

# Code of Conduct



Planned Parenthood of New York City

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## Our Commitment to Ethics and Compliance

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At Planned Parenthood of New York City (PPNYC), our work is rooted in a public trust that requires us to meet the highest standards of customer service, confidentiality, and honesty in all that we do. Whether we are serving clients, engaging with the public and our local communities, or managing our financial and other business activities, we are committed to acting with integrity at all times.

We expect our employees, volunteers, interns, and board members to act in a manner that promotes our reputation as an organization that exceeds the strict requirements of the law and operates in accordance with the highest ethical standards. For us, a code of conduct is more than a regulatory requirement; it is an essential part of who we are and what we do.

This **Code of Conduct** sets forth the basic principles that guide the decisions and actions of Planned Parenthood of New York City in support of our mission to empower individuals to make independent, informed decisions about their sexual and reproductive lives. All employees, volunteers, interns, and board members must read and understand the Code of Conduct and agree to follow the standards contained in the Code in carrying out their job duties.

Thank you for taking this important commitment seriously.

Joan Malin, President and CEO

## Compliance at PPNYC

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### The Purpose of the Code of Conduct

The Code of Conduct serves as your roadmap to PPNYC's ethical and compliance standards. It does not address every potential compliance issue that may arise in the course of our business. We have detailed written policies governing the key aspects of our operations. Some of these policies are referred to in the Code. Your supervisor may give others to you.

### Compliance Begins with You

We expect employees, volunteers, interns, and board members to:

- familiarize themselves with PPNYC's Code of Conduct and compliance program and procedures
- review and understand key policies and carry out their duties in accordance with the policies that apply to their job functions
- report any known or suspected fraud, abuse, or other improper activity
- cooperate in PPNYC audits and investigations
- carry out their jobs in a manner that demonstrates a commitment to honesty, integrity, and compliance with the law

## **Corporate Compliance Program**

Our Corporate Compliance Program promotes and supports PPNYC's compliance with all applicable federal, state, and local laws and regulations as well as government contracts and conditions of participation in public programs. The primary goals of the Program are to:

- prevent fraud, abuse, and other improper activity including violations of patient privacy by creating and supporting a culture of compliance within PPNYC
- detect any misconduct that may occur at an early stage before it creates a substantial risk of civil or criminal liability for PPNYC
- respond swiftly to compliance problems through appropriate disciplinary and corrective action

The Chief Compliance Officer leads the Corporate Compliance Program. The Chief Compliance Officer reports to the Chief Executive Officer and to the Audit and Compliance Committee of the Board of Directors. The Chief Compliance Officer works closely with PPNYC's Compliance Committee, which is composed of key executive staff including representatives from finance, clinical operations, and human resources.

## **We Take Prompt Corrective Action When Necessary**

In order to uphold PPNYC's commitment to honesty, integrity, and compliance with the law, we are equally committed to taking prompt corrective action to address any problems or improper activity. Corrective actions may include, but are not limited to:

- modifying policies, procedures, or business practices
- providing additional training or other guidance
- disciplining employees up to and including termination
- notifying law enforcement authorities of criminal activity
- returning overpayments or other funds to which we are not entitled

Employees who engage in misconduct are subject to disciplinary action in accordance with PPNYC's Employee Discipline Policy.

## **We Cooperate Fully with Government Audits and Investigations**

Employees, volunteers, interns, and board members are expected to cooperate fully in all government audits and investigations. Any employee who fails to provide such cooperation will be subject to termination of employment.

If you receive a subpoena or other governmental requests for PPNYC documents, you should contact the Vice President for Human Resources, the Chief Financial Officer, or the Associate Vice President for Clinical Services, who are, in their respective areas, responsible for reviewing and responding to such requests. Employees are strictly prohibited from destroying, improperly modifying, or otherwise making inaccessible any documents that the employee knows are the subject of a pending government subpoena or document request.

If you receive a request from a government investigator to provide an interview, contact your supervisor immediately. If your supervisor is unavailable, contact another supervisor or senior manager.

## **How to Report a Concern**

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PPNYC is committed to maintaining open lines of communication for reporting suspected improper activities. We encourage employees to speak up if they have a concern. You do not need to be certain that something is wrong to make a report. It is appropriate to make a report if you suspect in good faith that improper activity is occurring.

### **Reporting Options**

All employees are expected to report promptly known or suspected improper activity in one of the following ways:

- Notify your supervisor
- Notify the Chief Compliance Officer, another manager, or an HR staff member
- Make an anonymous report through the PPNYC Hotline

Reporting suspected misconduct is a requirement of your job.

### **You Are Protected from Retaliation and Intimidation**

If you file a report of suspected fraud, abuse, or other improper activity in good faith, you are protected from retaliation and intimidation in any form. Prohibited retaliation includes, but is not limited to, terminating, suspending, demoting, failing to consider for promotion, harassing, or reducing the compensation of any employee due to the employee's intended or actual filing of a report. Employees should immediately report any such retaliation to the Chief Compliance Officer.

### **We Respect Your Confidentiality**

We make every effort to protect the confidentiality of all reports of non-compliance. In some cases, we may need to reveal your identity in order to conduct an investigation or to resolve a problem. If necessary, we will only reveal your identity to those individuals who have a genuine need to know.

### **You Don't Have to Give Your Name**

To encourage full and frank reporting of suspected fraud or abuse, you have the option of filing complaints anonymously through the PPNYC Hotline. If you choose to report an issue anonymously, please provide as much information as possible.

## **What Happens When You File a Report**

The Chief Compliance Officer promptly reviews all reports of fraudulent, abusive, or other improper conduct, whether made through the PPNYC Hotline or otherwise, and determines whether the report warrants an investigation. Because we are committed to protecting employee confidentiality as best we can, you may not always be aware of the steps being taken in response to a report.

## **How We Care for Our Patients**

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### **We Provide Access to All**

We offer clients who are unable to pay for their services assistance with screening and enrollment for health insurance. Individuals who are not eligible for insurance or who choose not to enroll are screened for PPNYC's sliding fee scale or for other payment arrangements.

### **We Protect the Privacy of Our Patients' Health Information**

PPNYC has always recognized that in seeking sexual and reproductive health care and educational services, our clients are sharing a particularly personal and sensitive part of their lives. Our patients and clients trust us, and we strive to be worthy of that trust. Compliance with the Health Insurance Portability and Accountability Act of 1996 (HIPAA) is consistent with PPNYC's strong, longstanding commitment to protecting patient confidentiality.

PPNYC's commitment to confidentiality applies to all staff and volunteers. It applies to everyone who comes to any Planned Parenthood office or center and asks us for help related to his or her own sexual or reproductive life, or who might be presumed by an observer to be coming to us for that purpose. It applies regardless of the form of help requested and regardless of the person's age. It applies to all written (or otherwise recorded) material about such people and to all personal knowledge staff have of them. It also applies to the physical privacy of the areas in which the agency serves such people.

PPNYC expects HIPAA compliance as well as compliance with New York State confidentiality laws governing HIV information throughout the agency and our operations.

- Never share patient information with individuals or organizations that are not authorized to have it.
- Always follow procedures when faxing, mailing, or e-mailing patient data outside of PPNYC and when handling paper documents that contain Protected Health Information (also known as PHI).
- Do not talk about patients in public areas where others may overhear private information.
- Never share passwords, and always log off computer applications that contain patient or other sensitive information.

## **We Respect Our Patients' Rights**

PPNYC supports the rights of our patients to know how we handle their Protected Health Information including:

- the right to copy and review their medical record
- the right to receive a copy of their medical record in electronic form
- the right to request an amendment to their medical record
- the right to an accounting of disclosures of their medical record
- the right to request restricted access to their medical record
- the right to receive a copy of our Notice of Privacy Practices

## **We Provide Culturally and Linguistically Appropriate Care**

PPNYC recognizes that culture affects the manner in which clients' needs are defined and experienced. All individuals have confidential access to the full range of our sexual and reproductive health services, regardless of age, race, color, religion, sex, gender identity and/or expression, marital status, sexual orientation, country of birth, or sponsor. The agency uses the National Standards for Culturally and Linguistically Appropriate Services in Health Care issued by the U.S. Department of Health and Human Services' Office of Minority Health as guidance for providing culturally competent care and ensuring language access for our patients. On-site medical interpreters and a phone interpretation service are available for patients who need medical interpreter services. We also make our printed materials available in a number of different languages.

## **How We Protect the Welfare of Minors**

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### **We Safeguard the Privacy Rights of Minors**

We protect the privacy rights of minors in accordance with New York State law in all of our programs including health care services and education.

### **We Report Suspected Child Abuse**

PPNYC takes the health and safety of minors seriously. PPNYC staff are required by law to report suspected child abuse or neglect, either by making the report personally (if you are a designated reporter in the agency) or by immediately notifying the designated reporter in your department for further evaluation and reporting. PPNYC has zero tolerance for non-compliance with our policies and procedures for addressing situations that endanger the welfare of minors.

## **How We Manage Our Programs and Resources**

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### **We Safeguard the Integrity of Public Funds**

PPNYC receives funding to support our services, programs, and research from city, state, and federal sources as well as private and public nonprofit organizations. Those funds are used solely for the purposes for which they were provided and are never borrowed or diverted for other uses.

### **We Keep Our Services, Our Action Fund, and Our Political Committee Activities and Funding Separate and Distinct**

Planned Parenthood of New York City, Inc. (a 501(c)(3) tax-exempt organization) offers sexual and reproductive health care services, education and outreach programming, public policy advocacy, and research. Planned Parenthood of New York City Action Fund (a separately organized 501(c)(4) tax-exempt organization) and Planned Parenthood NYC Votes (a political committee registered with the New York State Board of Elections) engage in education and advocacy as well as work to influence the outcome of targeted elections. Planned Parenthood of New York City, Inc., is legally prohibited from engaging in electoral or political work.

We are committed to ensuring the separation and allocation of funds as appropriate and to full reporting of our lobbying and electoral activities. We seek to comply with local, state, and federal disclosure rules and are ever mindful of the need to avoid even the appearance of impropriety when dealing with elected officials.

### **We Are Accurate, Truthful, and Candid in Our Development and Fundraising Activities**

We are grateful for the generous donations from our many benefactors. We are also committed to following all rules and regulations governing charitable fundraising. Inquiries about donating to PPNYC should be referred to staff in Development.

### **We Hold Our Educational Programming to the Highest Standards**

PPNYC offers state-of-the-art training programs to ensure that educators, social workers, and others can provide high-quality family planning education, referrals, and resources. We also offer numerous educational programs to bring sexual and reproductive health information directly to young people and the adults most closely connected to them. Our educational programs and staff adhere to the highest standards of accuracy, professionalism, and sensitivity to the needs of our program participants.

### **We Are Committed to the Responsible Conduct of Research**

All research conducted at PPNYC or related to programs provided in the community (at non-PPNYC sites) adheres to legal requirements governing research with human participants across all settings and methods including clinical trials, program evaluation, pilot studies, interviews, and focus groups. We keep research data and the identities of

PPNYC staff or clients who participate in research confidential by maintaining separate files and by de-identifying research data as soon as possible.

PPNYC will not withhold services from someone who refuses to participate in research. Research activities are subject to PPNYC policies and practices and PPFA standard operating procedures as well as authorized Institutional Review Board review and approval.

## **How We Treat Our Employees**

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### **We Do Not Tolerate Discrimination or Harassment in the Workplace**

PPNYC seeks to create a work environment in which the dignity of each individual is fully respected. PPNYC treats all employees equally without regard to race, creed, color, religion, national origin, ancestry, sex, age, physical or mental disability, pregnancy, genetic information, veteran status, marital status, sexual orientation, gender identity, citizenship status, status as a victim of domestic violence, arrest or conviction record, or any other personal characteristic with respect to which discrimination is barred by law. Discrimination on these grounds is also prohibited in connection with the hiring and treatment of employees and contractors. Sexual harassment of employees or clients will not be tolerated.

## **How We Conduct Business**

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We conduct our business with all outside organizations ethically and legally. We comply with all federal and state regulations. We regularly monitor and audit our business practices to ensure compliance with both internal and external standards and best practices.

### **We Bill Accurately**

PPNYC obtains reimbursement from government programs such as Medicaid for health care services provided to our clients. We also receive payment from federal and state grant programs for the provision of family planning services. The submission of accurate bills to government payers is one of our key legal obligations.

Accurate billing means making sure that we **do not**:

- bill for clients not actually served by PPNYC
- bill for a service where a licensed provider has not seen the client
- bill twice for the same service
- bill at a rate in excess of the rate permitted under the applicable program
- bill for services the employee knows are also being billed to the government by another health care provider
- bill the Medicaid program as the primary payer when the client has other public or private health insurance coverage except in specific circumstances
- bill for services that are not deemed medically necessary or appropriate

## **We Use PPNYC Resources Exclusively for PPNYC Business**

Employees may use PPNYC resources solely for carrying out their job responsibilities. Employees may not use PPNYC's facilities, equipment, staff, or other assets for personal benefit or to engage in any outside business or volunteer activity without the prior approval of the Chief Compliance Officer. Employees may not use their affiliation with PPNYC to promote any business, charity, or political cause.

## **We Use PPNYC Resources Exclusively for Charitable Purposes**

PPNYC is a tax-exempt organization under Section 501(c)(3) of the Internal Revenue Code. This means that we may engage in only those activities that are within our approved charitable purpose. PPNYC's primary charitable purpose is to provide comprehensive reproductive and complementary health care services in a setting that preserves and protects the essential privacy and rights of each individual. Employees may not use PPNYC's resources to engage in any business activity, even if for PPNYC's benefit, that is outside the scope of PPNYC's charitable purpose without the approval of the Chief Executive Officer.

## **We Limit Our Acceptance of Gifts from Patients and Vendors**

PPNYC employees, volunteers, interns, and board members shall not accept or solicit, directly or indirectly, anything of economic value as a gift, gratuity, favor, entertainment, or loan that is — or may appear to be — designed to influence official conduct in any manner.

Employees, volunteers, interns, and board members may accept non-monetary gratuities and gifts of nominal value from patients, provided they are shared with other employees. Nominal value is defined as under \$15. If a patient or another individual wishes to present a monetary gift, he or she should be referred to Development.

Employees may not accept gifts of more than nominal value from PPNYC vendors.

## **We Do Not Accept Kickbacks**

Under the federal Anti-Kickback Statute, it is illegal for any employee or contractor to knowingly and willfully solicit, receive, offer, or pay anything of value to another person in return for the referral of a client, or in return for the purchasing, leasing, ordering, or arranging for any item or service reimbursed by a federal health care program such as Medicaid or Medicare. Penalties for violating the Anti-Kickback Statute include imprisonment, criminal fines, civil monetary penalties, and exclusion from government health care programs. A similar New York law prohibits receiving financial or other benefits from referrals for items or services covered by the state's Medicaid program.

## **We Actively Manage Conflicts of Interest**

Employees are required to act solely in the best interests of PPNYC when carrying out their job responsibilities and must avoid all activities that constitute or create the appearance of a conflict of interest. Prohibited activities include facilitating contracts

between PPNYC and companies in which you have a personal financial interest or using your position with PPNYC for personal benefit. PPNYC's directors, officers, and staff covered by our Conflict of Interest policy are required to make annual conflict of interest disclosures in order to safeguard the integrity and objectivity of our clinical practice, business decision making, and research and education activities.

### **Our Financial Reporting Is Accurate and Complete**

Under certain programs, PPNYC's reimbursement from the government may be based, in whole or in part, on PPNYC's costs. All employees involved in the process of preparing and submitting cost reports must strive to ensure that these reports are accurate and complete. The same standards of accuracy and completeness apply to any other reports or data regarding PPNYC's operations submitted to government agencies, private funding sources, or federal and state grant programs such as the Title X Family Planning Program.

It's not just the law, it's a good idea.  
It's not just a good idea, it's the law.

# Compliance Matters



Planned Parenthood of New York City