

December 10, 2009

CODE OF ETHICAL BEHAVIOR

1. **PURPOSE**: To establish an organizational code of ethical behavior for the operation of Lebanon Veterans Affairs (VA) Medical Center.

2. **POLICY**: This policy statement serves to provide written guidelines of the Lebanon VA Medical Center's responsibility to our patients, employees and the community we serve. It is the responsibility of every employee of Lebanon VA Medical Center to act in a manner that is consistent with this organizational statement and its supporting policies. Lebanon VA Medical Center is dedicated to providing health care of the highest quality to our patients. Our behavior will be guided by the general principles listed below.

3. **PROCEDURE**:

a. **Admissions, Transfers, and Quality of Care** - Patients will be admitted, treated, transferred, and/or discharged based on their clinical needs and without regard to age, ancestry, color, disability, national origin, race, religious creed, sex, sexual orientation, or ability to pay for the services rendered. Patients at the Lebanon VA Medical Center will be cared for according to the highest ethical standards, based on the principles of respect for patient autonomy, justice, and beneficence.

b. **Confidentiality** - Lebanon VA Medical Center recognizes the need to maintain patient and other information in a confidential manner. Employees with access to confidential patient, employee, and medical center information must be aware of, and constantly adhere to, the requirements for the confidential use and dissemination of such information. Employees may only access information that is required of them to perform their assigned job.

c. **Education** - Lebanon VA Medical Center is dedicated to developing and transmitting knowledge. Medical center employees are expected to keep their knowledge and skills current through continuing educational activities, thereby creating an environment that will provide modern health care of the highest quality for our patients.

d. **Fair Billing Practices** - Lebanon VA Medical Center will:

(1) Invoice patients, or third parties according to existing statutes, and will provide assistance to patients in order to achieve their understanding of charges related to their care.

(2) Attempt to resolve questions and conflicts associated with patient billing to the mutual satisfaction of the patient, Lebanon VA Medical Center, and contracted third party providers.

e. **Marketing, Contracting and Affiliations** - Lebanon VA Medical Center:

(1) Promotes high standards of ethical and professional conduct in all marketing, contracting, and affiliation endeavors. Institutional representatives will practice honesty; market with objective and fair representations; avoid conflicts of interest; acknowledge the right and responsibilities, as well as the duties and obligations of the contracted parties; maintain the confidentiality of privileged information; make contracting decisions based on established standards; and seek to maintain quality care in a cost-effective manner to ensure an accurate depiction of the services available to current and prospective patients of the VA.

(2) Is committed to maintaining truthful and unambiguous representations and descriptions of clinical services through all communications, including advertising and general marketing practices.

f. **Recognition of Potential Conflicts of Interest** - Lebanon VA Medical Center recognizes that the potential for conflict of interest may exist for decision-makers at all levels within the institution. Clinical and administrative decisions will be based on all available treatments, not on contractual arrangements between individual providers or this facility and other organizations. Recommended treatment plans will be based upon clinical need and availability of VA services when referrals are made for treatment in the community. Patients will have the option of receiving care within the VA, or the community at their expense. It is our policy to request the disclosure of potential conflicts of interest so that appropriate action may be taken to ensure that such conflict is not inappropriate or unethical.

g. **Resolution of Conflicts** - Lebanon VA Medical Center recognizes that conflicts may arise among those who participate in hospital and patient care decisions. Whether this conflict is among members of administration, medical staff, employees, or between patient caregivers and the patient, or involving billing practices, we will seek to resolve all such conflicts fairly and objectively. Conflicts between patients and their health care providers will be identified and handled in a professional sensitive fashion. Available methods to resolve such conflicts include individual negotiations, use of facilitators such as the patient representative, interdisciplinary team meetings, reviews by other staff members, administrators, intermediaries, consultation with the Lebanon VA Medical Center Integrated Ethics Council, and obtaining legal counsel.

h. **Employee Conduct** - The professional responsibility of Lebanon VA Medical Center physicians and nurses is guided by the Code of Medical Ethics of the Council on Ethical and Judicial Affairs of the American Medical Association,

the Code of Ethics of the American Osteopathic Association, and the American Nurses Association Code for Nurses. Each employee:

(1) Is expected to abide by VA regulations and policies so that the highest possible standards of conduct, honesty, integrity, impartiality, and ethical behavior are maintained in our medical center at all times (Attachment A).

(2) During medical center orientation, is required to sign the Ethics Orientation Form (Attachment B).

(3) Is also expected to reflect credit upon the Department of VA when off duty and in their contacts with patients, VA beneficiaries, fellow workers, other governmental employees and the general public.

i. **Respect for the Individual** - All patients, their family members, visitors, employees, and the people we serve deserve to be treated with dignity, respect, and courtesy. Patients and their family members will be involved in decisions regarding the care that we deliver to the greatest extent possible. Physicians will respect the autonomy of the patient in all clinical decisions. The patient treatment plan will not require his or her performance of any tasks for the organization that do not relate to his or her plan of care.

j. **Patient Rights** - Lebanon VA Medical Center respects the right of each patient treated at our facility with applicable law and regulations. The hospital supports the patient's rights to access protective services, including guardianship and advocacy services, conservatorship, and child or adult protective services. Lebanon VA Medical Center has established mechanisms to monitor, assess, and respond to concerns which are generated in the area of patient rights through the following: Survey of the Healthcare Experience of Patients (SHEP), Patient Advocate, Ethics Advisory Committee, Risk Management, and the continuous quality improvement programs.

k. **Organizational Values** - Health care delivery and performance improvement activities are guided by our organizational values: honesty, integrity, respect, compassion, empathy, teamwork, innovation, and commitment.

4. **RESPONSIBILITY:**

a. **All supervisors** are responsible for informing and reminding employees about the facility's Code of Ethical Behavior.

b. **All employees** are responsible to familiarize themselves with and adhere to Lebanon VA Medical Center Code of Ethical Behavior.

5. **REFERENCES:**

MCM 00-05, Plan for Improving Organizational Performance
MCM 217-05, Customer Service Program
MCM 217-01, Patient Advocacy Program
MCM 217-04, Patients' Rights Policy
MCM 00-11, Integrated Risk Management Program
MCM 560-05, Discharge/Transfer of Patients for Treatment by Community
Providers at Veterans Expense
MCM 120-06, Bills of Collection
MCM 120-09, Revenue Program
MCM 00-10, Affiliation Partnership Council
MCM 20-10 Integrated Ethics Program
MCM N20-24, Advance Health Care Planning (Advance Directives)
MCM 136-14, Medical Records
MCM 20-39, Discharges from Inpatient Care
MCM 20-41, Admission Policy for Voluntary and Involuntary Patients
MCM 136C-06, Referral of Patients to Other Facilities, VA and Non-VA
MCM 20-06, Informed Consent for Clinical Treatments and Procedures
MCM 136C-09, Privacy and Release of Medical Information
MCM 22-02, Interdisciplinary Care Planning
Current Mission Statement, VA Medical Center
Current Bylaws of the Medical Staff, VA Medical Center
VHA Code of Ethics
Patient's Rights Booklet
Current The Joint Commission Comprehensive Accreditation Manual for
Hospitals

6. **KEY WORDS:** Ethics, Ethical Standards, Confidentiality, Conflicts of Interest, Patient's Rights

7. **AUTHOR:** Integrated Ethics Council

8. **RESCISSION:**

MCM 00-24, 5-29-09, same subject

9. **REISSUE DATE:** December 2012


ROBERT W. CALLAHAN, JR.
Director

Attachments: 2

Attachment A

SUMMARY OF MAJOR ETHICS RULES FOR GOVERNMENT EMPLOYEES

1. A government employee must place loyalty to the public trust above anyone's private gain.

- Prevent conflicts of interests. ("Don't serve two masters")
- Avoid the appearance of a conflict of interest ("Each employee must be above reproach")

(Subpart A of the new standards of conduct)

2. Restrictions on gifts: With some exceptions, an employee must not accept a gift from a prohibited source or given because of the employee's official position. (Subpart B of the new standards of conduct)

3. Gifts to official superiors are prohibited. (Subpart C of the new standards of conduct)

4. An employee must not take any official action, which affects his or her financial interests. (Subpart D of the new standards of conduct)

5. An employee should not take any official action in circumstances where a reasonable person would question the employee's impartiality in that action. (Subpart E of the new standards of conduct)

6. An employee must not take any official action, which affects the financial interest of any person or entity with which the employee is negotiating for employment. (Subpart F of the new standards of conduct)

7. An employee must not use his or her public office – including official time, information, property or endorsements – for personal gain or the private gain of anyone. (Subpart G of the new standards of conduct)

8. An employee must not engage in any outside employment or outside activity, which conflicts with his or her official duties. (Subpart H of the new standards of conduct)

9. An employee must comply with all ethical laws and regulations. When in doubt, seek advice from an ethics counselor. It could save you and the VA a lot of trouble.

Attachment B

ETHICS ORIENTATION

To: Human Resources Manager

I hereby certify that I have been given adequate opportunity to read and review EEO 127311 and the Office of Government Ethics final rules on ethical conduct of Federal employees as published in volume 57 #153 of the Federal Register.

Signature

Date