RUTGERS BIOMEDICAL AND HEALTH SCIENCES
CODE OF CONDUCT

PREAMBLE

On August 22, 2012, Governor Chris Christie signed legislation into law known as the “New Jersey Medical and Health Sciences Education Restructuring Act” (the “Restructuring Act”), which provides for the transfer to Rutgers, the State University of New Jersey, ("Rutgers" or the “University”) of the following University of Medicine and Dentistry of New Jersey ("UMDNJ") schools and health care units: New Jersey Medical School; Robert Wood Johnson Medical School; New Jersey Dental School; School of Health Related Professions; School of Nursing; Graduate School of Biomedical Sciences; School of Public Health; as well as University Behavioral HealthCare; Eric B. Chandler Health Center; The Cancer Institute of New Jersey; University Correctional Healthcare; University Medical Group; and Faculty Practice Plan of New Jersey Dental School (the “Rutgers Acquired Entities”). As a result of the Restructuring Act, a unit called Rutgers Biomedical and Health Sciences (“RBHS”) has been created at Rutgers and it includes all of the Rutgers Acquired Entities, as well as the Rutgers School of Pharmacy; the Rutgers College of Nursing; the Institute for Health, Health Care Policy, and Aging Research; Center for Advanced Biotechnology and Medicine (CABM) Joint Venture and The Environmental and Occupational Health Sciences Institute (EOHSI) Joint Venture; and any other schools at the discretion of Rutgers’ President.

PURPOSE

The purpose of the RBHS Code of Conduct (the “Code”), effective July 1, 2013, is to provide a code of conduct that will govern the entities within RBHS. The pursuit of the RBHS fourfold mission - excellence in teaching, patient care, research and public service - requires a shared commitment to the RBHS core values which include ethical conduct in the discharge of one’s duties and responsibilities in connection with all RBHS activities. The Code is a statement of that commitment, emphasizing key aspects of dealings, both inside and outside of RBHS, which demand ethical and professional behavior and is intended to guide us on the basic principles which RBHS requires us to follow in conducting RBHS business.

All members of the RBHS community are expected to adhere to the Code, as well as to applicable laws, regulations and all other applicable RBHS policies. The RBHS Community includes the Chancellor of RBHS, RBHS management, faculty, and other academic personnel, clinical staff, researchers, employees, students, contractors, agents and others associated with or supporting RBHS (collectively “RBHS persons”).

THE 15 BASIC TENETS OF THE RUTGERS SCHOOL OF BIOMEDICAL AND HEALTH SCIENCES
CODE OF CONDUCT

1. Respect for our Clinical Mission

RBHS is committed to providing high quality health care in an appropriate, medically necessary, and efficient manner, in accordance with current medical and ethical standards, which includes the obligation to provide medical screening exams or emergency care, if appropriate. RBHS
respects the rights of patients to make choices about their own care, including the right to refuse treatment. Providers inform patients and their representatives about the alternatives and risks associated with the care they are seeking and which is recommended by professional staff in order to obtain informed consent. Information is provided in a language that the patient can understand.

2. **Respect for our Educational Mission**

RBHS is also committed to providing high quality academic services in accordance with all laws, regulations, program requirements and academic accreditation standards. We do this as faculty and as students through:

- Accurate representations of all credentials;
- Accuracy and completeness of RBHS records;
- Compliance with standards for maintaining intellectual property and copyrights;
- Demonstrating behavior acceptable to RBHS and the community at large; and
- Compliance with all applicable honor codes, requirements for graduation and the Family Educational Rights and Privacy Act (“FERPA”). In this regard, RBHS students have academic responsibilities set out in various school policies, procedures and rules, including the Honor Code for each school (collectively “Rules”). As members of the RBHS community, students are responsible for adhering to the Rules and all applicable honor codes as a condition of continued enrollment. Violations may result in disciplinary actions that may include dismissal from the School.

3. **Respect for our Research Mission**

RBHS researchers shall conduct their research with integrity, intellectual honesty and the appropriate respect for human and animal subjects. All research involving human subjects is to be approved by institutional review boards. Similarly, all research involving animal subjects is to be approved by institutional animal care and use committees. Researchers obtaining approvals for research must comply with all the conditions imposed by the institutional committees. Research misconduct is prohibited. RBHS researchers are not to fabricate data or results; change or knowingly omit data or results to misrepresent results in the research record; or intentionally misappropriate the ideas, writings, research, or findings of others. All those engaged in research are expected to pursue the advancement of knowledge while meeting the highest standards of academic honesty, accuracy, and objectivity. They are also expected to demonstrate accountability for the funds of sponsors, payors and RBHS, and they are to comply with specific terms and conditions of contracts and grants.

4. **Individual Responsibility and Accountability**

RBHS persons must meet the highest professional standards and must exercise responsibility appropriate to their position and delegated duties. All RBHS business is expected to be conducted in accordance with this Code, and in a manner exercising sound judgment and serving
the best interests of the institution, the community and the State of New Jersey. We are responsible to one another both for actions and inactions, and we are required to fully cooperate with all internal inquiries in order to resolve detected or reported issues. To this end, all RBHS persons shall have compliance with this Code of Conduct as part of their annual performance appraisal, to the extent that these RBHS persons are eligible for annual performance appraisals.

5. Respect for Others

RBHS is committed to treating everyone with respect and dignity, and, among other things, to:

- Comply with University policies on the prohibition of discrimination, harassment and workplace violence; provide equal opportunities for all members of the RBHS community and job applicants regardless of race, color, national origin, religion, sex, gender identity and expression, pregnancy, physical or mental disability, ancestry, marital status, civil union or domestic partnerships, age, genetic information, sexual orientation, or military or veteran status.
- Commit to creating and maintaining a safe and healthful work environment. All RBHS persons are expected to comply with all safety and health standards and attend, on a mandatory basis, risk management and loss prevention programs designated by the university.
- Expect RBHS persons providing medical and clinical services to be committed to the ethical and compassionate treatment of patients/clients and to follow established policies and statements of patient/clients rights in support of this principle.

6. Respect for RBHS and University

RBHS persons are caretakers of RBHS and University resources. RBHS persons must thus exercise reasonable care in the use of RBHS and University property and must report any damage or misuse to appropriate RBHS or University officials. RBHS and University resources, including but not limited to cash, property, facilities, intellectual property rights, patient and student records, name and logo, information technology and electronic resources, may only be used for activities on behalf of RBHS or the University and not for private gain or personal purposes.

7. Compliance with Applicable Laws and Regulations

RBHS persons are expected to comply with the laws and regulations bearing on their areas of responsibility. Many of the laws and regulations are unique to health care, research and higher education, and many, but not all, are embodied in RBHS and University policies. Failure to comply can have serious adverse consequences both for individuals and for RBHS in terms of reputation, finances and the health and safety of the community. RBHS business is to be
conducted in conformance with legal requirements, including contractual commitments undertaken by individuals authorized to bind RBHS to such commitments.

8. **Compliance with Applicable RBHS Policies, Procedures, Codes and Other Forms of Guidance and Avoidance of Conflicts of Interest**

RBHS and University policies and procedures are designed to guide our everyday job activities and to give RBHS persons a clear understanding of expectations for work-related behavior. RBHS persons are expected to seek clarification of a policy, procedure or other directive which they believe is unclear, outdated, or in conflict with University or RBHS objectives or applicable laws or regulations. In addition, RBHS persons are expected to keep current with updates and revisions to University and RBHS policies and procedures. It is not acceptable for RBHS persons to ignore or disobey policies with which they may disagree. Individuals must also comply with all applicable ethical codes or standards of their professions or disciplines. They are expected to comply with those codes and standards, in addition to complying with all applicable University and RBHS policies and procedures and codes.

RBHS persons must comply with specific and or specialized codes of conduct developed by RBHS, such as any financial aid code of conduct, any code of conduct for research or code of conduct for any specific department.

RBHS persons are expected to devote primary professional allegiance to RBHS and to the missions of teaching, patient care, research and public service. Outside employment must not interfere with RBHS duties and must be disclosed to and approved as required by RBHS and University policy.

Practices such as accepting from industry representatives small gifts or pharmaceutical samples; support for resident/continuing medical education; funds for physician travel, speakers’ bureaus, ghostwriting, consulting; and clinical trials and research contracts may pose challenges to professional or business ethics, especially in an academic health center environment. To avoid the appearance of, or actual, impropriety and to ensure that healthcare professionals always put the best interests of their patients first, avoid bias in decision-making, and adhere to the principles of scientific integrity. RBHS persons shall truthfully, accurately and timely provide all appropriate disclosures to RBHS and to patients regarding industry relationships to ensure that any relationships between faculty and industry are fully disclosed and at arm’s length. In all such matters, RBHS persons are expected to take appropriate steps, including consultation with the RBHS Ethics Liaison Officer if issues are unclear, to avoid both conflicts of interest and the appearance of such conflicts.

9. **Compliance with the New Jersey Conflict of Interest Laws and State Ethics Code**

As public employees, RBHS persons must comply with State of New Jersey Conflict of Interest Laws and State of New Jersey Ethics Guidelines as they are embodied in RBHS policies and practices.
10. Protecting Confidentiality and Privacy of Records

RBHS is the custodian of many types of information. RBHS persons with access to confidential, proprietary and/or private information are expected to understand and to comply with applicable laws, Rutgers policies and RBHS policies, procedures, directives and agreements pertaining to access, use, protection and disclosure of such information. Computer security, privacy of personal information, privacy of student information and privacy of patient information are also subject to New Jersey State law, federal laws including HIPAA, the Health Information Technology for Economic and Clinical Health Act (“HITECH”), and FERPA, as well as University and RBHS policy. Questions relating to the release of patient records should be directed to the RBHS Privacy Officer/Privacy Liaison or the operating unit’s Custodian of Medical Records.

The public right to access information is governed by Rutgers policies and New Jersey Open Public Records Act. Questions relating to the release of RBHS records should be directed to the Rutgers University Custodian of Records.

Access to student records is governed by University and RBHS policies and procedures and student privacy laws.

11. Accurate Financial Reporting

All RBHS patient records, accounting and financial records, expense reports, time sheets and effort reports, and other documents including those submitted to government agencies must be accurate, clear and complete.

All published financial reports must make full, fair, accurate, timely and understandable disclosures as required under generally accepted accounting principles for government entities, bond covenant agreements and other requirements. Certain individuals with responsibility for the preparation of financial statements and disclosures, or elements thereof, may be required to attest to the accuracy of those documents. Failure to fully comply with reporting requirements could jeopardize RBHS participation in State and Federal programs, including healthcare programs. Violation of reporting requirements may subject individuals to discipline, including termination and civil or criminal fines, penalties or other sanctions.

12. Need for Adherence to Internal Controls

Internal controls, a major part of managing an organization, comprise the plans, methods and procedures used to meet our mission, goals and objectives. Internal controls also serve as the first line of defense in safeguarding assets and in preventing and detecting fraud, waste, abuse and possible errors. Internal controls help managers achieve desired results through effective stewardship of resources, support performance-based management and are intended to provide reasonable assurance regarding the achievement of objectives in all aspects of RBHS operations including the following categories:
• Effectiveness and efficiency of operations including the use of RBHS resources;
• Reliability and accuracy of financial reporting, including reports on budget execution, financial statements and other reports for internal and external use; and
• Compliance with applicable laws and regulations.

All business units or department heads are specifically responsible for ensuring that internal controls are established, properly documented and maintained for activities within their jurisdiction and that internal controls set by the University Board of Governors and/or RBHS management are followed. Any RBHS person entrusted with funds, including principal investigators, is responsible for ensuring that adequate internal controls exist over the use and accountability of such funds and to adherence to internal controls which may be set by the Board or management.

13. Fair Dealing in Agreements

When we need to obtain services or goods we comply with:

• University policies governing procurement;
• The University policies relating to potential vendors;
• The federal and state laws relating to anti-referral and anti-kickback arrangements;
• Laws that prevent us from doing business with excluded individuals or companies; and
• Other applicable state and federal laws that may require that certain terms and conditions be included in our agreements.

RBHS is committed to competitive bidding for the procurement of goods and services, except in limited situations permitted by statute and/or University policies. Vendors are to be evaluated and selected on the basis of quality, technical excellence, delivery, cost-effectiveness and appropriateness for the identified task or need, in accordance with applicable University or RBHS policies and all applicable New Jersey laws. All RBHS agreements are to be managed in a fair and reasonable manner, free from conflicts of interest and consistent with all applicable laws and good business practices.

The highest ethical standards must be adhered to in all RBHS business arrangements for selection, negotiation, determination of awards and the administration of all purchasing activities.

RBHS persons have an obligation to be honest, consistent and truthful in all marketing and advertising practices pertaining to RBHS business.
14. **Full compliance with all state and federal healthcare program statutes, regulations, directives and guidelines**

Federal and state healthcare programs, like Medicare and Medicaid, require RBHS to comply with all applicable statutes, regulations, directives and guidelines, including the rules of Medicare Administrative Contractors, RBHS policies and procedures, and any agreements that RBHS may enter into with state or federal organizations or regulatory agencies (collectively, “Rules”). RBHS persons may be required to attest to their and RBHS compliance with the Rules, because, among other things, failure to fully comply with the Rules could jeopardize RBHS participation in these healthcare programs. When providing clinical patient care that may be submitted for payment to private or public payors, RBHS persons are required to:

- Provide only such clinical care as is medically necessary;
- Fully document the clinical service provided, including the medical necessity for providing the service;
- Submit timely, accurate and complete bills for payment and accurate cost reports;
- Follow up to make sure that payments to RBHS are paid in a timely fashion;
- Report all suspected violations of Rules immediately when there are allegations of patient harm; and
- Report all other suspected violation of Rules as soon as possible.

RBHS persons may be subject to disciplinary actions, up to and including termination, for failure to comply with the Rules or to report suspected violations of the Rules, as well as being subject to fines, penalties, revocation of licenses and accreditation, criminal and civil sanctions, as well as exclusion from federal and state healthcare programs.

RBHS persons are subject to periodic background checks. In accordance with Federal law, RBHS will not employ or enter into contracts with any individual or entity currently excluded by the Office of the Inspector General (“OIG”) and/or the General Service Administration (“GSA”) from participation in Federal health care programs. Other state requirements related to background checks are also applicable. If it is determined that an employee, a non-employee provider with current clinical privileges, or an individual or entity with a contractual relationship with RBHS is on the exclusions lists, the employment and/or contractual relationship shall be immediately terminated.

15. **Protection from Retaliation**

In accordance with University and RBHS policies, RBHS persons are required to promptly report all known or suspected improper activities to appropriate authorities, and RHBS persons who report such misconduct in good faith are to be protected from retaliation.