

# STANDARDS OF CONDUCT

## A MESSAGE FROM THE CHANCELLOR

Dear Faculty and Staff:

At Vanderbilt University, patients, students, parents and society at-large have placed their faith and trust in the faculty and staff who comprise this great institution. In carrying forward our noble mission of educating, healing, and advancing scientific research, it is vital that we hold a deep commitment to the highest levels of ethical standards and lawful conduct.

The Vanderbilt University Compliance Program articulates specifically what is expected of us, and completing the Standards of Conduct training will ensure that you have a thorough understanding of institutional standards of integrity and honesty, as well as the laws, rules and regulations specific to your profession. I urge you to read the information on this Web site carefully and to ingrain these important principles into your daily work. For through our individual efforts to uphold these practices and obey the laws, we collectively help Vanderbilt achieve its promise as an academic and healthcare leader.

Nicholas S. Zeppos  
Chancellor

## INTRODUCTION

Vanderbilt University is committed to the highest standards of ethics, honesty, and integrity in pursuit of its mission of education, research, patient care, and public service. All members of the Board of Trust, the Chancellor, General Officers, members of the Executive Administration, administrative officers, members of the faculty and staff and others representing Vanderbilt University are expected to adhere to these standards of conduct in the discharge of their duties. Consistent with the Faculty Manual and the Human Resources Staff Guidelines, the Vanderbilt University Standards of Conduct provide guidance for the University's faculty, staff and others representing the University and set forth the University's commitment to good practices and following the law. **These Standards apply to all members of the University community including the Medical Center which has additional responsibilities as listed in Part Two of the Standards of Conduct.**

## COMPLIANCE WITH THE LAW

**Vanderbilt University is committed to compliance with all applicable laws, rules, and regulations.**

It is the responsibility of each member of the University, including staff, faculty, health care professionals with hospital privileges, agents, representatives, contractors and vendors, to follow, in the course and scope of their employment at Vanderbilt, all applicable laws, rules, regulations and University policies, and to maintain an educational, health care and business environment that is committed to integrity and ethical conduct.

## RESEARCH AND SCIENTIFIC INTEGRITY

**Vanderbilt University is a premier research institution and is committed to following all laws and regulations related to scientific research.**

Vanderbilt staff, faculty and health care professionals are responsible for accurate and complete documentation of research and health care services, the conduct of research with scientific integrity, and adherence to all applicable federal regulations relating to accurate reporting and appropriate expenditure of grant funds. In the interest of maintaining the highest standards of patient care and scientific integrity, researchers and physicians must familiarize themselves with all federal and state laws governing their activities, and with University policies and procedures relating to misconduct in research.

## CONFLICTS OF INTEREST

**Vanderbilt University is committed to following and enforcing its conflict of interest policies. All University faculty, staff, and representatives should avoid potential or perceived conflicts of interest.**

Individual conflicts of interest refer to situations in which an individual's or family member's financial, professional, or other personal considerations may directly or indirectly affect, or have the appearance of affecting, an individual's professional judgment in exercising any university duty or responsibility, including the conduct or reporting of research. Family members include spouses and domestic partners, children, stepchildren, parents and siblings.

Conflicts of interest can arise under many situations, including business relationships, purchasing decisions, gifts, use and appropriation of University assets, research activities, activities related to students, and activities related to family members.

In order to identify and review conflicts of interest and the appearance thereof, all members of the University are expected to disclose all outside activities and financial interests that might be or have the appearance of being conflicts of interest or commitment. All members are required to submit a Disclosure Form upon initial employment, and annually thereafter. Updated forms must also be submitted if changes in circumstances arise that may give rise to a potential conflict of interest.

## **MARKET COMPETITION AND PURCHASING**

**Vanderbilt University is committed to complying with state and federal antitrust (monopolies) and anti-kickback laws and regulations.**

Vanderbilt's business practices prohibit setting charges in collusion with competitors, giving or receiving kickbacks, entering into certain exclusive arrangements with vendors, and sharing confidential information with competitors. When someone who can influence purchasing decisions made at the University takes money or anything of value from a vendor, it can be considered a kickback, which is illegal.

## **ENVIRONMENT**

**Vanderbilt University is committed to complying with all applicable environmental laws and to maintaining all necessary environmental permits and approvals.**

Environmental compliance includes the proper handling, storage, use, shipment and disposal of all materials that are regulated under any applicable environmental law. If any employee has actual knowledge that a spill, release, or discharge of any material regulated pursuant to an applicable environmental law has occurred, such employee must immediately report such event to his or her immediate supervisor so that necessary action may be taken. Necessary action may include evacuating employees, reporting such event to a governmental authority if required pursuant to any environmental law, and containing and cleaning up any such spill, release, or discharge. Employees should also report any other violations of applicable environmental law of which they have actual knowledge that could endanger the health and safety of other individuals by contacting the Environmental Health and Safety office at 322-2057.

## **CONFIDENTIALITY**

**Vanderbilt University is committed to the appropriate protection of confidential information.**

Many faculty and staff have access to various forms of sensitive, confidential, and proprietary information. Federal laws and University policies prohibit the unauthorized seeking, disclosing or giving of such information, including confidential information contained in student, employee and patient records. All members of the University community are required to know and comply with laws and policies related to information privacy and security.

## **CONTROLLED SUBSTANCES**

**Vanderbilt University prohibits the unlawful possession, use, manufacture or distribution of illicit drugs and alcohol.**

Vanderbilt prohibits the unlawful possession, use, manufacture or distribution of illicit drugs and alcohol on its property or as part of any University sponsored activity. Additionally, members of the Medical Center community and health care professionals, including those who maintain Drug Enforcement Agency (DEA) registration must comply with all federal and state laws regulating controlled substances.

## **DISCRIMINATION**

**Vanderbilt University is committed to the principles of equal employment and affirmative action.**

Vanderbilt does not discriminate on the basis of race, color, religion, sex, national or ethnic origin, age, disability, sexual orientation, or military service in administration of educational policies, programs or activities; its admission policies; scholarship and loan programs; athletic or other institution administered programs; or employment. Any faculty or staff member who experiences harassment or discrimination on the basis of sex, race, color, religion, national origin, age, disability, or sexual orientation should immediately seek assistance through the Equal Opportunity, Affirmative Action, and Disability Services Office (EAD). Vanderbilt prohibits retaliation against faculty or staff members who utilize the EAD in good faith to make complaints of harassing or discriminatory conduct.

## **RESPONSE TO INVESTIGATION**

**Vanderbilt University is committed to cooperating with government investigators as required by law.**

If an employee receives a subpoena, search warrant or other similar document, before taking any action, the employee must immediately contact the Compliance Officers or the Office of General Counsel. The Compliance Officers and the Office of General Counsel are responsible for authorizing the release or copying of documents. If a government investigator, agent, or auditor comes to University Central or the Medical Center, a supervisor, the Compliance Officers, the Office of General Counsel, or the Hospital Administrator-on-Call should be contacted before an employee discusses any matters with such investigator, agent, or auditor.

## CONCLUSION

Vanderbilt University is committed to following local, state and federal laws, rules and regulations. To assist the University with its commitment to appropriate conduct, all faculty, staff and representatives are encouraged to report violations of any law or policy to a supervisor or a Compliance Officer. It is the duty of all faculty, staff and University representatives to report Vanderbilt-job-related criminal conduct of which they have actual knowledge or Vanderbilt-job-related situations that endanger the health and safety of any individual to the appropriate supervisor or the Compliance Officers. All persons making such reports are assured that such reports will be treated as confidential; such reports will be shared with others only on a bona fide need-to-know basis. Vanderbilt will take no adverse action against persons making such reports in good faith. Vanderbilt prohibits retaliation against persons who make such reports in good faith. False accusations made with the intent of harming or retaliating against another person can subject the accuser to disciplinary action.

Following these Standards of Conduct will help you do the right thing. It will also protect you and the Vanderbilt community. You are encouraged to talk with your supervisor/manager and colleagues if something is not clear and of course, the Compliance Officers are always available to assist you.

## ADDITIONAL STANDARDS OF CONDUCT PART TWO - MEDICAL CENTER ONLY

These additional Standards of Conduct apply exclusively to members of the Medical Center community, which includes Medical Center staff or faculty, and any person who provides services at the Medical Center, including health care professionals with hospital privileges.

### BILLING AND CLAIMS

**Vanderbilt University is committed to charging, billing, documenting and submitting claims for reimbursement for hospital and professional services in the manner required by applicable laws, rules and regulations.**

All of our faculty/staff should know and carefully follow the applicable rules for submission of bills and claims for reimbursement on behalf of the Medical Center. If you know or suspect that a bill or claim for reimbursement is incorrect, you are required to report it immediately to your supervisor or to the Medical Center Compliance Officer.

### PATIENT REFERRALS AND KICKBACKS

**Vanderbilt University is committed to the lawful referral of patients to services outside the Medical Center for the delivery of appropriate patient care.**

If a referring physician, or his or her immediate family member, has an ownership or investment interest in or a compensation arrangement with the entity to which a patient is referred, and payment for the referred services will be made from a federal or state health care program, such as Medicare, Medicaid and TennCare, a federal law, commonly referred to as the "Stark Law," may prohibit the referral. No Medical Center physician shall refer a patient for services in violation of the law.

Additionally, members of the Medical Center community should be aware that if someone refers a patient to another provider and receives something of value in exchange, it can be considered a kickback. Anti-kickback rules also apply to the recruitment of physicians, recruitment of research subjects, and the acquisition of physicians' practices.

### DISCHARGE PLANNING AND ANCILLARY SERVICE REFERRALS

**Vanderbilt University is committed to appropriate discharge planning and the lawful referral of patients for ancillary health care services.**

The Medical Center recognizes that the discharge of a patient to a residence or post-hospitalization provider is an important decision. In developing and implementing discharge plans, Medical Center faculty and staff shall act in the best interest of the patient, in the judgment of the health care provider. This includes the involvement and consent of the patient or patient's legal representative.

## EMERGENCY TREATMENT FOR PATIENTS AND WOMEN IN LABOR AND PATIENT TRANSFERS

**Vanderbilt University is committed to following state and federal laws and regulations with respect to the evaluation, admission and treatment of patients with emergency medical conditions and pregnant women who are in labor regardless of a patient's financial or insurance status.**

As the health care arm of the University, the Medical Center conducts its activities in furtherance of the University's charitable mission in the areas of education, research and patient care. Emergency services are available to all persons in need of those services without regard to their financial or insurance status. If any individual comes to the Emergency Department of the hospital for examination or treatment of a medical condition, then the Medical Center must provide the individual with an appropriate medical screening examination to determine if an emergency medical condition exists, and if one does, it must stabilize the emergency medical condition within its capabilities. A woman in active labor is deemed to have an emergency medical condition. Additionally, the Medical Center must accept for transfer from another hospital an individual requiring specialized capabilities of the Medical Center if the Medical Center has the capacity and capability to treat the individual.

The Medical Center's commitment to patients is reflected in our willingness to help anyone in need and not be influenced by race, creed, ethnicity, or sex. To ensure that these factors do not affect staff and faculty decisions, all people will be given emergency treatment and be discharged and referred without discrimination. It is also important for Medical Center staff and faculty to keep all patients' medical information confidential.

## CONFIDENTIALITY AGREEMENT

**Vanderbilt University has a legal and ethical responsibility to safeguard the privacy of all patients and to protect the confidentiality of their health information and all other types of confidential information.**

Prior to receiving a VU Net ID and password, all members of the Medical Center community including, but not limited to, faculty and staff are required to agree to and sign the Medical Center Confidentiality Agreement. Confidential information is to be accessed, used, and disclosed only when authorized and required to complete assigned job duties. User ID's, passwords, and other authentication devices are the equivalent of a signature within the information systems and must be safeguarded and never shared or disclosed. Medical Center faculty and staff are required to know and comply with laws and policies related to information privacy and security.

Additionally, members of the Medical Center community are prohibited from sharing confidential information with competing providers, such as salaries or charges for services rendered.

## DISCIPLINARY ACTION

All Medical Center faculty, staff and representatives, as well as those who hold professional staff privileges, must carry out their duties for the Medical Center as stated in these policies, and, as required by law, report violations of local, state or federal laws, rules or regulations to a supervisor or the Medical Center Compliance Officer. If any faculty, staff or representative does not report violations, knowing that such a failure violates a clear legal obligation, the individual may be subject to disciplinary action and may be terminated from employment. Such disciplinary conduct must abide by all substantive and procedural protections applicable to discipline in the Faculty Manual or, for staff, in the Human Resources Staff Guidelines. Disciplinary action may apply to a supervisor who knowingly directs or approves a person's improper actions, or is aware of those improper actions but does not act appropriately and within the supervisor's scope of authority to correct them, or who, by knowingly violating a clear legal or professional duty, otherwise fails to exercise appropriate supervision.

## STATEMENT OF RECEIPT AND ACKNOWLEDGMENT

Medical Center faculty, staff, and representatives must acknowledge receipt of the Standards of Conduct and Confidentiality Agreement and acknowledge individual responsibility for knowing and adhering to the Standards of Conduct and the Confidentiality Agreement.

The Confidentiality Agreement is available online at

[http://www.mc.vanderbilt.edu/root/sbworddocs/hipaaprivacy/Confidentiality\\_Agreement\\_-\\_Aug07.doc](http://www.mc.vanderbilt.edu/root/sbworddocs/hipaaprivacy/Confidentiality_Agreement_-_Aug07.doc)

## Reporting Violations

Faculty and staff wanting to make a report of a violation or a potential problem may contact either the University Central or Medical Center Compliance Officer, or call one of the 24-hour anonymous Confidential Helplines.

### RELEVANT MEDICAL CENTER POLICIES

OP #10-20.02 Admission, Discharge & Internal Transfer  
CL #30-05.06 Discharge Planning  
OP #10-40.07 Access to Confidential Information  
OP #10-40.04 Inspection/Surveys by External Agencies  
OP #10-40.32 Sanctions for Privacy and Information Security Violations  
OP #30-10.02 Hospital/Clinic Staff/Faculty Conflicts of Interest  
OP #30-10.04 Alcohol and Drug Abuse  
OP #50-10.01 Procurement of Supplies and Equipment  
OP #50-10.02 Vendor Representatives, Faculty/Staff Relationship

<http://vumcpolicies.mc.vanderbilt.edu>

### Where to Find Help

#### Discrimination or Harassment

Any faculty or staff member who experiences harassment or discrimination on the basis of sex, race, color, religion, national origin, age, disability, or sexual orientation should immediately seek assistance through the Equal Opportunity, Affirmative Action, and Disabilities Services Office at 322-4705, [www.vanderbilt.edu/ead](http://www.vanderbilt.edu/ead).

#### Human Resources or Personnel Matters

Other employment concerns related to personnel issues or human resources, such as salary, promotion, or hiring, should initially be directed to Human Resources at 322-8330, <http://hr.vanderbilt.edu>.

#### Environment or Safety

Questions concerning environmental regulations should be directed to Vanderbilt Environmental Health and Safety at 322-2057, [www.safety.vanderbilt.edu](http://www.safety.vanderbilt.edu).

#### Research

Office of Contract and Research Administration: 322-2631  
[www.vanderbilt.edu/dsr](http://www.vanderbilt.edu/dsr)

Medical Center Office of Research: 322-2281 [www.vanderbilt.edu/oor](http://www.vanderbilt.edu/oor)

All other compliance-related questions, concerns or reports should be directed to either the University Central or Medical Center Compliance Office or the Office of the General Counsel at 322-5155.

### RELEVANT UNIVERSITY POLICIES

HR Policy #2: Anti-Harassment HR Policy  
HR Policy #14: Performance Improvement Counseling  
HR Policy #15: Discharge HR Policy  
HR Policy #22: Dispute Resolution  
HR Policy #33: Relationships in the Workplace  
HR Policy #27: Work Place Violence  
HR Policy #35: Substance Abuse  
HR Policy #40: False Claims Act and Whistleblower Protection Policy  
Drug and Alcohol Policy  
Conflict of Interest Policy  
Conflict of Commitment Policy  
Misconduct in Research Policy  
Technology Transfer Policy  
Procurement & Disbursement Polices #7: Ethics

<http://hr.vanderbilt.edu/policies>

[www.vanderbilt.edu/facman](http://www.vanderbilt.edu/facman)

[www.vanderbilt.edu/procurement/about/policies\\_7.shtml](http://www.vanderbilt.edu/procurement/about/policies_7.shtml)

[www.vanderbilt.edu/compliance](http://www.vanderbilt.edu/compliance)

[www.mc.vanderbilt.edu/compliance](http://www.mc.vanderbilt.edu/compliance)

# COMPLIANCE AND STANDARDS OF CONDUCT



**VANDERBILT UNIVERSITY  
COMPLIANCE PROGRAM**

**VANDERBILT  UNIVERSITY  
MEDICAL CENTER**

**OFFICE OF COMPLIANCE &  
CORPORATE INTEGRITY**

## **Vanderbilt University Compliance Program**

University Compliance Officer  
Ruth Nagareda: (32)2-5162

Location: Loews Vanderbilt Plaza, Suite 750

24-hour confidential help line: (32)2-1033  
<http://www.vanderbilt.edu/compliance/>

## **VUMC Office of Compliance & Corporate Integrity**

Assistant Vice-Chancellor and  
Chief Clinical Enterprise Compliance Officer  
James S. Mathis: (34)3-7266

Location: 1909 21<sup>st</sup> Avenue South

24-hour confidential help line: 866-783-2287  
[www.tnwgrc/Vanderbilt](http://www.tnwgrc/Vanderbilt)