

ALBERT EINSTEIN  
COLLEGE OF MEDICINE

CODE OF  
CONDUCT

ISSUED OCTOBER 2016



## Dear Colleagues:

All employees of Albert Einstein College of Medicine (Einstein) are expected to be familiar with and adhere to Einstein's Code of Conduct as well as specific policies, procedures and rules that apply to their positions.

Our dedicated and talented faculty, staff and fellows have chosen to work in the field of higher education and research in a desire to serve others. Integrity and honor are central to Einstein's philosophy of care and dedication to public service.

This Code of Conduct affirms our commitment to the highest academic standards, ethics and professional service as well as our steadfast compliance with all legal and regulatory requirements, and our dedication to preventing and detecting fraud, waste and abuse in the organization. It is the framework on which specific institutional policies and procedures are established.

Your concerns are very important to Einstein and will be addressed. Please be assured that should you report conduct that you believe to be improper, you will be protected from retaliation. All of us have a stake in upholding the values that are central to Einstein and our mission. Thank you for attention and cooperation.

Sincerely,



Allen M. Spiegel, M.D.  
The Marilyn and Stanley M. Katz Dean  
Albert Einstein College of Medicine  
Executive Vice President and Chief Academic Officer  
Montefiore Medicine

## COMPLIANCE

"Compliance is everyone's responsibility." What does that really mean? It means that everyone participates in the compliance program by participating in compliance education, reviewing our Code of Conduct, and remaining aware of policies and procedures.

Department heads, administrators and managers can provide additional awareness opportunities for their employees. This can be done by routinely including compliance topics on the staff meeting agenda, by reviewing and discussing the most current policies and procedures, or by inviting in-house experts from different departments to discuss specific areas. Awareness creates knowledge, and this is key to successfully creating an environment of accountability.

Einstein is committed to preventing and detecting fraud, waste or abuse in our organization. We are equally committed to providing a safe and secure learning and work environment for our students, faculty, staff and fellows. Reporting concerns so they are properly addressed is everyone's responsibility, regardless of position. If a concern is identified but is not reported, there is the potential for that concern to remain "undetected." This can place employees and the organization at risk. Anyone can encounter an issue during day-to-day job activities. How we respond is

important. Any identified actual or potential concern needs to be reported to those who can help ensure that the issues are properly investigated, evaluated and corrected. Einstein has experts designated to respond to and address different types of issues. For this reason, it is important that the right people within the organization are notified. These experts can carefully assess all facts without bias and evaluate the process or system at issue to determine the necessary response, thus ensuring that the regulations and standards are met and matters are handled consistently and fairly.

Being accountable for compliance is different depending on our roles within the organization. Sometimes it's about making sure our organization regains compliance in an area where an issue has been identified (corrective actions). Sometimes it's about revising or drafting a policy or procedure to make sure we comply with a new or revised regulation, law or standard. For others it's about being aware of and maintaining licensing requirements and renewals, or being aware of and accountable for addressing changes to professional practice standards or financial requirements. We are all accountable to do the jobs we were hired to do, and that means we need to remain informed about relevant standards to carry out our duties properly. It also means we need to ensure that concerns are properly reported and addressed by the right individuals within our organization. This assists in creating a safe reporting environment and a just and ethical culture.

## CONFLICTS OF INTEREST

All institutional decisions are made fairly and objectively, without favor or preference based on personal considerations. We do not use our positions or knowledge gained for personal advantage.

**Avoiding and Disclosing Conflicts:** In performing our responsibilities at Einstein, we do not let our judgment become impaired or even appear to be impaired by outside personal or financial interests.

**Areas of Conflict:** In the world of complicated business and other relationships, we may sometimes find that our duties to Einstein may conflict, or appear to conflict, with another relationship. It is our duty to immediately disclose such a situation to a supervisor and the Vice President for Human Resources. Some conflicts have been managed by making sure that pertinent decisions are made by other employees or by ensuring that the person with the conflict does not participate.

Those who receive payments for lectures or other outside educational services (honoraria), have arrangements with pharmaceutical/device manufacturers or vendors to Einstein, or are involved with sponsored research contracts or grants must be familiar with and comply with relevant Einstein policies. Employees should refer to Einstein's and Montefiore's Conflict of Interest Policies for additional information and guidance.

**Referrals and Inducements:** We do not offer or receive kickbacks or improper inducements to influence our decisions or responsibilities to Einstein. No free goods, services, discounts, rebates or allowances are accepted without prior approval of Procurement Services.

**Gifts:** You may not solicit or receive any gifts or gratuities of any nature that would, or reasonably could, be expected to influence your responsibilities to Einstein including gifts from companies or individuals doing business or seeking to do business with Einstein. Gifts are never given to government employees in connection with a business transaction, even if the intent is not to influence an official action.

**Political Activity:** As a tax-exempt corporation, Einstein is prohibited from engaging in political activity and does not make campaign contributions or endorse candidates. Political campaign contributions may not be solicited on the premises. Einstein resources (for example, stationery, email, telephone or fax) may not be used for political campaigns.

**Illegal Payments:** No one at Einstein makes or authorizes illegal payments or bribes to anyone, or authorizes any use of resources that, even if not illegal, could be interpreted as improper or unwarranted.

**Personal Purchases:** Except where employee discount programs exist, employees are prohibited from purchasing personal items from vendors who transact business with Einstein unless the vendor has a retail operation normally open to the public. Nevertheless, you may not use your employment with Einstein to influence the vendor in any way.

**Compliance with Law and Professional Standards:** You are responsible for complying with all federal, state, local and foreign laws and professional standards applicable to your work, as well as Einstein policies and procedures, and for staying current with them. In addition, transactions with, and the provision of, resources and support to individuals and/or organizations associated with terrorism is strictly prohibited. You should notify Senior Counsel if at any time you perceive a conflict between these sources of guidance.

**Fundraising and Institutional Advancement:** You must act with fairness, honesty, and integrity in connection with solicitation and receipt of gifts to Einstein. You must comply with all federal, state and local laws and regulations, and not take any action, or omit to take any action, which may mislead or otherwise deceive a donor.

## HUMAN RESOURCES

All employment decisions at Einstein are based on the individual merit, personal qualifications and ability of the applicant to perform the job. Einstein recognizes that all employees contribute directly to the institution's success.

**Equal Employment Opportunity:** Einstein does not discriminate in any employment decisions on the basis of race, religion, color, creed, age, national origin or ancestry, sex, marital status, domestic partnership status, physical or mental disability, veteran or disabled veteran status, genetic predisposition/carrier status, sexual orientation, gender identity, citizenship status, familial status or any other personal characteristics protected under applicable federal, state or local law.

**Harassment:** Einstein provides a work environment that enables everyone to work with security and dignity, free from unwelcome, insulting, degrading or exploitive treatment or harassment. The Title IX Coordinator, Human Resources Department, Security Department, Dean of Students, Senior Counsel, hotline or any member of Einstein's Unlawful Harassment Panel can receive complaints of discrimination or harassment. Please refer to Einstein's Non-Discrimination and Anti-Harassment Policy for further information.

**Verification of Qualifications:** Einstein hires only qualified individuals with proper expertise, licenses and experience. Qualifications are verified in connection with offering employment.

**Employment of Relatives:** Einstein hires the most qualified candidate for any position, without preference to relatives of employees.

To ensure fairness and objectivity, relationships of a personal or family nature between supervisors and those they supervise are prohibited. Where such relationships exist, they must be disclosed to the Vice President for Human Resources, and arrangements must be made for alternative supervision and evaluation, or for transfer of one of the participants to another work area.

**Training and Development:** Training and skills development programs are made available to employees to assist them in their job functions and to provide opportunities to realize their potential.

**Open Door Policy for Problems:** You are encouraged to share ideas and comments with department heads and administrators, as well as to inform supervisors of any concerns or questions they may have about any aspect of their employment. Every effort will be made to provide you with a prompt response.

**Outside Employment:** You may not accept outside employment if it may potentially interfere with your employment at Einstein, negatively affect your job performance or pose as a conflict of interest. All outside employment must be timely disclosed to an employee's supervisor.

## PROFESSIONALISM

**Intellectual Property of Einstein and Others:** Employees safeguard Einstein's rights in its intellectual property, such as trademarks, service marks, patents, copyrights, inventions and trade secrets. Employees will not reproduce, distribute or alter copyrighted materials without permission of the copyright owner, unless otherwise permitted by applicable law.

**Education and Teaching Standards:** Faculty, staff and fellows are expected to provide the highest quality of education and training to the students, and respect each student as a valuable individual. All employees are expected to maintain a professional environment conducive to the development of the students, to promote academic freedom, and to work together to advance the education of the students. Acts of plagiarism or falsification are prohibited.

**Research Principles and Standards:** Employees are expected to maintain the highest standards of professional conduct and integrity in research. Employees should propose, conduct, and report research with integrity, objectivity and honesty and should protect people and humanely treat animals involved in research or teaching.

Employees should only use research funds for their designated purposes, should comply with all approved protocols and all federal and state laws and regulations. Plagiarism, falsification, or fabrication of research data, or other scientific misconduct is prohibited.

**Patient Care Standards:** Employees involved in patient-related activities strive to deliver quality and comprehensive patient care and take appropriate action to foster continuous improvement through scientific knowledge that is shared with patients, colleagues and the public. Employees provide patients with information necessary to make informed health care decisions, prepare clear, honest and accurate patient medical documentation in a timely manner, and maintain confidentiality in accordance with existing Einstein policies and procedures, federal, state and local laws and regulations. Employees must not disclose any individually identifiable protected health information concerning any patient, research participant, student or staff member without that individual's prior authorization. Access to protected health information is restricted to those who need access as part of their employment, and, in that case, will be the minimum necessary to perform legitimate Einstein functions.

## SAFEGUARDING EINSTEIN'S ASSETS

We protect institutional resources, including facilities, equipment, funds, information and data against loss, theft and misuse. We also protect property entrusted to Einstein by others.

**Use of Resources:** Employees use resources responsibly and effectively, solely for the purposes of furthering Einstein activities. We must not use these resources, including Einstein facilities, resources or other property, or our position for personal benefit or for the benefit of family members, friends or others.

**Use of Funds:** Einstein funds are used only for legitimate business purposes of Einstein. When employees submit payment requests, they provide all required supporting documentation and approvals. Research funds are used only for their designated purposes. Employees comply with all approved protocols and all federal and state laws and regulations. Expenditures of funds are recorded and accounted for in an accurate and timely manner.

**Obsolete Furniture and Equipment:** Furniture, office equipment and other property that is excess, obsolete, junked or no longer needed is reported to the Facilities Management & Engineering Department for evaluation. No property is moved or transferred to another location, removed or otherwise disposed of except in accordance with our policies.

## ENVIRONMENTAL CONSIDERATIONS

Einstein provides a safe, functional and effective environment in which the health, safety, privacy and comfort of employees, students, contractors and visitors are the first priority.

**Program Development:** Department heads, administrators and managers are responsible for developing programs to eliminate or minimize any hazards to health and safety in accordance with applicable law. We follow all safety policies and rules.

**Safety Violations:** Employees report any practice or condition that may be hazardous or that may violate safety standards to their supervisor, Security, or Environmental Health and Safety.

**Hazardous Materials:** Employees who deal with hazardous materials and medical waste comply with all applicable environmental laws and regulations and follow the environmental and safety procedures explained in training programs. We strive to minimize the generation, discharge and disposal of medical waste and hazardous materials.

**Sustainability:** We must exercise leadership in our workplace by modeling ways to minimize and reverse the impact of our activities and facilities on the environment.

## ISSUES & CONCERNS

Open communication is essential for accomplishing Einstein's mission. The success of the compliance program depends on maintaining effective channels of communication and reporting problems, especially those that have regulatory implications. Everyone has a duty to report any suspected violations of the Code without fear of reprisal. Department heads, administrators and managers are required to maintain an open door policy and be receptive to all concerns brought to them by any employee.

**In the Event of a Problem:** If you become aware of an activity that you think may be a problem, or if you have any questions about the Code of Conduct, please contact your supervisor immediately. If you are not comfortable doing that, contact the compliance hotline or the appropriate department listed in the directory at the end of the Code of Conduct.

**Following Up the Chain of Command:** If you are unsatisfied with the response or have additional concerns, you should continue to raise the issue through the supervisory structure or to the Vice President for Human Resources.

**Investigation:** As an organization, Einstein commits itself to investigate any suspicions of fraud, waste or abuse swiftly and thoroughly and requires all employees to assist in such investigations. Failure to report and disclose or assist in an investigation of fraud and abuse is a breach of the employee's obligations to Einstein and may result in disciplinary action.

**Retaliation:** Retaliation against any employee for reporting something he or she sincerely believes may be a violation, or for participating in good faith in an investigation of suspected misconduct, is prohibited; you will be protected, even if the report of misconduct is mistaken. Acts of retaliation should be reported immediately and will be disciplined appropriately. However, deliberately and knowingly making a false report is not a protected activity and will result in appropriate discipline. Self-reporting an employee's own violation will not provide immunity from appropriate disciplinary action. However, if an employee comes forward to report his or her own violations, appropriate leniency in the discipline to be applied will be considered.

**Legal Inquiries:** Employees should refer all legal and government inquiries to Einstein's Senior Counsel. Employees should not respond to such inquiries unless authorized by counsel or required by law.

**Hotline:** Einstein has established a hotline to enable employees to confidentially report problems or get answers to questions. The hotline is not a substitute for established reporting structure or grievance policies, however, and should be used only after other available reporting practices have been considered.

**THE COMPLIANCE HOTLINE NUMBER:  
1-800-662-8595**

## CONTACT INFORMATION:

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**Associate Dean for Finance & Administration**  
**Jed M. Shivers**  
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**Montefiore's Department of Compliance**  
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**Compliance Hotline**  
1-800-662-8595

