

**UPMC
POLICY AND PROCEDURE MANUAL**

**POLICY: HS-EC1900
INDEX TITLE: Ethics & Compliance**

**SUBJECT: Code of Conduct
DATE: February 27, 2018**

I. POLICY

UPMC has a Code of Conduct (Code) policy that governs the actions of individuals employed by or associated with UPMC and its affiliates. The Code's written guidelines, which are based on UPMC's mission, vision, values, and ethics, outline how people must conduct themselves when providing any service on behalf of UPMC or a UPMC entity (UPMC).

Links to policies referenced within this policy can be found in Section VII.

II. PURPOSE

UPMC endorses and enforces the Code because:

- A. At the core of our business, we are focused on providing compassionate, high quality, cost-effective services in a safe, efficient and effective manner.
- B. We value and demonstrate honesty, fairness, respect and dignity.
- C. We want to promote and maintain a safe and healthy work environment.
- D. We communicate honestly, accurately, and appropriately.
- E. We use all resources - people, financial, physical property, and proprietary information - in an economical and environmentally conscious manner and we protect those assets against loss, theft, misuse, fraud or damage.
- F. Our business relationships are based on mutual respect and integrity, and we try to avoid any conflict of interest.
- G. We expect our consultants, representatives, and agents who act on behalf of UPMC to act in a manner that is consistent with applicable laws, regulations, standards, and policies.

- H. We demonstrate respectful off-duty conduct including communications in verbal, written, and/or electronic formats, which do not diminish trust in a staff member's future performance.
- I. We value the patient-caregiver relationship by demonstrating our accountability for patient safety and by safeguarding patient trust, particularly for our most vulnerable patients, especially those within the pediatric, geriatric and disabled populations.
- J. We comply with applicable laws, regulations, and standards.

III. SCOPE

- A. This Code applies to anyone who provides a service on behalf of UPMC to patients, family members, vendors, contractors, UPMC staff members, students, visitors, volunteers, guests, community members, and other applicable parties.
- B. Everyone who represents UPMC is responsible for complying with this Code. This includes, but is not limited to: physicians, staff employees and management (both clinical and non-clinical); residents, interns, and fellows; contract and other contingent staff; volunteers; students participating in a mentorship, shadow, or academic program; consultants, vendors, contractors, outside agencies with a business relationship with UPMC or a UPMC entity or other agents providing services on behalf of UPMC.
- C. This Code does not replace professional judgment and it is not all-inclusive. Instead, the Code provides the framework for understanding acceptable workplace behavior and serves as a guide for that behavior.

This Code works in conjunction with other UPMC policies and procedures, which can be found on Infonet, UPMC's intranet site. Individual UPMC business units, medical staffs, or credentialing bodies may maintain their own Codes of Conduct to supplement this UPMC Code as long as such codes are not less restrictive than this Code.

IV. GUIDELINES

- A. UPMC will not tolerate physically or emotionally intimidating, disruptive, unprofessional, inappropriate, or unethical behavior from people who represent or provide services on behalf of UPMC. Examples of unacceptable behaviors include, but are not limited to:
 - a. Violating the laws, regulations, standards, and/or policies that govern and guide UPMC's protocol, procedures, operations, and activities;

- b. Demonstrating an injurious, offensive, demeaning, intimidating, threatening, belittling, coercing, disrupting and/or abusive disposition in the workplace;
- c. Using profanity or any offensive language;
- d. Making inappropriate advances toward and/or physical contact with others;
- e. Harassment through physical contact, verbalizations, gestures, electronic or non-electronic media, and illustrations/graphics;
- f. Malicious, aggravated, injurious, intimidating, threatening behavior toward a manager or other superior;
- g. Breaching confidentiality of patient, consumer, member, employee, or research information;
- h. Behaviors and/or actions that could or do compromise patient safety, including those that are malicious, careless or risky;
- i. Falsifying records, including medical records, expense reports, governmental reports, and business-related documentation;
- j. Creating or contributing to an unsafe and/or unhealthy work environment;
- k. Destroying property or not safeguarding property against loss, theft, misuse, or damage;
- l. Misusing electronic media, including electronic mail, text messaging, instant messaging, Internet/Web technology, etc. by counterfeiting; pirating intellectual property; or by viewing, sending, or receiving pornography, obscene jokes, or sexually harassing content;
- m. Violating UPMC's Conflict of Interest policies and procedures;
- n. Violating UPMC's Foreign Corrupt Practices Act ("FCPA") and Other Anti-Bribery Statutes policies and procedures;
- o. Engaging in activities that could constitute fraud, waste, or abuse;
- p. Accepting or soliciting tips, gifts, loans or other gratuities from patients, their relatives, caregivers or visitors, except as follows: Staff members may accept unsolicited token gifts of gratitude from patients, their relatives, caregivers or visitors **only if the gift** is (1) reasonable in value, (2) not cash or a cash equivalent, (3) given openly and transparently, and (4) not intended to

influence the patient's medical care or experience. Acceptable gifts include, for example, baked goods, homemade gifts, and fruit baskets. **Accepting cash or cash equivalents, such as gift cards, is strictly prohibited.** In the event a patient provides a cash or cash equivalent gift despite efforts to politely refuse it, staff shall deliver the gift to the Medical Health and Sciences Foundation (MHSF), pursuant to UPMC Policy HS-EC1703 regarding gifts to UPMC.

V. PROCEDURE

- A. UPMC encourages its employees, agents, and others to report all violations of this Code. Employees are encouraged to make an initial written report to their designated supervisor/manager or to their Compliance Officer. Reports can also be made to the Ethics and Compliance Office (ECO), email complianceaskus@upmc.edu.
- B. Violations considered actions that could constitute fraud should also be referred to Corporate Security and the Corporate Ethics and Compliance Office (ECO) Fraud Team. Corporate Security can be reached by email at asksecurity@upmc.edu. To reach the ECO Fraud Team email fraudteam@upmc.edu.
- C. Anonymous reporting may occur by contacting, among other things, the UPMC Compliance Helpline (1-877-983-8442); the Department of Health; or the Joint Commission. A listing of resources to which an individual may report a violation is found on UPMC's public Internet page, www.upmc.com, under the Contact UPMC link.
- D. Regardless of the reporting method, any violation of the Code must be addressed once it becomes known. The appropriate administrative and/or management representative will:
 - a. Raise the complaint, concern, and/or issue with the alleged non-compliant individual;
 - b. Seek response from the individual and, if necessary, investigate the issue to confirm existing details and/or to obtain additional information;
 - c. Address the issue by implementing an appropriate response (e.g., educational, counseling, and/or corrective action) as directed by applicable UPMC policies and procedures;
 - d. Document the issue and response; notify other internal (e.g., administrative or management) or external (e.g., regulatory) representatives, Boards, Committees, etc., as appropriate;

- e. Promote and monitor future compliance with this Code and other laws, regulations, standards, and policies; and
 - f. Follow-up with any aggrieved or complaining party to effectively respond to the original and any subsequent concerns or issues.
- E. UPMC prohibits retaliation against anyone for raising, in good faith, a concern or question about inappropriate or illegal behavior under this Code. Refer to UPMC policy HS-EC1802 titled “Reporting and Non-Retaliation”.
- F. Contracts with agents or representatives providing services on behalf of UPMC may contain language regarding behavioral and/or performance expectations and may reference applicable UPMC policies, procedures, and protocol.
- G. Any individual providing services on behalf of UPMC, whether employed by the organization or not, should seek further detail regarding applicable policies, procedures, and expectations from their administrative or management representative.

VI. NATIONAL LABOR RELATIONS ACT

Nothing in this policy is intended to restrict or inhibit the lawful exercise of the rights protected under Section 7 of the National Labor Relations Act and this policy should not be interpreted, applied or construed to do so.

VII. REFERENCED AND RELATED POLICIES

[HS-EC1700 Conflict of Interest – General Obligations](#)

[HS-EC1802 Reporting and Non-Retaliation](#)

[HS-EC1803 Theft and/or Breach of Personal Information that is maintained by UPMC](#)

[HS-EC1804 Identity Fraud and Theft Program](#)

[HS-LE0017 Internal Fraud Investigations](#)

[HS-HR0704 Corrective Action & Discharge](#)

[HS-HR0705 Harassment-Free Workplace](#)

[HS-HR0745 Workplace Violence](#)

[HS-EC1806 Foreign Corrupt Practices Act \(“FCPA”\) and Other Anti-Bribery Statutes](#)

[HS-EC1703 Gift](#)

SIGNED: Catherine Yunk
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ORIGINAL: August 3, 2009

APPROVALS:

Ethics & Compliance Committee of Board of Directors: February 12, 2018

Policy Review Subcommittee: February 8, 2018

Executive Staff: February 27, 2018

PRECEDE: June 23, 2017

SPONSOR: Vice President and Chief Audit and Compliance Officer