Standards of Conduct Guide: Working with Integrity
Letter from the President

Our vision at UTMB is bold. “We work together to work wonders as we define the future of health care and strive to be the best in all of our endeavors.” This bold vision cannot truly be accomplished unless we are also working with integrity. Thus, we must lay a strong foundation of ethical conduct and compliance with the law, and always work with integrity.

This booklet, UTMB’s Standards of Conduct: Working with Integrity, is intended to explain our long-standing commitment to ethical and legal conduct in greater detail. It is designed to provide you with a clear understanding of what behavior is expected in the work environment and contribute to creating and maintaining a culture of trust. Simply put, we must work to find new ways to work together and avoid disrespectful behavior.

Academic medical centers are a complex and highly regulated industry. This resource booklet is comprehensive, but it cannot cover every situation you may encounter. I encourage you to take the time to carefully review the material in this booklet. I also encourage you to seek advice when faced with a difficult question and contact the Office of Institutional Compliance.

We are each responsible for working with integrity and complying with all applicable laws, rules, and guidelines. By doing so, every workforce member at UTMB plays a vital role in creating a true culture of compliance. Thank you for your commitment to work wonders while always working with integrity.

Dr. David L. Callender
President
UTMB’s Mission, Vision, and Values

Preamble
The University of Texas Medical Branch at Galveston is an inclusive, collaborative community of forward-thinking educators, scientists, clinicians, staff and students dedicated to a single purpose – improving health.

We prepare future health professionals for service and lifelong learning through innovative curricula and individualized educational experiences. We advance understanding and treatment of illness and injury through ground-breaking research, in the lab and at the bedside, including commercialization of such research as appropriate. We deliver skilled and patient-centered health care. And we continue to shape the future of health sciences education, research and clinical care by always asking, “What’s next?”

Our Mission
UTMB’s mission is to improve health for the people of Texas and around the world.

Our Vision
We work together to work wonders as we define the future of health care and strive to be the best in all of our endeavors.

Our Values
Our values define our culture and guide our every interaction.

We demonstrate compassion for all.
We always act with integrity.
We show respect to everyone we meet.
We embrace diversity to best serve a global community.
We promote excellence and innovation through lifelong learning.
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www.utmb.edu/compliance
Purpose of Standards of Conduct Guide: Working with Integrity

Working with integrity is every employee’s responsibility. The Institutional Compliance Program was developed to ensure that our employees and students understand that they must conduct themselves in an ethical manner and comply with all applicable laws, policies, rules and regulations. Ethical conduct and compliance is a personal responsibility, and every employee and student will be held accountable for his or her conduct. UTMB’s Standards of Conduct Guide: Working with Integrity is a framework within which we are expected to operate.

This publication embodies policies of UTMB, the University of Texas System, and the Rules and Regulations of the Board of Regents of the University of Texas System, known as Regents’ Rules and Regulations. The Regents’ Rules and Regulations may be accessed via the Internet at http://www.utsystem.edu/bor/rules.htm. The policies of the University of Texas Medical Branch are in the UTMB Institutional Handbook of Operating Procedures (IHOP) and may be accessed via the Internet at www.utmb.edu/policy/ihop/.

This booklet does not include all general compliance issues, nor does it contain the special compliance issues that are job specific. Instead, UTMB’s Standards of Conduct Guide: Working with Integrity should be regarded as a set of guiding principles that apply to everything we do.

UTMB’s Standards of Conduct Guide: Working with Integrity applies to UTMB’s workforce, which includes employees, faculty, trainees and students. Moreover, this guide is applicable to physicians not employed by UTMB but who serve on UTMB Hospitals’ medical staff, as well as to subcontractors, agents, independent contractors, vendors, consultants and volunteers.
Institutional Compliance Program

Program
Our compliance program is based on the elements of an effective compliance program identified by the U.S. Sentencing Commission and the U.S. Department of Health and Human Services Office of Inspector General. As such, our compliance program includes:

- A chief compliance officer and compliance committees
- Compliance plans and policies
- Fraud, Abuse, and Privacy Hotline
- Training and education
- U.S. Sentencing Guidelines

Compliance Education and Training
UTMB is committed to effectively communicating our standards, policies and procedures to all employees by providing education and training to develop compliance awareness and commitment. All administration, faculty, medical staff, employees and students must complete both general and specific compliance training applicable to their job functions at UTMB.

What is.....

...the Institutional Compliance Plan?

...Privacy Compliance Plan?

...Billing Compliance Plan?

...Research Compliance Plan?
Contacting the UTMB Office of Institutional Compliance

The Office of Institutional Compliance is located on the 4th Floor of Rebecca Sealy. Questions about specific ethical or compliance issues should be directed to the UTMB Office of Institutional Compliance. You may contact these individuals at the following email addresses or phone numbers:

Tobin Boenig, JD
Associate Vice President and Chief Compliance Officer
tboenig@utmb.edu
(409) 747-8702

Brad Willbanks, JD, MBA
Deputy Chief Compliance Officer
brad.willbanks@utmb.edu
(409) 747-8706

Craig Conway, JD, LLM
Research Compliance Attorney
craig.conway@utmb.edu
(409) 747-9705

Maria Mantilla, MD, MHA, CPC
Director, Billing Compliance
mrmantil@utmb.edu
(409) 747-1340

Shelly Witter
Director, Compliance Programs and Privacy Officer
switter@utmb.edu
(409) 747-8774

Office Contact Numbers

Phone: (409) 747-8700
Fax: (409) 747-8720
Fraud, Abuse, and Privacy Hotline: (800) 898-7679
https://www.reportlineweb.com/UTMB

Address

The University of Texas Medical Branch
Office of Institutional Compliance
4.240 Rebecca Sealy Hospital
301 University Blvd.
Galveston, TX 77555-0198
Fraud, Abuse, and Privacy Hotline

The Fraud, Abuse, and Privacy Hotline (The Hotline) is a toll-free number available for anyone to use anonymously for reporting suspected wrongdoing, including fraud, waste, abuse, violations of privacy and any federal or state laws.

The Hotline:
- Is available 24 hours a day, 365 days a year by calling (800) 898-7679 or reporting an allegation online at https://www.reportlineweb.com/Welcome.aspx
- Is staffed by helpful, trained professionals who will guide you through the process.
- Is confidential and does not require you to identify yourself.
- Reports all allegations to the UTMB Office of Institutional Compliance.

Calls to the Hotline should be made in good faith and report misconduct rather than employee dissatisfaction. Remember that all UTMB employees have a duty to report misconduct.

A vendor contracted by UTMB - located off the UTMB campus and staffed with specially trained personnel - answers all incoming UTMB Hotline calls. When you call into the Hotline you will be asked to describe the suspected compliance problem in as much detail as possible. You do not need to tell them who you are. Upon completion of your call, the reported allegation will promptly be relayed to the UTMB Office of Institutional Compliance for investigation.

Under federal and state law, UTMB, management and co-workers, are not allowed to penalize employees providing good-faith reports of suspected misconduct. The UTMB Institutional Compliance Plan prohibits retaliation against an employee who reports an allegation in good faith.

UTMB is committed to investigating all reports promptly and will maintain the confidentiality and anonymity of the all parties involved to the fullest extent of the law. Because of this, not all situations are made public. Results of the investigation are reported to the Chief Compliance Officer and corrective action plans are implemented as soon as possible. The specific action taken will depend on the nature and severity of the violation.

Why does UTMB have The Hotline?
- It provides UTMB employees an alternative method of reporting suspected instances of wrongdoing, fraud, waste, abuse, and violations of privacy.
- Although you are encouraged to report compliance and privacy issues directly to your immediate supervisor, this may not always be an option.
- Most instances of fraud, abuse, and privacy violations are discovered through tips and complaints from honest people who are not sure of all the facts.

What should I report?
- Any issue that appears to be in violation of laws, regulations, and policies should be reported.
- Examples of suspected wrongdoing include:
  - Billing fraud
  - Medicare/Medicaid abuse
  - Embezzlement
  - Time and expense abuses
  - Conflicts of interest
  - Kickbacks
  - Discrimination
  - Anti-trust issues
  - Harassment
  - Environmental issues
  - Privacy violations
  - Other violations of federal and state laws

Fraud, Abuse, and Privacy Hotline

1(800) 898-7679

Report Allegations Online

www.utmb.edu/compliance
Accurate and Honest Documentation, Billing and Financial Reporting

If I am responsible for any type of documentation, for coding and billing of any products or services, or for financial reporting, I will perform my duties accurately and honestly within the specified timeframe.

I will…

…produce and maintain detailed, accurate records. I will document promptly, following legal requirements, professional standards, and UTMB’s policies.

…take responsibility. I will never sign a document without ensuring it is accurate.

…bill Medicare and Medicaid and the third party payers only for services that are medically necessary.

…comply with the State/Federal False Claims Act and Whistleblower Protection.

…never inappropriately alter claims based on fraudulent documentation.

…report suspected incidents of fraud, waste and abuse. I will protect people who come forward to report any such incidents.

…bill only for services that are actually provided, appropriately documented and accurately coded.

…fairly and accurately represent the financial condition of my department or UTMB.

…truthfully record all funds, assets, liabilities, revenues and expenses.

…produce cost reports that are factual, correct and complete.

…report immediately any improprieties I may suspect in accounting, internal controls or auditing to the Office of Institutional Compliance.
False Claims Act (FCA)

The FCA was passed by Congress to prevent the US government from paying federal funds for fraudulent claims involving goods and services. The FCA covers claims made to federally funded health care programs including Medicare and Medicaid. For UTMB, this includes a person who presents a false claim or who provides a false record to a government employee to have a claim paid or approved by the US government. The FCA outlines the federal penalties for submitting false claims, as well as protections granted to an individual who reports a violation.

Whistleblower Protection

UTMB employees are protected by federal and Texas state law from retaliation for reporting a violation of law to government entities. UTMB may not suspend, terminate or threaten an employee for reporting a violation to a law enforcement authority. UTMB may be held liable for any form of retaliation taken against an employee, student or volunteer who reports fraudulent activity.

Frequently Asked Billing Questions

What are some examples of inappropriate billing practices?

Q: Some of my friends are patients at the UTMB clinic where I work. I would like to give them a “courtesy discount” and not require them to pay any co-pay or deductible and just accept whatever their insurance company will pay. Am I allowed to do this?

A: No. Medicare regulations expressly forbid a waiver of co-pay or deductible amounts for any patient unless certain indigent requirements are met and are clearly documented. Additionally, our contracts with many third-party payers require us to collect co-pays and deductibles.

Q: I perform the same exam and order the same tests on almost all of the patients who come to my clinic. A few of my patients don’t actually get all of the tests, but they still receive excellent care. Since I routinely perform the tests on the majority of my patients, and it would be easier for me and my staff to be able to bill the same services consistently, can I just bill the same order set/procedures for all of my patients to simplify things?

A: No. Remember, both governmental and private payers will only pay for service that are medically necessary. If the tests are not necessary for patients care or treatment then they should not be performed. Additionally, it would be fraudulent to submit claims for services (tests) for those patients who did not receive them.

Q: A vendor told me that he will give me 100 free pumps for use in my department if I can get a contract signed by next week. The free pumps won’t be mentioned in the contract. Since we won’t be billing any patients or any insurance companies for these products, is this okay to do?

A: No. All items related to a purchase should be listed in the contract for services. Not listing the items can run afoul of certain cost reporting requirements for “rebates.” Additionally, this might be considered an incentive to enter into the agreement and be viewed as a kickback under federal and state laws.

Q: A local pharmacy owner called the UTMB clinic where I work and said that he would really appreciate it if I could direct my patients to his pharmacy to have their prescriptions filled there. This would help the local community and would benefit continuity of care. The pharmacy owner said that for each patient I referred to his pharmacy he would give me a small gift card to a local eatery. Can I accept the gift cards?

A: No. Accepting any compensation (such as cash, credit, gifts, etc) in exchange for referrals can violate both the federal and state anti-kickback statutes. Patients should be allowed to choose their own providers of services without undue influence from their medical providers. In this scenario, a patient may feel that he/she has to get their prescription filled at the local pharmacy because their physician referred them there. The physician might be persuaded to either prescribe services (drugs) that are not medically necessary to ensure that they receive the gift card, or to request all of their patients go to this particular pharmacy to ensure that the physician receives the gift card. The fact that the gift card is small in nature does not make this practice acceptable.
Privacy and Confidentiality

I will protect confidential information about patients, research subjects, employees, students and the institution.

I will...

...access confidential information only to complete my responsibilities within the institution and for no other reason.

...safeguard confidential information to prevent disclosing it to anyone who does not have an authorized need to know.

...keep my passwords secret.

...never access healthcare information of co-workers, friends or family members when it is not part of my job responsibility.

...regulate the uses and disclosures of social security numbers according to federal and state laws, as well as UTS 165 – UT System Information Resources Use and Security Policy.

...take adequate steps to secure and store protected health information (PHI) and other confidential information.

...follow our confidentiality, privacy and security guidelines. I will pay particular attention to the specific guidelines included in the following:

♦ IHOP 6.2.36 Maintaining Patient Confidentiality
♦ IHOP 6.2.0 General Policy on the Use and Disclosure of Protected Health Information (PHI)
♦ IHOP 2.19.6 Information Resources Security
♦ IHOP 2.19.7 Use of Social Media

...comply with UTMB guidelines for reporting breaches of privacy. If I discover that confidential information has been accessed, used or disclosed, or if I find or receive confidential information that I am not authorized to have, I must report the incident to the Office of Institutional Compliance. This can be reported directly to the Office of Institutional Compliance or through the Fraud, Abuse, and Privacy Hotline.

What is MyChart? How can it help me access:

- my own health information?
- my children’s health information?
- health information for other individuals whom I assist with their medical care?
Frequently Asked Privacy Questions

Q: My cousin asked me to use a UTMB computer system to look up some lab data for her. May I give this data to my cousin?

A: No. The cousin should receive this information from her physician. All medical information is strictly confidential. You should never provide any health information to anyone unless it’s in the course of your job duties.

Q: While typing a note for my physician supervisor, I noticed that my neighbor is scheduled for simple surgery. I mentioned this to my husband, and he said something to my neighbor. Now my neighbor is angry with me. Have I done anything wrong?

A: Yes. You must not reveal any medical information about any individual to any other person unless it is included in the business necessity of your job duties.

Q: I notice that a friend is on the schedule to have a medical procedure. I would like to express my concern about his problem. May I tell him I hope the procedure goes well?

A: No. Even though you want to be kind to your friend, you would be even kinder by respecting his privacy and not mentioning anything about his medical condition.

Q: I’m having trouble getting in touch with a patient about an upcoming procedure. I know that she has a Facebook page because we’re friends. Can I send her a message through Facebook to let her know when the procedure is scheduled?

A: No. Facebook is not an appropriate method for communicating with patients about medical information.

Q: I recently had some labs run to check for diabetes. Can I access my medical record through EPIC (UTMB’s electronic medical record system) to view my lab results?

A: No, you should not. You are provided access to EPIC in your role as a health care provider. If you wish to see your own lab results you should use MyChart, which is a tool UTMB offers to any patient who wishes to view their medical information. Also, proxy access can be granted so that you can link your family’s MyChart accounts to yours.

Q: May I provide the class location of a student in the case of an emergency, for example, a parent is trying to reach a student because of a family illness?

A: No, a student’s schedule is confidential information and is protected under the Family Educational Rights and Privacy Act (FERPA). If it is an emergency, you may contact Enrollment Services or the appropriate Dean of Students to handle the situation.
Record Keeping

As a member of the UTMB workforce, I am responsible for the integrity and accuracy of business documentation and records at UTMB.

I will...

…store medical and billing records, student records, and other confidential information in a safe and secure place for the time required by law or policy.

…truthfully and accurately maintain all paper and electronic data, including medical records, student records and financial reports in accordance with applicable laws, regulations and policies. I will not falsify any record, contract or other document.

…comply with UTMB’s record retention and disposal policies and schedules that apply to my job responsibilities. For more information, see IHOP 2.1.4 Records and Information Management and Retention.

…understand the Texas Public Information Act and realize all paper and electronic documents, including emails, generated in the regular course of business by UTMB employees are available to the public. For more Information, see IHOP 2.1.3 Release of Information Under the Texas Public Information Act.

…report suspected incidents of wrongdoing to the Office of Institutional Compliance or the Fraud, Abuse, and Privacy Hotline.

Frequently Asked Questions about UTMB’s Record Retention and Disposal Policies

Q: I am aware that individuals involved in an outside investigation are on the way to look over some of UTMB’s financial records. I am asked to immediately destroy several boxes of records. What should I do?

A: Once you are notified that an outside investigator is coming to view certain records, do not destroy any records requested for review by the auditor. Each UTMB department has a formal record retention schedule that should be followed. The schedule includes appropriate times to destroy records. Just as records should be retained for a specified amount of time, records should also be destroyed on schedule.

Q: My department is very low on file space, and I need to throw away old files to make room for some new ones. Can I throw away everything that is more than three years old?

A: Maybe. Your department or division has a formal retention schedule. Documents, records and files must be retained as long as the retention schedule requires. If the files have reached their retention period according to the retention schedule they may be destroyed in accordance with UTMB policy. If they have not reached the retention period, you may arrange for storage of departmental files by contacting UTMB Records Management at (409) 747-5900.

Q: When can I delete my email?

A: It depends on the content of the email. Email is just as much a record as any traditional paper record and must be treated in the same way. It’s the content of each message that is important. If a particular message would have been kept if it was a paper memo, the email should still be kept and it should be retained the same length of time as its paper counterpart. It is inappropriate to destroy email simply because storage limits have been reached.
Research Compliance

UTMB is committed to ensuring that employees are engaged in making research advances comply with all applicable legal requirements and institutional policies; maintain the highest ethical standards of conduct in their pursuits; and receive appropriate education, training and guidance.

I will….

...complete the required research and compliance education and training necessary to perform research activities effectively and will seek additional training as necessary to achieve good research practices.

...have knowledge of, and abide by, any legal rules and requirements placed on me in my area of research expertise.

...conduct my research activities with respect, integrity and honesty at all times.

...will collect, retain and maintain all research data in a reasonable, responsible and honest manner.

...follow federal regulations and institutional policies governing research involving human subjects, vertebrate animals, radiological materials and any other potentially hazardous materials.

...not engage in research misconduct, such as falsification of data or research results, plagiarism or other practices which may deviate from commonly accepted practices within the academic community.

...comply with all rules and regulations governing the management of UTMB’s intellectual property assets, while promoting and encouraging scientific research. For more information, contact the UTMB Office of Technology Transfer.

...report any research compliance concern to the Office of Institutional Compliance or the Fraud, Abuse, and Privacy Hotline.

Frequently Asked Research Compliance Questions

Q: As a faculty researcher I currently have multiple ongoing research projects from different sponsors. How do I effectively report my effort and charges for each project?

A: UTMB uses ECRT Effort Cards to document that all charges to sponsored projects are appropriate. Research personnel should report their effort timely and accurately to comply with federal and institutional effort reporting requirements.

Q: I am a research faculty member and recently noticed another faculty member falsifying data as part of a clinical trial. I feel uncomfortable about confronting him. What should I do?

A: You may contact UTMB’s Scientific Integrity Officer, the Office of Institutional Compliance or call the Fraud, Abuse, and Privacy Hotline.
Conflict of Interest

UTMB is committed to ensuring that its faculty, staff, and students operate in an open and productive environment free from real or apparent conflicts of interest and in accordance with federal and state regulations as well as institutional policies.

I will…

...become aware of institutional policies regarding conflicts of interest and will not use my position at UTMB to financially benefit from outside activities.

...refuse a personal gift or benefit if I have reason to believe it was given to me to influence my official duties at UTMB. See IHOP 2.6.5 Acceptance and/or Solicitation of Gift and Benefits from Vendors.

...disclose any outside financial interests or employment that I, or members of my immediate family, have which could impact my duties at UTMB.

...report suspected conflicts of interest to the Office of Institutional Compliance or the Fraud, Abuse, and Privacy Hotline.

Frequently Asked Conflict of Interest Questions

Q: What is a “conflict of interest”?

A: Activities or personal financial interests that may directly and significantly affect an individual’s personal judgment.

Q: I am a physician and was recently asked by a pharmaceutical sales representative to go to a professional baseball game free of charge. May I go?

A: No, UTMB employees should not accept or solicit any gift or benefit that might influence, or be perceived as influencing, his/her decision-making regarding purchases, contracts, etc.

Q: A UTMB department wants to hold a raffle. Employees will purchase raffle tickets for a chance to win an item provided free of charge from an external vendor. The proceeds of the raffle will go to a UTMB employee who is having difficulty paying for medical expenses from a recent operation. May the department hold the raffle?

A: No. The raffle component of the fundraiser is considered a “game of chance” and is prohibited.
UTMB Resources

I will protect UTMB resources from loss, damage, theft, misuse and waste with the same care that I would protect my own possessions.

I will…

…use UTMB’s supplies and equipment for business purposes only. These supplies and equipment include, but are not limited to, vehicles, machinery, tools, computers, printers, telephones, medical devices and medical supplies.

…not abuse my work time at UTMB. I understand that work time is a UTMB asset, and I will work productively and report my time and attendance accurately.

…use departmental funds according to UTMB policy. If I am in an administrative position, I will maintain careful internal controls and accurate records of departmental funds. I will exercise appropriate oversight of financial reports, expense accounts and timesheets.

…not participate in political activities and fundraisers during my work hours at UTMB or use any UTMB resources to contribute to any political activity.

…report suspected incidents of abuse or wrongdoing to the Office of Institutional Compliance or the Fraud, Abuse, and Privacy Hotline.

Frequently Asked Questions about UTMB Resources

Q: I work nights and get very sleepy around 2a.m. If my work is done and my co-worker will cover for me if something comes up, can I slip to my car to take a nap?

A: No. While night shift work can be challenging, sleeping on the job is considered theft of time if it goes beyond your allotted breaks. You should speak to your supervisor regarding how to overcome night shift challenges.

Q: Our department has hired a temporary employee to help us catch up during very busy times. The temp is waiting to be trained on a new process and has nothing to do. In an effort to keep the temp busy, can I ask for help typing my son’s science fair project?

A: No. While it may seem harmless, asking any employee to perform personal duties for you is inappropriate and constitutes abuse of time.
Work Environment

UTMB is committed to creating a caring and healthy environment for everyone—including all UTMB workforce members.

I will...

…treat all UTMB employees and patients in a fair and respectful manner.

…provide a work environment free from verbal, physical, and/or visual forms of discrimination or harassment required by IHOP Policy 3.2.1 Equal Employment Opportunity and Affirmative Action.

…refrain from behavior and language that undermines a culture of diversity and inclusion; and address such behavior from others.

…be committed to a work environment free from inappropriate conduct of a sexual nature. Sexual misconduct and sexual harassment are unprofessional behaviors and any member of the UTMB workforce who engages in such behavior is subject to disciplinary action. For more information, see IHOP Policy 3.2.4 Sexual Harassment and Misconduct.

…report to work free of illegal drugs or alcohol and be able to safely and effectively perform the essential functions of my position. UTMB prohibits the possession or distribution of alcohol and illegal drugs on its premises.

…not possess weapons on UTMB premises. UTMB policy prohibits its workforce members, patients and visitors from possessing weapons on its properties. For more information, see IHOP Policy 8.2.4 Possession of Weapons.

…understand the guidelines under the Family Medical Leave Act. UTMB recognizes that workforce members may find it necessary to take a leave of absence from their jobs for a temporary period to address certain family responsibilities or for their own serious health condition. For more information, see IHOP Policy 3.9.10 Family Medical Leave Act.

…understand the guidelines under the Fair Labor Standards Act and maintain accurate time and leave records.

…handle and dispose of hazardous materials legally and appropriately, consistent with my job duties.

…report an unsafe or environmentally hazardous situation to UTMB Environmental Health and Safety.

…report suspected incidents of abuse or wrongdoing to the Office of Institutional Compliance or the Fraud, Abuse, and Privacy Hotline.

Frequently Asked Questions about UTMB’s Work Environment

Q: I receive emails from other UTMB email addresses containing sexual jokes and comments. Is this allowed at UTMB?

A: Inappropriate emails or comments of a sexual nature are against UTMB policy and should be reported to Human Resources’ Employee Relations.

Q: I am a supervisor and some of my employees work so hard they forget to take a meal break and never complain. Can I just allow them to work straight through their meal break every day since it doesn’t seem to bother them?

A: No. As management, it is your responsibility to make sure that your staff is allowed a meal break even if they refuse one. In addition, non-exempt employees must be paid for all time in which they perform work. Employees working during lunch may be eligible for overtime pay. The employee should be managed accordingly to include disciplinary action if they refuse to follow UTMB policy.

Q: My staff is well aware that overtime has to be approved ahead of time, yet each pay period we have employees who have clocked in early or a little late, just enough to trigger overtime pay. I know they are not really working and besides, they didn’t get approval first. Is it OK to adjust their time accordingly in the time keeping system?

A: No. Employee time should not ever be changed without following the proper procedure. Management should be made aware of employees who refuse to follow departmental and UTMB policy. It is management’s responsibility to address concerns with employees to include disciplinary action for refusal to follow UTMB and departmental policy.
Federal, State, and Local Laws, Regulations and Policies

I will obey the laws, regulations and policies that apply to my position at UTMB. I have a personal obligation to report any activity that appears to violate the UTMB Standards of Conduct Guide: Working with Integrity.

I will…

…familiarize myself with the laws and regulations that relate to my UTMB job responsibilities. I will uphold both the law and the spirit of the law. I will take responsibility to maintain any licenses and/or credentials required for my position.

…learn the UTMB and departmental policies that relate to my position and obey them. These policies are included in the Standards of Conduct Guide: Working with Integrity, UTMB Institutional Handbook of Operating Procedures, UT System website, Medical Staff Bylaws, etc. (see Resources Pages)

…ask questions. If I have questions about laws, regulations, policies or my responsibilities for them; I will ask the person who supervises my work, the Office of Institutional Compliance or the Office of Legal Affairs.

…as a manager or supervisor, set an ethical “tone” at the top and be a role model for ethical behavior in each department.

…recognize that UTMB will not retaliate or discriminate against any employee or student who makes a good faith report of a suspected violation. For more information, see IHOP Policy 6.1.2, Non-Retaliation Policy.

…understand that violations of policies, laws and regulations is subject to disciplinary action. The specific discipline administered will depend on the nature and severity of the violation.

…report possible wrongdoing or suspected violations of laws, regulations and policies to my supervisor, Office of Institutional Compliance or the Fraud, Abuse, and Privacy Hotline.
**A Personal Pledge to Ethics and Integrity**

*Everything I do and every decision I make will be guided by principles of integrity, honesty and high ethical principles.*

*I will…*

…**maintain honesty.** I will act with honesty and sincerity in all aspects of my job. In doing so, I will not make false or misleading statements. I will never take unfair advantage of anyone by manipulating or hiding information that is essential for conducting business within UTMB. I will not misrepresent, forge, alter data or submit false information.

…**consider the consequences before acting.** When someone asks me to do something that appears to violate UTMB’s *Standards of Conduct Guide: Working with Integrity*, I will have the courage to ask for advice before acting, even if the request comes from my supervisor. For advice, I may speak in confidence with a staff member from the UTMB Office of Institutional Compliance or call the Fraud, Abuse, and Privacy Hotline.

…**admit mistakes and correct them.** Everyone makes mistakes— but a mistake that is covered up is a serious matter. If I determine that I have made a mistake, I will report it to the person who supervises my work as soon as possible and take steps to resolve it.

**All members of UTMB’s workforce are required to complete “A Personal Pledge to Ethics and Integrity.” Please go to [https://training.utmb.edu](https://training.utmb.edu) to complete this pledge.**
## Resources Pages

### Professional Standards

**Accountants**  
Texas State Board of Public Accountancy:  
http://www.tsbpa.state.tx.us/

American Institute of Certified Public Accountants:  
http://www.aicpa.org/

**Pharmacists**  
Texas State Board of Pharmacy:  
http://www.tsbp.state.tx.us/

**Physical and Occupational Therapists**  
The Executive Council of Physical Therapy and Occupational Therapy Examiners:  
http://www.ecptote.state.tx.us/

**Physician Assistants**  
American Academy of Physician Assistants:  
http://www.aapa.org

Texas Physician Assistant Board:  
http://www.tmb.state.tx.us/

Texas Academy of Physician Assistants:  
http://www.tapa.org/index.cfm

**Attorneys**  
American Bar Association:  
http://www.abanet.org/

State Bar of Texas:  
http://www.texasbar.com/

**Auditors**  
Texas State Auditor’s Office:  
http://www.sao.state.tx.us/Audit/

**Coders**  
Center for Medicare and Medicaid Services:  
https://www.cms.gov/home/medicare.asp

TrailBlazer Health Medicare:  
http://www.trailblazerhealth.com/

**Dentists**  
State of Texas Board of Dental Examiners:  
http://www.tsbde.state.tx.us/

**Medical Physicists**  
American Association of Physicists in Medicine:  
http://www.aapm.org/

American College of Medical Physics:  
http://www.acmp.org/

American College of Radiology:  
http://www.acr.org

**Nurses**  
American Nurses Association:  
http://www.nursingworld.org/

Texas Board of Nursing:  
http://www.bon.state.tx.us

**Optometrists**  
Texas Optometry Board:  
http://www.tob.state.tx.us/

**Researchers**  
Office of Human Research Protections:  
http://www.hhs.gov/ohrp/

**Social Workers**  
Texas State Board of Social Worker Examiners:  
http://www.dshs.state.tx.us/socialwork/

**Veterinarians**  
Texas State Board of Veterinary Medical Examiners:  
http://www.tbvme.state.tx.us/
Web Sites

The University of Texas System

The University of Texas System Board of Regents:
http://www.utsystem.edu/bor/

The University of Texas System Office of General Counsel:
http://www.utsystem.edu/ogc/

Federal Government Web Sites

Centers for Medicare & Medicaid Services:
http://www.cms.hhs.gov/

Office for Civil Rights—HIPAA:
http://www.hhs.gov/ocr/privacy/

Office of Inspector General:
http://www.oig.hhs.gov/

TrailBlazer Health Enterprises, LLC:
http://trailblazerhealth.com/

U.S. Department of Health and Human Services:
http://www.hhs.gov/

Research-Related Web Sites

Animal and Plant Health Inspection Service:

Animal Welfare Information Center:
http://awic.nal.usda.gov/

Centers for Disease Control and Prevention:
http://www.cdc.gov/

Food And Drug Administration:
http://www.fda.gov/

National Cancer Institute:
http://www.cancer.gov/

National Institutes of Health:
http://www.nih.gov/

Office for Human Research Protections:
http://www.hhs.gov/ohrp/

Office of Foreign Assets Control:
http://www.ustreas.gov/offices/enforcement/ofac/

Office of Hazardous Materials Safety:
http://hazmat.dot.gov/enforce/hmenforce.htm

Office of Laboratory Animal Welfare:
http://grants.nih.gov/grants/olaw/olaw.htm

Office of Research Integrity:
http://ori.dhhs.gov/

Texas Government Web Sites

State of Texas Agencies:
https://www.tsl.state.tx.us/apps/lrs/agencies/index.html

Texas Department of Insurance:
http://www.tdi.state.tx.us/

Texas Department of Licensing and Regulation:
http://www.license.state.tx.us/

Texas Department of State Health Services:
http://www.dshs.state.tx.us/

Texas Ethics Commission:
http://www.ethics.state.tx.us/

Texas Health and Human Services Commission:
http://www.hhsc.state.tx.us/

Texas Higher Education Coordinating Board:
http://www.thecb.state.tx.us/

Texas Office of Attorney General:
http://www.oag.state.tx.us/
State/Federal Laws

General Fraud & Abuse Compliance Laws—Federal
Conspiracy to Defraud the Government with Respect to Claims
18 U.S.C. § 286
False, Fictitious or Fraudulent Claims
18 U.S.C. § 287
False Statements Relating to Health Care Matters
18 U.S.C. § 1035
Health Care Fraud
18 U.S.C. § 1347
Criminal Penalties for Acts Involving Federal Health Care Programs (Including the Federal Anti-kickback Statute)
18 U.S.C. § 1320a-7b

Federal Stark Law
42 U.S.C. § 1395nn
Civil False Claims Act
31U.S.C. § 3729-33
Civil Monetary Penalties
42 U.S.C. § 1320a-7a

General Fraud and Abuse Compliance Laws—Texas
Texas Solicitation of Patients Act
Texas Occupations Code § 102.001 et seq.
Texas False Claims Act
Texas Human Resources Code § 36.002

Privacy and Confidentiality—Federal
Health Insurance Portability & Accountability Act of 1996 (HIPAA)
Public Law 104-191
General Administrative Requirements
45 C.F.R. Part 160
Administrative Transactions Standards and Code Sets
45 C.F.R. Part 162
Security and Privacy
45 C.F.R. Part 164

Privacy and Confidentiality—Texas
Medical Records Privacy
Texas Health & Safety Code Chapter 611
Mental Health Records
Texas Health & Safety Code Chapter 611
Communicable Diseases
Texas Health & Safety Code Chapter 81
Unauthorized Use of Identifying Information
Texas Business and Commerce Code Chapter 81

Ethics Laws—Texas
Political Activities by Certain Public Entities and Individuals
Texas Government Code Chapter 556
Standards of Conduct For State Officers or Employees
Texas Government Code § 572.051
Requirement to Use State Property for State Purposes
Texas Government Code § 2203.004
Texas Bribery Statute
Texas Penal Code § 36.02
Acceptance of Honorarium
Texas Penal Code § 36.07
Gifts to Public Servant
Texas Penal Code § 36.08(d)
Abuse of Official Capacity
Texas Penal Code § 39.02
Misuse of Official Information
Texas Penal Code § 39.06

Research Laws
Animal Welfare Act
9 C.F.R. parts 1 through 3
Financial Disclosure by Clinical Investigators
21 C.F.R. Part 54
Promoting Objectivity in Research for which PHS Funding is Sought
42 C.F.R. part 50 Subpart F
Food, Drug and Cosmetic Act  
U.S.C. Title 21, Chapter 9

Investigational New Drug Application  
21 C.F.R. Part 312

New Drug Applications  
21 C.F.R. Part 314

Radioactive Drugs for Certain Research Uses  
21 C.F.R. Part 361.1

Electronic Records; Electronic Signatures  
21 C.F.R. Part 11

Good Laboratory Practice for Non-Clinical Laboratory Studies  
21 C.F.R. Part 58

Investigational Device Exemptions  
21 C.F.R. Part 812

Pre-market Approval of Medical Devices  
21 C.F.R. Part 814

Protection of Human Subjects  
21 C.F.R. Part 50  
45 C.F.R. Part 46

Institutional Review Boards  
21 C.F.R. Part 56

NIH Guidelines for Research Involving Recombinant DNA Molecules  

Public Health Service Policies on Research Misconduct  
42 C.F.R. Part 93

Responsible Prospective Contractors  
45 C.F.R. Part 94

Select Agents

Possession, Use, and Transfer of Biological Agents and Toxins  
7 C.F.R. Part 331

Possession, Use, and Transfer of Biological Agents and Toxins  
9 C.F.R. Part 121

Interstate Shipment of Etiologic Agents  
42 C.F.R. Part 72

Select Agents and Toxins  
42 C.F.R. Part 73

Civil Money Penalties, Assessments and Exclusions  
42 C.F.R. Part 1003

Time and Effort Reporting

Cost Principles for Educational Institutions (OMB Circular A-21)  
2 C.F.R. Part 220

Grants for Research Projects  
42 C.F.R. Part 52

Uniform Administrative Requirements for Awards and Subawards  
45 C.F.R. Part 74

Contract Cost Principles and Procedures  
48 C.F.R. Part 31

Export Controls

Export Administration Regulations  
15 C.F.R. Part 730

International in Arms Regulations  
22 C.F.R. Part 120

Foreign Assets Control Regulations  
31 C.F.R. Part 500

Foreign Trade Statistics Regulations  
15 C.F.R. Part 30

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