

ETHICS

If you have questions regarding issues related to ethics, you may contact Cathy Rich, Staff Attorney for Office of Regional Counsel at ext. 71172 or Kenneth Carroll, Staff Attorney for Office of Regional Counsel at ext. 71656. If you have questions regarding issues related to the Compliance and Business Integrity (CBI) Program you may contact Michael Ojeda, Compliance Officer at ext. 70455. You may also send them an email message.

1. The principles of ethical conduct for Federal Government officers and employees are established through Executive Order 12674 dated April 12, 1989, (modified by Executive Order 12731). Regulations pertaining to this order have been codified at 5 Code of Federal Regulations (CFR 5), Part 2635 and are issued by the United States (US) Office of Government Ethics. To ensure that every citizen can have complete confidence in the integrity of the Federal Government, each Federal employee shall respect and adhere to the fundamental principles of ethical service as described in this Executive Order.

2. Public Service involves public trust. Each employee has a responsibility to the United States Government and its citizens to place loyalty to the Constitution, laws and ethical principles above private gain.

3. An employee of the United States Government shall not solicit or accept any gift or other item of monetary value from any person or entity seeking official action from, doing business with, or conducting activities regulated by the employee's agency, or whose interests may be substantially affected by the performance or nonperformance of the employee's duties.

4. An employee may not accept any gift that is in violation of any statute of law. Gifts can include gratuity, favor, discount, entertainment, hospitality, loan or any item having monetary value. It also includes services as well as gifts of training, transportation, local or distant travel, lodging and meals, purchase of a ticket, payment in advance or reimbursement after the expense has been incurred.

5. The VA North Texas Health Care System (VANTHCS) is committed to "Putting Veterans First" through fulfilling our responsibility to provide quality medical services to veterans and to act as a responsible health care provider in the community. VANTHCS Memorandum Number ET-2 details the Code of Ethical Behavior for the employees associated with this health care facility.

6. The majority of government employees are sincerely interested in performing efficient and honorable service. However, the acts of some few employees who may engage in improper unethical conduct reflects adversely, not only on those employees, but upon Veterans Administration (VA) and all government employees as well. It is the policy of VA North Texas Health Care System (VANTHCS) to investigate and eliminate such conduct and to expect all employees to be observant in helping to prevent such conduct.

7. The VA North Texas Health Care System (VANATHCS) Leadership Executive Board directs clinical and administrative employees in conducting all business and clinical operations in an ethical manner consistent with the VANATHCS' mission, values, vision, strategic plan and Veterans Health Administration (VHA) regulations. Such ethical practices include, but are not limited to, all areas of patients' rights; billing practices; marketing and public relations practices, admission, transfer, and discharge practices, and avoidance of interest in contractual relationships.

8. An employee may accept an honorary degree from an institution of higher education based on a written determination by an agency ethics official. The timing of the award of the degree should not cause a reasonable person to question the employee's impartiality in a matter affecting the institution.

9. A Federal government employee as outlined in the Hatch Act is prohibited from active participation in political management or political campaigns. This means that a Federal Government employee may not accept meals, lodging, transportation and/or other benefits, including free attendance or entertainment provided by a political organization.

10. The Veterans Health Administration (VHA) Directive that establishes policies and procedures for the use of the Compliance and Business Integrity (CBI) Helpline (telephone number 1-866-842-4357) is VHA Directive 2001-048. The CBI Helpline is an integral component of a Confidential Disclosure Program (CDP) designed to ensure that VHA activities are conducted in compliance with public law, established regulations and recognized standards of business practice. Conducting business with honesty and integrity is a significant part of providing a high level of service and care to the patients.

11. As a public sector provider of health care, the Veterans Health Administration (VHA) is subject to many of the same ethical reviews as the private health care providers. Proper documentation is an important ethical component of patient care and service provided for the patients. Compliance with established standards is essential to the success of health care. Health care compliance and is a dynamic component of the healthcare industry and systems must be in place to ensure that VHA is able to keep pace with changing rules, regulations and other ethical standards.

12. At the VA North Texas Health Care System, the Compliance Officer is the primary person to address issues such as concern that evaluation and management codes may be higher or lower than warranted. The Compliance Officer may also determine whether services provided by a physician resident or trainee are supported by attending physician documentation, or if proper billing is being made for a physician extender (e.g., nurse practitioners, physician assistants or pharmacists). A vital element of health care is that all patient caregivers, coders, billers, etc., appropriately document their work to reflect the care that a patient receives.

13. In accordance with the instructions in MP-5, Part 1, Chapter 735, all personnel are required to report to the Office Of The Director any incident involving impropriety or unethical conduct. The following are specifically cited as examples of reportable

incidents; patient abuse, any unacceptable employee relationships with patients that are or appear to be a conflict of interest or may interfere with the treatment process, outside employment activity or pay that conflicts with VA employment, acceptance of gifts or favors that might influence professional judgment from persons or companies doing business with the Veterans Administration (VA), from patients or residents, or members of their families and theft or misuse of government property.

14. VA North Texas Health Care System (VANTHCS) Memorandum SD-1, when possible, all requests for annual leave should be made in advance. Planned or scheduled leave allows for better planning for patient care and ultimately affects quality of patient care. Leave must be requested on Standard Form 71 (paper or electronic request). Employees are encouraged to take annual leave each year for the purposes of rest and relaxation.

15. The VA North Texas Health Care System (VANTHCS) supports ethical behavior and fair treatment of patients. An employee should not exploit a patient in any way and must not put themselves in any potentially compromising situation with a patient.

16. The VA North Texas Health Care System (VANTHCS) supports patient rights and does so in a collaborative manner that involves management and others. Patient rights include confidentiality, safety, visitations (a patient may refuse visitors), communication and worship.

17. The VA North Texas Health Care System (VANTHCS) has a Compliance and Business Integrity (CBI) Program that includes seven (7) elements. The elements are: designating a compliance officer and compliance committee; implementing written policies; conducting comprehensive education and training; developing accessible lines of communication (such as a helpline); monitoring and auditing; enforcing standards through a code of conduct; and responding promptly to detected offenses and taking corrective action.

18. A purpose of the VANTHCS Compliance and Business Integrity (CBI) Program is to make sure that business operations follow all applicable laws, regulations and policies; to identify inappropriate business practices if they should occur; to correct the inappropriate practices that are identified; and to promote standards of excellence in business practices. An overview of the VANTHCS CBI Program is included in VANTHCS Memorandum No. QC-10.

19. Fraud in health care is the deliberate and intentional misrepresentation of a service for financial gain from any health benefit program. It can also be a reckless disregard for the truth. Common types of health care fraud include billing for services not provided, falsifying information on records for the sole purpose of obtaining payment, and using inappropriate procedure or diagnosis codes. Potential consequences of fraud and/or abuse include criminal prosecution, financial penalties, civil prosecution and exclusion from participation in health care plans.

20. The success of the VA North Texas Health Care System (VANATHCS) Compliance and Business Integrity (CBI) Program depends upon the actions of all employees. It is every employee's duty to report potential compliance failures such as fraud and abuse to your supervisor or higher level authority. You may also report concerns of fraud, waste and abuse to the VANATHCS Compliance Office at 214-857-0455 or to the CBI Helpline at 1-866-842-4357. At your request, your call will remain anonymous.