
- b. Falsification is manipulating research materials, equipment, or processes or changing or omitting data or results such that the research is not accurately represented in the research record.
- c. Plagiarism is the appropriation of another person's ideas, processes, results, or words without giving appropriate credit. Note: Unless the activity in question is funded by the National Science Foundation (NSF), this statement of policy and procedures does not apply to authorship or collaboration disputes. These exclusions from the Plagiarism definition are consistent with the federal Office of Research Integrity's position on the matter. See <http://ori.hhs.gov/ori-policy-plagiarism>

Research misconduct includes the destruction, absence of, or respondent's failure to provide research records where these actions constitute a significant departure from accepted practice of the relevant research community. Honest errors or differences of opinion are not considered to be research misconduct.

Procedures:

- A. Hospital Representatives are provided with a copy of the [SBSH Code of Conduct](#) upon hire and annually. The [SBSH Code of Conduct](#) is also made available on the Office of Compliance, Audit and Privacy Services (OCAPS) intranet and public facing internet sites and upon request made to the OCAPS.
 - a. Upon Hire, all Hospital Representatives shall participate in compliance training which incorporates the [SBSH Code of Conduct](#). A copy of the [SBSH Code of Conduct](#) is provided with the training. Hospital Representatives are required to review and attest to compliance with the [SBSH Code of Conduct](#).
 - b. Annually, all Hospital Representatives participate in training that includes a review of the Code that, at a minimum, addresses critical areas such as compliance with laws and regulations, prevention of fraud, waste and abuse, non-intimidation and non-retaliation, human resource practices, quality of care and service, conflicts of interest, proprietary rights, privacy and confidentiality, and appropriate use of SBUH assets.

- B. The Acknowledgement of review and attestation with the [SBSH Code of Conduct](#) shall be maintained by Human Resources.
- C. The [SBSH Code of Conduct](#) is reviewed, no less than annually, by the Chief Compliance Officer, and or designee, to determine whether revisions are warranted. Updates are reported to the Compliance and Audit Committee and Governing Body.
- D. All contracts with outside contractor and vendors providing services directly to SBUH business specify that the organization has a similar [SBSH Code of Conduct](#).
- E. The Compliance Officer (CO) in conjunction with the hospital's Chief Executive Officer and/or Chief Administrative Officer, as applicable, and senior leadership have responsibility for reviewing and updating the [SBSH Code of Conduct](#), no less than annually.
- F. Hospital Representatives who are subject to the requirements under the Protection of People with Special Needs Act are additionally required to comply with the requirements under the Protection of People with Special Needs Act.
- G. Failure to comply with the requirements of review and attestation of the [SBSH Code of Conduct](#) may result in adverse action consistent with the appropriate collective bargaining agreement, as applicable.
- H. Code of Conduct concerns or inquiries are to be brought forward to any of the following:
 - 1. Your supervisor;
 - 2. The CCO, Patricia Cooper, (631) 444-5864;
 - 3. The OCAPS, (631) 638-4349;
 - 4. The Corporate Compliance Helpline, (866) 623-1480; or at <https://www.compliance-helpline.com/sbuh.jsp> (which is available 24 hours a day, seven days a week) to report anonymously or by name;
 - 5. Via fax to (631) 444-5791 with correspondence marked "CONFIDENTIAL"; or
 - 6. Via mail to the OCAPS at 7 Flowerfield, Suite 36, St. James, New York 11780-1514. (Internal zip = 6062).

Forms: (Ctrl-Click form name to view)

None

Policy Cross Reference: (Ctrl-Click policy name to view)

[HLD0005 Certificate of Need Applications](#)

[HLD0038 Policy and Procedure for an Employee Responding to Governmental Investigations](#)

[HLD0109 Gifts](#)

[HLD0058 Review of Suspected Health Insurance Portability and Accountability Act \(HIPAA\) Violations](#)

[HLD0070 Responsibilities for Preventing and Detecting Fraud, Waste and Abuse Related to Federal and State Funded Health Care Programs](#)

[HLD0071 Reporting of Compliance Violations or Suspected Violations and NonIntimidation/Non-Retaliation](#)

[HLD0087 Health Insurance Portability and Accountability Act \(HIPAA\) Violations](#)
[HLD0101 Conflict of Interest](#)

[HEC0026 Regulated Medical Waste Disposal](#)

[HEC0054 Hazardous Chemical Materials Spill Plan](#)

[HMM0084 Pharmaceutical Waste Management](#)

[HIM0044 Security of Information Technology Resources](#)

[HRC0006 Retention of Health Information](#)

[HRC0081 Uses and Disclosures of Protected Health Information](#)

[Equal Opportunity/Affirmative Action Policy](#)

[Research Misconduct Policy](#)

Relevant Standards/Codes/Rules/Regulations/Statutes:

Title 18 NYCRR 504.3

Title 18 NYCRR 504.8

Title 18 NYCRR Parts 514, 515, 516, 517, 518, 519, 520, 521

Title 19 NYCRR Part 934;

New York State Public Officers Law §73, §74, §80, §94

42 USC § 1396a(a) (68)

31 USC §§ 3729-3733

31 USC Ch. 38

NY Labor Law § 740
NY Labor Law § 741
NY State Finance Law §§ 187-194

References and Resources:

[SBSH Code of Conduct](#)

Federal Research Misconduct Policy: <https://ori.hhs.gov/federal-research-misconduct-policy>

Federal Office of Research Integrity: <http://ori.hhs.gov/ori-policy-plagiarism>