

**NASSAU HEALTH CARE CORPORATION
EAST MEADOW, NEW YORK 11554**

**SECTION: LEADERSHIP
POLICY/PROCEDURE**

TITLE: CODE OF CONDUCT
Approved: NHCC Board of Directors
Cross References: Compliance Program Guidelines (Policy #LD-220-A)

TABLE OF CONTENTS

<u>Section</u>	<u>Title</u>
	Preface
I	Respect And Comply With The Law
II	Comply With All Contractual And Grant Terms And Conditions
III	Adhere To The Highest Ethical Standards
IV	Support The Corporation’s Goals And Avoid Conflicts Of Interest
V	Strive To Attain The Highest Standards Of Patient And Nursing Home Resident Care
VI	Maintain The Highest Standards Of Academic Integrity
VII	Maintain And Preserve Accurate Records
VIII	Conduct Business Practices With Honesty And Integrity
IX	Exercise Concern For Health And Safety; Respect The Environment
X	Respect The Rights And Dignity Of Others
XI	Report Suspected Violations Of The Code; The Code Will Be Enforced
XII	Promise Of No Retaliation
	Appendix: New York Public Officers Law §74 “Code of Ethics”

PREFACE

IN FURTHERANCE OF MAINTAINING AND PROMOTING NASSAU HEALTH CARE CORPORATION'S REPUTATION FOR EXCELLENCE AND INTEGRITY, THE BOARD OF DIRECTORS HAS PROMULGATED THIS CODE OF CONDUCT.

THIS CODE SETS FORTH THE GENERAL PRINCIPLES TO WHICH WE SUBSCRIBE AND TO WHICH WE EXPECT EVERY MEMBER OF THIS CORPORATION—EVERY DIRECTOR, OFFICER, CLINICAL PRACTITIONER, EMPLOYEE (FULL-TIME AND PART-TIME), STUDENT, AND VOLUNTEER—TO ADHERE.

THESE PRINCIPLES HAVE BEEN DERIVED FROM FEDERAL, STATE, AND LOCAL LAWS AND REGULATIONS, NASSAU HEALTH CARE CORPORATION POLICIES AND PROCEDURES, CONTRACTUAL AND GRANT OBLIGATIONS, AND GENERALLY ACCEPTED PRINCIPLES OF ETHICAL CONDUCT.

I. RESPECT AND COMPLY WITH THE LAW

Every member of the Corporation is expected to:

- Become familiar with those laws, regulations, and Corporation Policies, Procedures, and Rules that apply to his or her position and duties; and
- Comply with both their letter and their spirit.

The Corporation will implement programs to further member's awareness and to monitor and promote compliance. All questions and concerns about either the legality or the propriety of any action or failure to take action by or on behalf of the Corporation should be referred to either the member's supervisor or to the Office of Legal Affairs.

II. COMPLY WITH ALL CONTRACTUAL AND GRANT TERMS AND CONDITIONS

Every member of the Corporation is expected to familiarize himself or herself and comply strictly with the terms and conditions of each Corporation grant and contract on which he or she is working. All questions or concerns about whether a particular term or condition may violate the law or whether any grantor or contractor may have breached its obligations to the Corporation should be referred promptly to the Corporation's Office of Legal Affairs.

III. ADHERE TO THE HIGHEST ETHICAL STANDARDS

Every member of the Corporation shall, at all times, conduct his or her activities in accordance with the highest professional and community ethical standards.

IV. SUPPORT THE CORPORATION'S GOALS AND AVOID CONFLICTS OF INTEREST

The Corporation is a Public Benefit Corporation of the State of New York, dedicated to:

- Providing our patients and nursing home residents with the highest quality medical and ancillary care services;
- Educating and training our students to the highest professional standards; and
- Conducting human subjects research to further scientific knowledge that may be used to promote health and cure disease and infirmities.

Every member of the Corporation is expected to faithfully carry out his or her professional duties in furtherance of the Corporation's mission.

Every member of the Corporation has a duty to avoid conflicts between his or her personal interests and official responsibilities and to comply with the Corporation's and New York State's guidelines for reporting and reviewing actual and potential conflicts of interest.

No member of the Corporation may utilize his or her position with the Corporation for his or her personal benefit.

Members are also expected to consider and avoid, not only actual conflicts, but also situations that have the appearance of a conflict of interest.

V. STRIVE TO ATTAIN THE HIGHEST STANDARDS OF PATIENT AND NURSING HOME RESIDENT CARE

Every member of the Corporation who is involved in furnishing medical, dental, or other health care services is expected to provide the highest quality of services responsive to the needs of patients and nursing home residents, their families, and the communities in which the Corporation functions.

All patient care must be reasonable, necessary, and appropriate to the situation and be provided only by duly qualified members of the Corporation.

All patient records and documentation must conform to all applicable legal and payor requirements and meet professional standards.

Every member is expected to access, use, and disclose patient and nursing home resident information only as needed to carry out his or her job duties and in all other regards strive to protect the confidentiality of such information.

VI. MAINTAIN THE HIGHEST STANDARDS OF ACADEMIC INTEGRITY

Every member of the Corporation who is involved in teaching and/or research activities is expected to conform to the highest standards of honesty and integrity. Activities such as plagiarism, misrepresentation, and falsification of data are expressly prohibited. All research at the Corporation must be conducted in strict conformity with all applicable laws and regulations, Corporation policies and procedures, and the requirements of all governmental and private research sponsors.

VII. MAINTAIN AND PRESERVE ACCURATE RECORDS

Members of the Corporation are expected to create and maintain records and documentation that fully conform to all applicable laws, regulations, and both professional and ethical standards.

Every member of the Corporation who is involved, directly or indirectly, in the preparation or submission of a bill to any governmental or private payor is expected to use his or her best efforts to ensure that the bill addresses only those services actually rendered and supplies actually utilized and in the correct amount, supported by appropriate documentation.

VIII. CONDUCT BUSINESS PRACTICES WITH HONESTY AND INTEGRITY

Every member of the Corporation is expected to conduct all business with patients, nursing home residents, payors, vendors, contractors, competitors, and governmental agency representatives with honesty and integrity. This duty includes, but is not limited to:

- Adherence to federal and state anti-fraud and referral prohibitions in dealing with vendors and referral sources;
- Adherence to all antitrust laws (such as those governing prices and other sales terms and conditions, improper sharing of competitive information, allocation of territories, and group boycotts); and
- Protecting and preserving Corporation property and assets—including proprietary intellectual property, buildings, equipment, supplies, and funds.

IX. EXERCISE CONCERN FOR HEALTH AND SAFETY; RESPECT THE ENVIRONMENT

Every member of the Corporation is expected, in the performance of his or her duties, to comply with all laws, regulations, and Corporation policies and procedures that govern occupational and patient/nursing home resident health and safety and to make every reasonable effort to ensure that patients, nursing home residents, clinical practitioners, employees, students, volunteers, and visitors are protected from undue health risks and unsafe conditions.

Every member of the Corporation is expected, in the course of his or her activities, to:

- Comply with all applicable environmental laws and regulations;
- Ensure that the Corporation has obtained all necessary licenses, permits, and approvals; and
- Employ the proper procedures and controls in the storage and handling of radioactive and toxic materials and in the handling and disposition of hazardous and biohazardous wastes.

X. RESPECT THE RIGHTS AND DIGNITY OF OTHERS

The Corporation is committed to providing:

- Equal health and nursing home care and treatment for its patients and nursing home residents;
- Equal educational opportunities for its students; and
- An environment that respects the dignity of patients, nursing home residents, employees, visitors, and everyone else who may come into contact with the Corporation.

Every member of the Corporation is expressly prohibited from:

- Physically assaulting anyone;
- Discriminating on the basis of race, color, religion, sex, sexual orientation, marital or parental status, national origin, citizenship status, age, handicap, or military service;
- Sexually harassing anyone; and
- Depriving anyone of rights in his or her physical or intellectual property.

XI. REPORT SUSPECTED VIOLATIONS OF THE CODE; THE CODE WILL BE ENFORCED

This Code of Conduct has been created and exists for the benefit of the Corporation and all of its members. Its existence is supplementary to and is not intended to supersede or limit the specific policies, procedures, and rules enacted by the Corporation to govern its operations and the conduct of its members.

Each member of the Corporation is expected to uphold the standards of the Corporation and to report suspected violations of the Code or any other apparent irregularities to his or her Supervisor or Department Chair, the Vice President of Human Resources, the Vice President of Finance, the Privacy Officer, the Security Officer, the Medical Director, the General Counsel, the Chief Compliance Officer, or the **NHCC NO CALLER ID COMPLIANCE HELPLINE 572-5800**. If a member prefers, he or she may make the report anonymously (by mail or by Helpline). The Corporation will, if requested, make every reasonable effort to keep confidential the identity of anyone reporting a suspected violation, to the extent permitted by law, and except if doing so would effectively prevent the Corporation from conducting a full and fair investigation of the allegations.

This Code of Conduct will be enforced. Authorized Corporation personnel will investigate reports of suspected violations.

Officers, managers, and supervisors have a special duty to adhere to the principles of the Code, to encourage their subordinates to do so, and to recognize and report suspected violations.

Each member of the Corporation is expected to cooperate fully with any investigation undertaken.

If it is determined that a violation has occurred, the Corporation reserves the right to take corrective and disciplinary action against any person who was involved in the violation or who allowed it to occur or persist due to a failure to exercise reasonable diligence. Additionally, the Corporation may make an appropriate disclosure to governmental agencies (including law enforcement authorities). Disciplinary actions will be determined on a case-by-case basis and in accordance with any applicable civil service regulations and labor union contracts.

XII. PROMISE OF NO RETALIATION

The Corporation promises that there will be no adverse action, retribution, or other reprisal taken against any individual for his or her good faith reporting of a suspected violation of this Code, even if the allegations ultimately prove to be without merit. The Corporation will, however, pursue disciplinary action against any member who is shown to have knowingly filed a false report with the intention to injure another person.

* * *

The Corporation reserves the right, at any time, to amend this Code of Conduct in its sole, good faith, discretion.

APPENDIX

NEW YORK STATE PUBLIC OFFICERS LAW §74 “CODE OF ETHICS”

As a consequence of Nassau Health Care Corporation’s status as a public benefit corporation of the State of New York, all of the Corporation’s directors, officers, and employees are subject to the standards set forth in New York Public Officers Law §74, which is reproduced below and expressly incorporated by reference into the Nassau Health Care Corporation Code of Conduct.

* * *

Sec. 74. Code of ethics.

1. **Definition.** As used in this section: The term "state agency" shall mean any state department, or division, board, commission, or bureau of any state department or any public benefit corporation or public authority at least one of whose members is appointed by the governor.

The term "legislative employee" shall mean any officer or employee of the legislature but it shall not include members of the legislature.

2. **Rule with respect to conflicts of interest.** No officer or employee of a state agency, member of the legislature or legislative employee should have any interest, financial or otherwise, direct or indirect, or engage in any business or transaction or professional activity or incur any obligation of any nature, which is in substantial conflict with the proper discharge of his duties in the public interest.

3. **Standards.**

a. No officer or employee of a state agency, member of the legislature or legislative employee should accept other employment which will impair his independence of judgment in the exercise of his official duties.

b. No officer or employee of a state agency, member of the legislature or legislative employee should accept employment or engage in any business or professional activity which will require him to disclose confidential information which he has gained by reason of his official position or authority.

c. No officer or employee of a state agency, member of the legislature or legislative employee should disclose confidential information acquired by him in the course of his official duties nor use such information to further his personal interests.

d. No officer or employee of a state agency, member of the legislature or legislative employee should use or attempt to use his official position to secure unwarranted privileges or exemptions for himself or others.

e. No officer or employee of a state agency, member of the legislature or legislative employee should engage in any transaction as representative or agent of the state with any business entity in which he has a direct or indirect financial interest that might reasonably tend to conflict with the proper discharge of his official duties.

f. An officer or employee of a state agency, member of the legislature or legislative employee should not by his conduct give reasonable basis for the impression that any person can improperly influence him or unduly enjoy his favor in the performance of his official duties, or that he is affected by the kinship, rank, position or influence of any party or person.

g. An officer or employee of a state agency should abstain from making personal investments in enterprises which he has reason to believe may be directly involved in decisions to be made by him or which will otherwise create substantial conflict between his duty in the public interest and his private interest.

h. An officer or employee of a state agency, member of the legislature or legislative employee should endeavor to pursue a course of conduct which will not raise suspicion among the public that he is likely to be engaged in acts that are in violation of his trust.

i. No officer or employee of a state agency employed on a full-time basis nor any firm or association of which such an officer or employee is a member nor corporation a substantial portion of the stock of which is owned or controlled directly or indirectly by such officer or employee, should sell goods or services to any person, firm, corporation or association which is licensed or whose rates are fixed by the state agency in which such officer or employee serves or is employed.

j. If any officer or employee of a state agency shall have a financial interest, direct or indirect, having a value of ten thousand dollars or more in any activity which is subject to the jurisdiction of a regulatory agency, he should file with the secretary of state a written statement that he has such a financial interest in such activity which statement shall be open to public inspection.

4. **Violations**. In addition to any penalty contained in any other provision of law any such officer, member or employee who shall knowingly and intentionally violate any of the provisions of this section may be fined, suspended or removed from office or employment in the manner provided by law.

*Adopted this 18th day of December, 2006.
By the Board of Directors of Nassau Health Care Corporation*