



Integrity at Work

Harborview Medical Center ethics, compliance standards and code of conduct.



Introduction

Harborview Medical Center upholds the principle of exemplary public service in the provision of patient care, teaching and research. Each of us at Harborview is called to accept accountability for the fulfillment of our mission, consistent with our organizational ethics statement, our compliance program, and Harborview supporting policies, as well as all applicable laws and regulations.



Compliance Helpline: (206) 616-5248



This is your personal copy of Harborview's guide to integrity at work – our mission, ethics and compliance standards. We have prepared this guide so that every person who works at Harborview will have a clear understanding of what is expected in the work environment. We ask that you take the time to carefully read and periodically review the material in this booklet. It will be useful to you as a guide to ethical and legal behavior at work. You may want to keep it in your desk or locker as a handy reference source. Harborview is committed to promoting a culture of compliance with relevant laws and regulations. Your commitment to the code of conduct outlined in this manual will help us meet our goal and will help satisfy the needs of Harborview's administration and the UW Medicine Board and its Compliance Committee as well as federal and state regulatory agencies.



A handwritten signature in cursive script, reading "Eileen Whalen".

Eileen Whalen, Executive Director



A handwritten signature in cursive script, reading "J. Richard Goss".

J. Richard Goss, M.D., Medical Director



Table of Contents

Mission Statement	5
Ethical Decision Making	6
Harborview Compliance Helpline.....	7
Harborview Ethics Committee	8
Patient Care Services	9
Privacy and Security	
Privacy.....	10
Security	11
Documentation and Billing	
Accuracy of Records	13
Billing Practices	14
False Claims Act	15
Referrals, Stark Rule and Anti-Kickback Law	17

State Ethics Law

Individual Accountability	18
Conflict of Interest	18
Gifts, Gratuities and Items of Value	20
Improper Use of Funds	21
Outside Employment	21
Protecting Harborview Assets	23
Use of Washington State and King County Resources	24
Work Environment	26
Government Investigations: Compliance Matters	28
Disciplinary Process	29
Signature Page	31
Acknowledgements.....	35

Our Mission Statement



Harborview is owned by King County, governed by the Harborview Board of Trustees, and managed under contract by the University of Washington (UW).

Harborview is a comprehensive health-care facility dedicated to the control of illness and the promotion and restoration of health. Its primary mission is to provide and teach exemplary patient care and to provide health care for those patients King County is obligated to serve.

The following groups of patients and programs will be given priority for care within the resources available as determined by the Board of Trustees:

- Persons incarcerated in the King County Jail.
- Mentally ill patients, particularly those treated involuntarily.
- Persons with sexually transmitted diseases.
- Substance abusers; indigents without third-party coverage.
- Non-English speaking poor.
- Trauma.
- Burn treatment.
- Specialized emergency care.
- Victims of domestic violence.
- Victims of sexual assault.

Ethical Decision Making

Ethics are a part of our daily life. You use ethical decision making when you ask yourself ‘did I treat this person the right way’ or ‘is this the way I would want to be treated’.

Your most common use of ethical decision making is when you ask yourself if an action is right or wrong. This question is not always easy to answer nor is reporting something as a possible ethical violation. However, it is important to report a possible violation so that it can be investigated and corrective action taken if needed.

How do you decide if a violation may have occurred? Ask yourself these questions:

- A. Is the action legal? Is it consistent with Harborview’s policies? Is it consistent with the Integrity at Work guidelines?
- B. How would you feel if you did it? How would it look to family, friends, patients, and the community?
- C. If you’re still not sure you can:
 - a. Talk to your Supervisor or a higher level manager
 - b. Call the Compliance Helpline (206) 616-5248
 - c. Email comply@uw.edu, or
 - d. Check the intranet-compliance tab-ethics page for additional contact numbers.

Harborview Compliance Helpline (206) 616-5248

The Harborview Compliance Helpline (206) 616-5248 is intended to supplement regular communication channels, such as talking with your supervisor or a human resources consultant. You may call the Compliance Helpline with questions concerning:

- Billing/Coding Rules
- Medicare/Medicaid Rules
- Patient Privacy Laws
- Relationships/Conflicts of Interest
- Government Investigations
- Ethical/Legal Issues

When you call the Compliance Helpline we will keep your name confidential unless an investigation leads back to you or we are required to disclose your name for legal reasons.

Calls may also be made anonymously. No caller will experience retaliation or reprisal for filing a complaint, expressing a concern, or asking for advice.



You may send anonymous mail to Box 358049. You may also make reports via fax, email (comply@u.washington.edu), or by calling compliance office staff directly.

Harborview Ethics Committee



The Harborview Ethics Committee, which falls under the Medical Staff Committee structure, is an interdisciplinary committee established under the auspices of the medical director. The Ethics Committee serves in an advisory role on clinical issues that involve an ethical question. Committee responsibilities include education, and developing and recommending hospital policy. The Ethics Committee also has an Ethics Consultation Service (ECS), which provides consultation services to any Harborview care provider, patient, patient family member or loved one when an ethical concern arises in patient care.

Patient Care Services

We provide impartial access to health care, regardless of race, creed, gender, national origin, sexual orientation, physical impairments or religious preference.

We treat all patients with dignity, respect, and courtesy. Patients and their families will be involved in decisions regarding their care to the extent that this is practical and possible. We will inform patients about therapeutic alternatives and the risks associated with the care they are seeking.

Qualified individuals must assess the requirements and needs of our patients and identify appropriate services. When appropriate, we will seek input from families, medical staff, referral and payor sources.

Patients' emergent medical care will not be delayed by financial screening in accordance with the Emergency Medical Treatment and Active Labor Act (EMTALA). Patients receive stabilizing treatment before transfer to another hospital, as required by law.

As health-care providers upon whom patients depend, it is important for us to note errors or deficiencies, even those that seem small or insignificant, in order to improve future care. Promptly report such matters to your supervisor and notate your findings in PSN (Patient Safety Net, the online incident reporting system).

Privacy and Security

Privacy and Confidential Information

Harborview has a legal and ethical responsibility to safeguard the privacy of all patients by protecting the confidentiality of their health information.

Strong federal and state laws govern the privacy of our patients and their health information. In the course of your duties at Harborview, you may come into contact with, or possession of protected health information (PHI). Use of PHI is restricted to those who have a legitimate need to use it for treatment, payment, or other routine healthcare operations. Most other uses and disclosures require patient authorization. Consistent with Federal law, except for treatment, Harborview's policy is to limit the use of PHI to the minimum necessary to accomplish the job-related task.

PHI must be maintained in the strictest confidence. As a condition of your employment/assignment, and consistent with Harborview policies, you must not at any time during or after your employment/assignment, disclose any patient information to any person, or permit any person to examine, print, and/or make copies of any patient reports or other patient information, other than as necessary in the course of your employment/assignment.

Security and Confidential Information

All data collected, analyzed and/or entered into any Harborview databases (via PC's, Laptop's, PDA's, etc.) is the property of Harborview Medical Center.

In order to protect the privacy of PHI, Harborview has administrative, technical, and physical safeguards to protect PHI from unauthorized access or use. Access to patient information is monitored at all times to assure appropriate access and compliance with policy.

You are required to protect the confidentiality of any data in any Harborview system.

To comply with Privacy and Security Laws:

- Protect your user ID (login) and password. You will be held accountable for what is done under your ID/password.
- Do not make inquiries for other personnel without proper authority.
- Do not make an unauthorized inquiry, access, transmission, printing or release of patient information.

- Do not install or download unauthorized software.
- Keep your computer secured. This includes:
 - ✓ Protect your computer screen from unauthorized viewing.
 - ✓ Properly secure your session when stepping away from a PC.
 - ✓ Properly log off when not at your workstation.

Staff are expected to know these policies.

Documentation and Billing

Accuracy of Records

We expect all patient and business records to be legible, accurate and complete, and retained for the periods prescribed by law and Harborview policies.

Patient and business records must conform to accepted standards for the maintenance of such records and shall not contain false or misleading information. Medical records and documentation must satisfy requirements of medical staff bylaws, facility policies, and accreditation standards. Medical records may be amended to correct an error or complete documentation only in accordance with established medical records procedures.

All financial transactions must be recorded in accordance with generally accepted accounting principles and Harborview policies and procedures.

Pay special attention to “red flags” that may signal a person seeking services or credit is using an alternate identity. Refer such questions to the Patient Identification Clarification Committee (PICC) at (206) 543-3098.

Billing Practices

Harborview Medical Center charges for services in accordance with the hospital's or with the other health-care providers' policies and procedures but only to the extent that services for which charges are being initiated:

- Were actually rendered to the patient and were medically appropriate;
- Were rendered by a medical professional with an appropriate license;
- Are supported with complete and accurate medical record documentation;
- Were accurately coded based on current payer and government standards;
- Were billed in accordance with the terms of the contractual agreement with the third party payor; and
- Will be retained for periods prescribed by law and defined by Harborview policy.

Harborview will provide assistance to patients seeking to understand the charges relating to their care.

Calls should be directed to Patient Financial Services Customer Service/Release of Information at (206) 598-1950.

False Claims Act

The Federal False Claims Act (FCA) is a powerful tool for enforcing federal laws. The FCA prohibits the knowing submission of a false claim for reimbursement. While not specific to health care claims for reimbursement, the federal government often uses the Act to investigate and sanction providers or organizations in cases alleging fraudulent health care billing. Washington State has a law that is very similar to the Federal False Claims Act (RCW 74.09). There is also a Federal Program Fraud Civil Remedies Act of 1986 that establishes administrative remedies (monetary fines) against anyone who presents claims or written statements to the government that the person knows are false.

Although the FCA requires that the organization or provider have knowledge that he or she is submitting a false claim, the definition of knowledge is very broad and includes: (1) having actual knowledge that the information is false; (2) acting in deliberate ignorance as to the truth or falsity of the information; or (3) acting in reckless disregard of the truth or falsity of the information. The government does not have to provide a specific intent to defraud in order to establish a false claim.

A violation of the FCA can result in significant civil penalties (\$5,500-\$11,000 per claim) and damages of up to three times the amount of any overpayment based on the false claim. The civil penalties can be

<http://depts.washington.edu/comply/>

assessed for each false claim submitted, regardless of whether it's for a \$25 claim or a \$2,500 claim. Often the provider must enter into a Corporate Integrity Agreement with the government. The provider may also face exclusion from federal health care programs like Medicare, or even criminal prosecution.

Both the Federal False Claims Act and state law (RCW 43.70) provide protections against employer retaliation of an employee who reports fraud to the government. Under the FCA, an individual (called a “relator”) may bring a False Claims suit on behalf of the government. For example, an employee who has reported a concern to their employer and feels the issue has not been taken seriously may ultimately choose to go to the government. If the government recovers money from the provider allegedly committing fraud, the relator may receive a portion of the recovered dollars.

Examples of situations that may lead to a False Claim include:

- Unbundling or upcoding
- Billing for a service that was not performed
- Duplicate billing for the same service
- Billing for services without a documented order
- Billing for resident services without documented Teaching Physician presence

It is especially important that all Harborview providers and staff understand the billing rules that apply to their practice or activities. Our policies require that any employee who has a question or concern about a coding or billing practice must raise the issue or question with a supervisor, operational leader, or the Compliance Office. In addition, you may contact the Compliance Helpline at (206) 616-5248. For information on anonymous reporting, see page 7 of this book. The Compliance Office enforces policies that prohibit retaliation against anyone who reports a concern in good faith.



Referrals, Stark Rule and Anti-Kickback Law

When a contract is written with clinicians or referral sources it must accurately specify the actual services to be provided and reasonable compensation for those services. Consult with your supervisor and Supply Chain Management as to whether the contract must be reviewed by the Attorney General's Office prior to issuance. Cash or non-cash gifts to referring clinicians or other referral sources are prohibited.

State Ethics Law

Individual Accountability

Employees are individually accountable for their actions under the state ethics law.



Conflict of Interest

Conflicts of interest are governed by federal and state law. A conflict of interest exists whenever a Harborview employee's loyalty is divided between his or her responsibilities to Harborview and an outside interest.

You should avoid actual conflict of interest, as well as actions that appear to involve conflict of interest. If you believe a conflict of interest may exist, it must be disclosed to your supervisor or manager before taking any action. Until you have disclosed and resolved the potential conflict with your supervisor or manager, treat the situation as if a conflict of interest does exist.

While no set of guidelines can cover every type of conflict of interest, the following address some important types:

- Do not conduct Harborview business with any firm in which you, your family, or your close business or personal associates have a direct or indirect interest.

- Do not conduct outside business activities in your work environment, or use Harborview telephones, addresses (this includes mailing, shipping, e-mail and/or Web addresses) or Harborview stationery and other office supplies for your personal or outside business.
- Do not use Harborview-owned computing resources and laboratory equipment to conduct an outside business.
- Do not use Harborview affiliations or titles in any advertising related to an outside business.
- Do not participate in the hiring or direct supervision of a family/household member.
- Maintain impartial relationships with actual and potential vendors and contractors. Never exert or appear to exert influence on behalf of those with whom Harborview does business or may do business because of friendship or any other relationship.
- Donations to a Harborview/UW facility or program must be forwarded to the Advancement Office, Box 358045, to be deposited in an approved gift account.
- Do not endorse or take an official position on any product or service on behalf of Harborview without prior review and approval by Harborview Administration.

- If you serve as a member of an outside organization or board or in public office, you must abstain from any decision or discussion affecting Harborview. Make it clear why you are abstaining. Exceptions require specific approval of Harborview Administration.

Gifts, Gratuities and Items of Value

As state employees, Harborview employees should not solicit, give, or accept gifts, gratuities or other items of value for themselves, family members, friends, or associates when acceptance could influence – or could reasonably be interpreted by others as influencing – their impartiality as representatives of the state. Health care employees may not accept any gift from a patient that exceeds \$50 in value and may never accept cash from a patient.

The state ethics law sets standards relating to gifts:

- A gift may not be accepted if there is a reasonable expectation that your vote, judgment, or action may be influenced by the gift.
- A gift may not be accepted if the gift could be a reward for the performance or non-performance of your job.
- Gifts may not exceed \$50 in value from a single source within one year. When multiple sources contribute to a gift, the total value may not exceed \$50.

Improper Use of Funds

Harborview funds may not be used for improper or illegal activities. Strict federal and state laws, and HMC policy prohibit any payment to or by an employee that may be viewed as a bribe, kickback, or inducement (any payment or consideration of value offered in order to influence a decision on grounds not directly related to business merits). You may not use Harborview funds to contribute to a political party, committee, organization, or candidate in connection with any political campaign for public office.

Outside Employment

Harborview employees may engage in outside employment, provided there is no actual, apparent or potential conflict of interest.

Outside employment should not adversely influence your independence and objectivity in making decisions, or detract from the performance of your official duties.

General ethics standards for outside employment:

- You must actually perform the work when receiving compensation from a source other than your Harborview employment.

- The outside work you perform can neither be within the normal course of your official duties nor under your supervision.
- The outside work you perform must comply with Harborview and UW rules or policies on outside employment.
- The outside work may not be compensated by a person who provides goods and services to Harborview if you participate in the acquisition of those goods and services.
- The outside work may not be related to a contract or grant that you authorized in your official capacity.

Protecting Harborview Assets

We are all responsible for protecting and preserving Harborview property, equipment, and supplies. Harborview property, owned or leased, includes not only office and medical equipment, vehicles, supplies, reports and records, and computer software and data, but also trademarks and service marks, intellectual property, facilities, and services provided by the medical center.

Each of us should also be diligent in protecting and preserving the property of others, including Harborview's patients, visitors, health care providers and support staff, students, and volunteers. We also should protect proprietary information entrusted to us by actual and potential vendors, referral sources, contractors, service providers, and others.

Disposal of public property is governed by Washington state law and King county code. Follow Harborview policies for proper management of surplus or obsolete property.



Use of Washington State and King County Resources

The conservation of state and county public resources – including employees and their time, funds, facilities, or other property – is a responsibility that Harborview staff, as state employees, hold as trustees for the people of King County and all of Washington state.

Public resources may not be used personally for an individual's benefit or gain, or for the personal benefit or gain of others.

Public resources, including Internet and email may be used for personal purposes on a limited, occasional basis if all of the following qualifications are met:

- There is little or no cost to the state or county.
- The use is brief in duration, occurs infrequently, and is the most effective use of time or resources.
- The use does not disrupt or distract from the conduct of official business or the performance of the employee's official duties.
- The use does not compromise the security or integrity of public information or software.

The following private uses of state property are prohibited:

- Any use for conducting an outside business.
- Any commercial use like advertising or selling products.

- Any use for political purposes.
- Any use for illegal activities.
- Any private use of state property that is removed from HMC, except that which is personally assigned to you for authorized purposes.

Consumable state and county resources (for example, paper, envelopes, spare parts) may never be used for personal purposes.

Work Environment

Harborview is committed to providing a safe and healthy workplace, and to the privacy, security, and comfort of its patients. If you observe any practice or condition that may not meet Harborview's policies and procedures or any law, standard, or regulation, promptly report this to your supervisor, manager, or an appropriate Harborview authority.

We expect our employees to uphold all policies, procedures, laws, regulations, standards, and practices intended to make the patient care environment and work environment healthy and safe.

As stated in the UW Medicine Policy on Professional Conduct, HMC and UW Medicine value professionalism among faculty, staff, trainees, and students in carrying out the HMC mission. Professionalism includes demonstrating excellence, humanism, accountability, and a commitment to altruism in all our work interactions and responsibilities. Unprofessional behavior that is



disrespectful, retaliatory, or disruptive has no place in a treatment or work environment

The medical center prohibits discrimination on the basis of race, color, religion, gender, sexual orientation, national origin, age, disability, veteran status, or any characteristic protected by law. All employment-related decisions will reflect this commitment.

Sexual harassment is a violation of the UW's human rights policy. The UW has been very successful in resolving sexual harassment complaints and has designated special people to help. Call:

- Your Human Resources Consultant at (206) 744-9220
- University Ombudsman at (206) 543-6028 or,
- Ombudsman for Sexual Harassment at (206) 543-0283 or,
- University Complaint Investigation and Resolution Office (UCIRO) at (206) 616-2028.

A thorough investigation will be conducted that protects the rights of both the person complaining and the alleged harasser.

Government Investigations: Compliance Matters

Harborview cooperates with legally authorized government investigations into compliance matters. If a Harborview employee is approached by a person who identifies him/herself as a government investigator looking into compliance matters, the employee should immediately contact the Compliance Office or the Harborview administrator-on-call (page through (206) 744-3000). Tell the person taking the call that you are calling about a potential government investigation.

If a government investigator contacts you outside the workplace, during non-work hours or at home, do not feel pressured to talk with the person under such circumstances without first contacting the Compliance Office. Staff have the right to contact legal counsel before responding to questions by an investigator.

Requests from private attorneys should be shared with your supervisor.

Any Harborview staff who receives a subpoena or other written governmental request for information should follow Harborview's Subpoena, Deposition and Testimony guidelines. All subpoena requests should be carefully reviewed and processed immediately (subpoenas are always time-sensitive).

Harborview employees must never:

- Destroy or alter any document or record in anticipation of a request for that document or record by a government agency or court.
- Lie or make false or misleading statements to any government investigator.
- Attempt to persuade any other Harborview staff or any other person to provide false or misleading information to a government investigator or to fail to cooperate with a government investigation.

Disciplinary Process

Individuals violating any of the standards in this book will be subject to progressive discipline, including termination if warranted. These sanctions will be applied in accordance with relevant human resource and HMC/UW Medicine policies, medical staff bylaws, and/or the UW faculty code, as appropriate.



By my signature below, I attest that I have read Harborview's compliance standards and had an opportunity to ask questions about its content. Additional information about the content of this book can be found at the Compliance web site:
<http://depts.washington.edu/comply/>.

- ✓ I understand that I must personally comply with the code of conduct, and federal and state law.
- ✓ I understand that I must know the policies that apply to my job.
- ✓ I understand that I must report any potential violations I discover, witness, or learn of.

Employee's name (please print)

Employee's signature

Date

Harborview department/service area

After signing this form, please give it to your supervisor.

Signed forms are kept in your personnel file.

Acknowledgements

Sources for this booklet include Harborview Medical Center's Administrative Policies and Procedures, Harborview's Compliance Plan, the Harborview Medical Staff Bylaws, the University Handbook, and the Revised Code of Washington, Chapter 42.52.

Revision effective January 2010



Harborview Medical Center
325 9th Ave.
Seattle, WA 98104-2499

www.harborview.org

Rev 1/10