

**THE BRODY SCHOOL OF MEDICINE
EAST CAROLINA UNIVERSITY**

CODE OF CONDUCT

The mission and goals of the Brody School of Medicine (“BSOM”) include the education of future physicians, improving the health status of the residents of Eastern North Carolina, and engaging in research to advance patient care. The Code of Conduct of the Brody School of Medicine at East Carolina University (hereinafter the “Code of Conduct” or the “Code”) helps to advance this mission by providing the guiding standards for our decisions and actions as members of the Brody School of Medicine community. BSOM community members (hereinafter referred to as “members” or “community members” consist of faculty, staff, learners, and individuals or entities contracted to provide services on behalf of BSOM (e.g., consultants, certain vendors, contracted physicians, etc.). Although the Code can neither cover every situation in the daily conduct of our many varied activities nor substitute for common sense, individual judgment or personal integrity, it is the duty of each member of the BSOM community to adhere, without exception, to the principles set forth herein.

1. The Brody School of Medicine and its Members Shall Comply With All Laws.

It is the duty of BSOM and each of its community members to uphold all laws, regulations, and East Carolina University (“ECU” or “University”) policies. All community members must be aware of the legal requirements and restrictions applicable to each of their respective positions and duties. The BSOM shall implement programs necessary to further such awareness and to monitor and promote compliance with such laws and regulations. Any questions about the legality or propriety of any actions undertaken by BSOM or any of its members on behalf of BSOM should be referred immediately to one’s supervisor, the BSOM Office of Compliance or the BSOM Chief Legal Counsel. There shall be no retaliation for any good faith reports of potential noncompliance.

2. The Brody School of Medicine and its Members Shall Conduct Its Affairs in Accordance with the Highest Ethical Standards.

The Brody School of Medicine and each of its members shall conduct all activities in accordance with the highest ethical standards applicable to the community, and each of the member’s respective professions, at all times in a manner which shall uphold BSOM’s reputation and standing.

3. All Community Members Shall Support the Goals of the Brody School of Medicine and Avoid Conflicts of Interest.

All BSOM community members must faithfully conduct their duties in their assigned roles and tasks, in support of the mission and goals of BSOM. Each community member has a duty to adhere to ECU policy regarding conflicts of interest and must avoid conflicts of interest that have the potential to affect adversely the University's interests, to compromise objectivity in carrying out University responsibilities, or otherwise to compromise the performance of University responsibilities. It is imperative that medical judgment or scientific integrity is not compromised as a result of any relationship entered into between a BSOM member and an outside entity. Each member must consider and avoid not only actual conflicts but also the appearance of conflicts of interest. Each faculty member must complete an annual conflict of interest disclosure form and required updates per ECU policy.

4. The Brody School of Medicine Shall Strive to Attain the Highest Standards related to all Aspects of Patient Care.

As leaders in health care, all BSOM community members must support the Brody School of Medicine mission to provide health services of the highest quality which appropriately respond to the needs of our patients, their families, and the surrounding communities as a whole. This care provided must be safe, reasonable and necessary to the care of each patient, appropriate to the situation, and properly qualified individuals must provide such care. All such care must be properly documented in a timely manner as required by law and regulation, ECU policy, payer requirements and professional standards.

5. The Brody School of Medicine and its Members Shall Maintain the Confidentiality of all Patient Records and Proprietary Business Records.

The BSOM maintains confidential records related to a variety of patient care and business needs, including but not limited to records related to patients (including all "protected health information" as defined under 45 C.F.R. Section 160.103, as may be amended from time to time), employees, learners, finances, job applicants, and business planning (hereinafter "Confidential Information"). This Confidential Information must be maintained in a strictly confidential manner, subject to all relevant federal and state laws and regulations and ECU policy, including but not limited to the Health Insurance Portability and Accountability Act of 1996 ("HIPAA") and related regulations, the Family Educational Rights and Privacy Act ("FERPA"), and other federal and state laws governing mental health records and HIV records. Each member must avoid prohibited disclosure of Confidential Information and must immediately alert his or her supervisor or other ECU institutional official in the event of such a prohibited disclosure either by such member or a different

individual.

6. The Brody School of Medicine Shall Provide Equal Opportunity and Respect the Dignity of all its Members.

The Brody School of Medicine is committed to providing health care, equal educational, and employment opportunities for all persons, without regard to race, color, national or ethnic origin, religion, gender, sexual orientation, disability or veteran's status. The Brody School of Medicine is an affirmative action employer. The Brody School of Medicine is committed to providing an academic, patient care, and workplace environment which emphasizes the dignity and respect of each individual in the community, and, as a result, sexual harassment or any other types of prohibited discrimination in any form or context will not be tolerated. Any member with information related to any incident of prohibited discrimination should report such information to his or her supervisor or appropriate ECU institutional official.

7. The Brody School of Medicine Shall Maintain the Highest Standards of Academic Integrity and Quality Related to Education and Research.

The Brody School of Medicine and its members must uphold the highest moral and ethical standards related to education. All members of the community must undertake their academic activities with honesty and integrity and avoid any such activities that would be detrimental to the reputation of BSOM.

Members of the community must also protect the safety of study subjects and uphold the highest ethical standards related to research. Actions that interfere with or compromise the rights of BSOM study patients, including their right to confidentiality, and activities such as plagiarism or falsification or fabrication of data or results are intolerable to BSOM and are strictly forbidden. All animals used in research and teaching must receive humane care at all times. Research involving animals shall be conducted with the approval of the Institutional Animal Care and Use Committee. All research must be conducted in accordance with the applicable policies and procedures of the University and Medical Center Institutional Review Board, ECU policy, and applicable federal and state laws, regulations, and guidance.

8. The Brody School of Medicine Shall Maintain Proper and Accurate Records and a Relationship of Integrity with All Payer Sources.

The Brody School of Medicine and its community members shall create and maintain records and documentation that conform to ECU policy and all applicable legal, professional and ethical standards. The Brody School of Medicine and its members shall ensure that payment or reimbursement from all types of payer sources is for such care as is reasonable, necessary and

appropriate, is provided by properly qualified persons, and is billed in the correct amount with adequate supporting documentation. Regular monitoring of provider documentation and BSOM billing practices shall occur to help prevent and detect substandard documentation or inaccurate billing practices. Any overpayment amounts identified by BSOM shall be refunded to the applicable payer in an expeditious manner, in general no later than sixty (60) days after BSOM's discovery of or receiving notification of any such overpayment amount.

9. The Brody School of Medicine and Its Members Shall Conduct all Business Practices with Honesty and Integrity.

All business practices of BSOM must be conducted with honesty and integrity and in a manner that upholds BSOM's reputation with patients, payers, vendors, competitors and the academic community. BSOM and its members must:

- adhere to legal and ethical business practices, including ECU policy, in its arrangements with outside entities, including providers, suppliers, vendors, pharmaceutical companies and medical device companies so as not to violate the federal and state anti-kickback laws and regulations, and the federal and state prohibition on physician self-referrals (the "Stark Law") and related safe harbor regulations ;
- uphold all antitrust laws and regulations, and ensure that BSOM does not violate laws and regulations with respect to prices or other sales terms or conditions, improper sharing of competitive information, allocation of territories or the impermissible exclusion of others from economic activities; and
- maintain and protect the property and assets of BSOM, including but not limited to its intellectual property and proprietary information, controlled substances and pharmaceuticals, equipment and supplies, and BSOM funds.

10. The Brody School of Medicine Shall Have Proper Regard for Safety Within and Without the Community.

The Brody School of Medicine and its members shall work together to ensure a workplace that conforms to all laws and regulations regarding occupational health and safety. The Brody School of Medicine is committed to proper maintenance of the earth's environment, and all medical waste, hazardous waste and other products shall be used and disposed of in accordance with all applicable environmental laws and regulations.

11. The Code of Conduct Shall be Integral to the Operation of BSOM and the Activities of its Members.

The Code of Conduct exists for the benefit of BSOM, its members, and its patients. The Code must be a part of the daily activities of BSOM and its members.

- The Code of Conduct is in addition to, and does not limit, specific policies and procedures of ECU or BSOM, and community members must perform their duties in accordance with such policies and procedures.
- The Code of Conduct is a living document, and all members of the community are encouraged to suggest changes or additions to the Code.
- It is the duty of each member to uphold the standards set forth in the Code of Conduct and to report violations by following the reporting procedures outlined by BSOM as then in effect.
- Officers, managers and supervisors of BSOM have a special duty to adhere to the principles set forth in the Code of Conduct, to support other members in their adherence to the Code, to recognize and detect violations of the Code, and to enforce the standards set forth herein.
- It shall be a violation of the Code of Conduct to take any action in reprisal against anyone who in good faith reports suspected violations of the Code of Conduct or other ECU or BSOM policies and procedures.
- Alleged violations of the Code of Conduct or other policies and procedures of BSOM or ECU will be investigated by persons designated by, and pursuant to procedures established by, the Dean.

Disciplinary action for violations of the Code of Conduct and other ECU or BSOM policies and procedures shall be enforced through the disciplinary policies and procedures of BSOM, in effect at the time of the violation. Disciplinary actions will be determined on a case-by-case basis and may include dismissal from employment. BSOM shall cooperate with any law enforcement authorities in connection with any investigation or audit of BSOM practices and provide any necessary documentation as requested by such authorities or as demanded pursuant to court order, subpoena, or other requirement.