

**CODE OF CONDUCT
LETTER FROM THE PRESIDENT**

A special message from the President and Chief Executive Officer to the employees, medical staff, Trustees and all other members of the Hospital.

The Hospital takes pride in acting with integrity, fairness and honesty. This Code of Conduct sets forth the ethical principles that guide our delivery of patient care and services, as well as the way we conduct business and behave in the workplace.

The Code supports the Hospital's Mission, Vision, and Values Statement. Because we feel so strongly about our ethical responsibilities, the Board of Trustees has adopted a formal Corporate Compliance Program and appointed a Corporate Compliance Officer to oversee it. The Code applies equally to everyone associated with the Hospital, Board of Trustees, administration, medical staff, and all employees.

We believe that our employees are partners in maintaining an organization that adheres to the highest ethical and legal standards, and we expect that every employee will act with integrity in any job or endeavor undertaken on behalf of the Hospital.

Managers are expected to maintain open lines of communication with their employees and encouraged to be especially sensitive and responsive to employee concerns about actual or potential code violations.

Please read the attached Code of Conduct Policy carefully, paying particular attention to those aspects of the Code that apply to your area of responsibility, and use the information to guide your work at the Hospital.

Sincerely,

Jeffrey Menkes

President and Chief Executive Officer

CODE OF CONDUCT

INTRODUCTION

This Code of Conduct ("Code") based on the principles outlined in our Mission, Vision, and Values Statements, serves as the foundation of our Corporate Compliance Program. It applies equally to everyone.

We, the employees, medical staff, and others who comprise, or have a relationship with the Hospital, will act with integrity when working with patients, physicians, colleagues, and members of our local communities. We will provide the best quality care to our patients while observing the highest standards of legal and ethical conduct. We will comply with all applicable laws, rules, and regulations. In order to have an effective compliance program, we must all cooperate willingly and participate actively. We have a responsibility to report concerns or issues regarding noncompliance. We may report our concerns to any of the following individuals or departments: Our direct manager/supervisor, Human Resources, the Compliance Officer or the General Counsel. We can report issues or problems without fear of retaliation from anyone connected with the Hospital.

If questions or concerns persist about a compliance issue, we should contact the Compliance Officer at (646) 831-3217 or the confidential Compliance Hotline at (800) 806-9422.

We recognize that we must act in accordance with the Code and conform to its standards and supporting guidance, policies, and procedures. We are aware that failure to do so can result in serious consequences for the individual employee, or medical staff member, as well as for the Hospital.

While the Code is designed to provide overall guidance, it does not address every situation. More specific guidance is provided in Corporate and Medical Staff Bylaws and Hospital Policies and Procedures.

Quality of Care and Services

We are committed to providing high quality care and skilled, compassionate, reliable service to our patients and to our community in a safe and healing environment.

- We will respect the dignity, comfort, and privacy of each of our patients and will treat all of them with consideration, courtesy, and respect.
- We will provide appropriate and timely care to all patients without regard to race, religion, age, gender, national origin, sexual orientation, disability, or military status.
- We will, when a patient presents with an emergency medical condition, provide that patient with a screening examination and stabilization of any emergency condition in accordance with applicable laws, rules, and regulations, regardless of the patient's ability to pay.
- We will transfer a patient only after the patient has been medically stabilized and an appropriate transfer has been arranged.
- We will treat our patients based solely on clinical needs.
- We will have a qualified practitioner properly evaluate every patient before initiating a treatment plan.
- We will provide patient care that conforms to acceptable clinical and safety standards.
- All individuals employed to meet the needs of our patients will have the proper credentials, experience, and expertise necessary to perform their duties.
- We are responsible, at every level of the organization, for maintaining the integrity and quality of our job performance.
- We honor the right of patients to receive information regarding Hospital policies, procedures, charges, and the health professionals who care for them.
- We will maintain complete and thorough records of patient information to fulfill the requirements set forth in our policies, accreditation standards, and applicable laws and regulations.
- We are committed to observing the highest ethical standards in research conducted at the Hospital.
- These standards provide that all patients asked to participate in a research project be advised of the risks and benefits, as well as alternative services or treatment available. In addition, a patient's refusal to participate will not in any way affect his/her access to care or services provided by the Hospital.
- We will support and promote a continuous quality and performance improvement program throughout the Hospital.

Confidentiality

We are committed to maintaining the confidentiality of patient and other Hospital information in strict accordance with legal and ethical standard including in accordance with the Health Insurance Portability and Accountability Act of 1996 (“HIPAA”). Breaches of confidentiality are not tolerated by the Hospital.

- We will respect the privacy of our patients and fellow employees.
- We will actively protect and safeguard patient information.
- We will not reveal information unless it is supported by a legitimate clinical or business purpose, in compliance with Hospital policies and procedures, the Medical Staff Bylaws, and applicable laws, rules, and regulations.
- We will not discuss patient information in any public area, including elevators, hallways, and dining areas.
- We will disclose business information only as required in the performance of our job or as expressly authorized to do so by the Hospital.
- We will not use or share "insider information," which is not otherwise available to the general public, for any direct or indirect personal gain or other improper use. One example of improper use of "insider information" would be trading in the securities of another company based on such information.
- We will exercise care to ensure that confidential and proprietary information is carefully maintained and managed to protect its value.
- We will not disclose information regarding the institution's financial performance without appropriate approval.
- We will treat salary, benefits, payroll, personnel files, and information on disciplinary matters as confidential information.
- We will maintain computer passwords and access codes in a confidential and responsible manner.
- Any privacy or HIPAA concerns you may have can be directed to the Hospital's Compliance Hotline at (800) 806-9422.

Photographing, Video Recording, and Audio Recording of Patients and Staff

We will provide clear and concise guidelines to obtain consent to photograph, video or audio record (“film”) patients and/or staff.

- We will make sure Public Affairs is given advanced notification by the person proposing the filming or photography project for approval.
- We will make sure Public Affairs coordinates with the Office of Legal Affairs & Risk Management with respect to obtaining authorization forms consistent with legal requirements, including HIPAA to be signed by patients (or their healthcare agent, guardian or family member) and/or staff who wish to appear in a production and to release protected health information, as applicable.
- We will inform the patient and/or staff of the nature and purpose of the filming/photography and of its intended use; and will document the consent to appear and to release protected health information on the appropriate consent form.
- We will have requests by television crews, production companies, newspapers, magazines, or other media-related entities (“film crews”) to photograph, video/audio tape and/or to transmit live productions from hospital locations, including inpatient and outpatient areas, approved by Public Affairs in advance.
- We will have Public Affairs coordinate the signing of Location Agreements and other documents required by law and Hospital policy before film crews may commence filming.
- We will require a signed patient consent form to be sent back to Public Affairs where it will be logged and maintained. A copy of the consent form is to be kept in the patient’s medical record.

Work Place Behavior and Equal Opportunity

- We will treat all people with respect, dignity, and courtesy. We recognize that our greatest strength lies in the talent of our people who create the Hospital's success and determine its reputation.
- We encourage and support employees in developing their individual skills, talents, and understanding of their jobs.
- We will afford employees nondiscriminatory terms, conditions, and privileges of employment, regardless of race, color, religion, sex, sexual orientation, national origin, age, marital status, or military status, and without regard to the disability of qualified persons within the meaning of the applicable law.
- We do not permit any act of retaliation or reprisal against an employee who in good faith reports a violation of law, regulation, standard, hospital policy, or Code of Conduct.
- We will support an alcohol and drug-free workplace and abide by Hospital policies prohibiting illegal possession, distribution, use, or being under influence of illegal drugs, alcohol, or other substances.

- We will show proper respect and consideration to one another, regardless of position. Discriminatory treatment, sexual harassment, and unlawful harassment of any kind are not tolerated.
- We will not tolerate threatening, aggressive, or abusive behavior toward others. Nor will we permit possession of weapons or dangerous instruments or substances while on Hospital property, unless the appropriate Hospital authority expressly permits possession.
- We expect all employees and staff to conform to the standards of their professions and exercise appropriate judgment in the performance of their duties.
- We will screen all prospective employees to assure that they have not been sanctioned by any regulatory agency and are eligible to perform their designated responsibilities.
- We are aware that every Hospital manager is responsible for creating a work environment in which ethical concerns can be raised. If an employee raises an ethical question or concern, the manager must address it. If a manager does not know how to respond, he or she should seek assistance through the chain of command, the Human Resources Department or the Office of Legal Affairs.

Business Ethics and Compliance with Laws and Regulations

We will follow the letter and spirit of applicable laws and regulations, conduct our business ethically and honestly, and act in a manner that enhances the Hospital's standing in the community and is sensitive to those whom we serve.

- We will make every effort to demonstrate honesty, integrity, and fairness in the performance of our duties.
- We will report any practice or condition that may violate any law, rule, regulation, safety standard, hospital policy, or Code of Conduct to appropriate levels of management.
- We are strictly prohibited from giving or receiving any form of payment, kickback, or bribe to induce the referral or the purchase of any health care service.
- We will not offer any improper inducement or favor to patients, physicians, or others to encourage the referral of patients to our facilities.
- We will not accept any improper inducements or favors from vendors to influence our patients or others connected with the Hospital to use a particular product or service.
- We will avoid agreements or other actions that may unfairly restrain trade or reduce competition.
- We will be aware of situations that may present potential antitrust issues and avoid inappropriate discussions with competitors regarding business issues. This includes prices for goods and services, salaries, and benefits, payment rates and business plans.
- We will market and advertise accurately and in compliance with laws and regulations.

- We will provide contract payments or other benefits to clinicians and referral sources for the services and at the rates called for in the contract with them. Payments must also be supported by proper documentation that the services contracted for were in fact provided.
- We will procure, maintain, dispense, and transport drugs or other controlled substances used in the treatment of patients according to applicable laws and regulations.
- We will not make any verbal or written false statements to a government agency or other payer.
- We will not pursue any business opportunity that requires unethical or illegal activity.
- We will strive to ensure that all reports or other information required to be provided to any federal, state, or local government agency are provided on time, accurately, and according to applicable laws and regulations.
- We will comply with federal regulations regarding government contracts and programs in which we participate. We will provide managers and employees who work in relevant areas with knowledge of the governing rules and regulations.
- We will not subordinate our professional standards, judgment, or objectivity to any individual. Significant differences of opinion in professional judgment will be referred to appropriate management for resolution.
- We will not enter into any joint venture, partnership, or other risk-sharing arrangement with any entity that is a potential or actual referral source unless the arrangement has been reviewed and approved by legal counsel.
- We will not use Hospital resources, facilities, or supplies for the purpose of supporting any candidate for public office.
- We will not engage in lobbying activities on behalf of the Hospital that are or may be inconsistent with the Hospital's tax-exempt status.
- We will conduct fundraising in accordance with all applicable laws and regulations and Hospital policies and procedures.

Conflicts of Interest

- We will adhere to the Hospital's Conflicts of Interest Policy Statement.

Coding and Billing

We will make sure that coding and billing is performed accurately and that documentation exists to support the services rendered and the amounts billed. Communication among the clinicians, the coders and the billers is required to ensure that accurate information is provided.

- We will submit accurate and complete billing claims submitted for patient services.
- We will maintain appropriate documentation to support coding and billing.
- We will bill for services according to medical necessity guidelines established by the various payers.
- We will provide employees who provide information or perform activities that result in a claim for payment with knowledge as to applicable laws, rules, and regulations.
- We will properly train staff and provide them with coding and billing updates in a timely manner.
- We will notify the payer of payment errors and process refunds promptly and accurately.
- We do not routinely waive patients' coinsurances and deductibles. However when it is done, it will be in accordance with established rules, policies, and procedures.
- We will maintain complete and thorough records to fulfill requirements set forth in our policies and procedures, accreditation standards and applicable laws and regulations.
- We will issue statements, communications, and representations that are accurate, complete, truthful, and comply with applicable law and regulations.
- We strive to identify errors, report them to our managers or the appropriate Hospital authority, and correct them in a timely and appropriate manner.

Safeguarding Resources/Assets

- We will protect our assets and the assets of others entrusted to the Hospital, including physical and intellectual property, and protect information against loss, theft or misuse.
- We will establish internal controls within our areas of responsibility to ensure the safeguarding of the Hospital's assets, the accuracy of financial statements and all other records and reports.
- We will use Hospital property appropriately and take measures to prevent any unexpected loss of equipment, supplies, materials, or services. We are aware that managers must approve any personal use of Hospital equipment, supplies, materials, or services.
- We will report time and attendance accurately and will work productively while on duty.
- Travel and entertainment expenses should be consistent with our job responsibilities, the organization's needs, and in accordance with Hospital policy.

- We will issue and maintain financial reports, accounting records, research reports, expense accounts, time sheets, and other documents that are accurate and clearly reflect the true nature of transactions.
- We will follow the laws regarding intellectual properties, including patents, trademarks, marketing, copyrights, and software.
- We will not copy Hospital computer software unless it is specifically allowed in the license agreement.
- We will adhere to established policies and procedures governing record management and comply with the record retention and destruction policies/schedules for our departments.

Environmental Considerations

We are committed to providing a safe and secure environment for patients, staff, and visitors.

- We will consider the safety and security of patients and employees in all of our activities.
- We will exercise good judgment with regard to the environmental aspects of the use of Hospital buildings, property, laboratory processes, and medical products.
- We will comply with established Safety and Infection Control policies and procedures, which are intended to avoid job-related hazards and ensure a safe work environment.
- We will smoke only in designated areas and in accordance with established policies and procedures.
- We will comply with all laws and regulations governing the handling, storage, use, and disposal of hazardous materials, other pollutants, and infectious waste.
- We will comply with permit requirements that allow for the safe discharge of pollutants into the air, sewage systems, water, or land.
- We will report any possible violation of the Hospital's safety policies and procedures, laws, regulations, or standards to our manager or supervisor. If we are not satisfied that the issue has been addressed we will notify the Safety Officer or the Compliance Officer.

Employee Issues and Concerns

It is our responsibility to understand and comply with applicable rules, regulations, and laws that govern the Hospital and its employees. We will also comply with the Code of Conduct. We understand that violating the principles of the Code can result in corrective action, up to and including discharge.

- If there is a question or concern about a situation that appears to be illegal or unethical, we may seek guidance first from our manager. If, however, we are uncomfortable addressing the issue, with the manager, we will inform one of the following: Senior Management, the General Counsel, Human Resources, or the Compliance Officer.

- Managers are responsible for responding to issues or concerns identified by employees. If the manager is unable to respond to an employee, he/she is encouraged to seek the guidance of their superior and, if necessary, the Office of Compliance Officer.
- We are aware that the Hospital has established a toll-free Compliance Hotline and the phone number is (800) 806 9422. Reports received will be investigated promptly by the Compliance Officer and the General Counsel. Calls may be made anonymously, and every effort will be made to assure the confidentiality of the information provided.
- We may report concerns or raise questions through any of the aforementioned channels. We are aware that employees who fail to report a suspected or, known violation of the Hospital Code of Conduct or other policies and procedures may be subject to corrective action.

MISSION AND VISION STATEMENT

It is the mission of the Hospital to be a leader in the provision of patient care. Our mission and values support and reinforce this goal.

MISSION

- New York Downtown Hospital is a community teaching hospital committed to meeting the healthcare need of people who live in, or work in, or visit Lower Manhattan.
- As a community hospital, New York Downtown Hospital offers health care services to meet the specific needs of the community with an emphasis on outreach and ambulatory services. New York Downtown Hospital also provides ready access to the most sophisticated medical technology and procedures through affiliation with the New York-Presbyterian Healthcare System.
- As a teaching hospital, New York Downtown Hospital conducts graduate and undergraduate educational programs and provides clinical experience for physicians, medical students, nurses and other healthcare professionals.
- New York Downtown Hospital offers to its patients, medical staff, and employees a caring environment that emphasizes patient dignity and professional pride.

VISION

- To be a center of excellence for inpatient and ambulatory care, health maintenance and primary care education.
- To be a trusted neighbor which provides access to a full range of quality healthcare services for the community with special emphasis on greater New York's Chinese Community.
- To be a leader in the field of emergency preparedness and disaster response.

VALUES STATEMENT

The Hospital's statement of values defines the core principles and beliefs that guide the Hospital in fulfilling its mission. These values exemplify and provide a foundation for decisions and actions on the part of Hospital staff, and the way in which staff relate to patients and with one another. The following are the four key cornerstones of the Hospital's philosophy.

PATIENT FIRST

Our primary concern is the best interest of our patients.

INTEGRITY

We hold ourselves fully accountable for our professional actions and are honest and ethical in all of our dealings. We uphold the Hospital's high standards of professional behavior and have high standards for ourselves as individuals.

RESPECT FOR THE INDIVIDUAL

We conduct all of our activities with patients, their families and loved ones, community members, vendors, and staff with respect for the individual.

TEAMWORK

We work together for the common purpose of serving our patients and the community. We support each other and feel free to ask for advice or assistance from our colleagues.

ACKNOWLEDGMENT

I acknowledge that I have read the foregoing policies and directives set out in the attached Code of Conduct, and that I understand and intend to abide by its provisions.

DATE: _____

SIGNED: _____

PRINT: _____

NAME: _____

PRINT TITLE AND DEPARTMENT (IF APPLICABLE): _____