

LEARNER CODE OF CONDUCT POLICY

I. INTRODUCTION

University Medical Center New Orleans (UMCNO) is committed to supporting a culture that values integrity, honesty, and fair dealing with each, and to promote a caring environment for patients, their families, physicians, nurses, other health care workers and employees.

UMCNO endeavors to create and promote an environment that is professional, collegial and exemplifies an outstanding educational experience, research opportunities and patient care.

Towards these goals, UMCNO strives to maintain a workplace that is free from harassment. This includes behavior that could be perceived as inappropriate, harassing, or that does not endeavor to meet the highest standards of professionalism.

II. SCOPE

This policy and the contents within shall apply to all Learners while rotating and working at UMCNO sponsored by any and all contracted academic affiliates.

III. PURPOSE

The purposes of this Academic Code of Conduct are to:

- clarify the expectations of all Learners while rotating and working within the UMCNO clinical learning environment;
- encourage the prompt identification and resolution of alleged inappropriate conduct;
- encourage identification of concerns about the well-being of a health care provider whose conduct is in question; and
- acknowledge and authorize the sharing of information by and between UMCNO and the Learner's school where needed.

Disruptive conduct and inappropriate workplace behavior may be grounds for suspension from access to UMCNO, including, without limitation, badge access and access to medical records/EPIC, pending resolution of an investigation by the learner's respective school and notification from that school to UMCNO of the Learner's fitness to return to duty. Nothing herein

shall require UMCNO to allow the Learner access to future work/rotations in the event of egregious activity, which shall be determined (a) in accordance with any contract then in place by and between UMCNO and the Learner's school or, (b) if said contract is silent, solely in UMCNO's discretion.

III. POLICY STATEMENT

Collaboration, communication, and collegiality are essential for the provision of safe and competent patient care. Thus, all health care providers practicing in at UMCNO must treat others with respect, courtesy, and dignity and conduct themselves in a professional and cooperative manner.

This Policy outlines efforts that can be used by UMCNO to address conduct that does not meet this standard. The goal of these efforts is to arrive at voluntary, responsive actions by the individual to resolve the concerns that have been raised and, where possible, return to Learner to UMCNO for further education and training.

This Policy also addresses sexual harassment of employees, patients, other Learners or member of the Medical Staff, and others, which will not be tolerated.

In dealing with all incidents of inappropriate conduct, the protection of patients, employees, and others in the Hospital and the orderly operation of UMCNO are paramount concerns. Complying with the law and providing an environment free from sexual harassment are also critical.

All efforts undertaken pursuant to this Policy shall be part of the Hospital's performance improvement and professional and peer review activities.

IV. DEFINITIONS

"Appropriate behavior" includes any reasonable conduct (both spoken and unspoken) to advocate for patients, to recommend improvements in patient care, to participate in the operations, leadership or activities of Learners at UMCNO, or to engage in professional practice, including practice that may be in competition with UMCNO.

"Inappropriate behavior" means conduct that is unwarranted and is reasonably interpreted to be demeaning or offensive. Persistent, repeated

inappropriate behavior is a form of harassment and thereby can become disruptive, and subject to treatment as “disruptive behavior.” Examples of inappropriate behavior are provided below.

“Disruptive behavior” means any behavior that causes unrest and/or disorder that interrupts and/or impedes patient care progress and safe operations in the workplace, including sexual or other forms of harassment, or other forms of verbal or non-verbal conduct that harms or intimidates others to the extent that quality of care or patient safety could be compromised.

“Learners” means residents, fellows, and all students – medical, nursing, and allied health – receiving education, training, and supervision on the campus of UMCNO.

“Harassment” includes verbal conduct (such as making derogatory comments, slurs, jokes, banter, imitation, mockery, innuendos, invitations, inappropriate or intimidating comments); visual conduct (such as displaying or circulating derogatory posters, photographs, cartoons, or drawings); and physical conduct (such as impeding or blocking normal movement, unwanted attention, physical contact or proximity, staring at a person, or any surveillance tactics that may be considered “stalking;” and unwanted communication (such as unwelcomed visiting in person, calling, texting, recording, videoing, or other forms of communication that are not welcome or wanted) that interferes with a person’s work performance or creates an offensive, intimidating, or otherwise hostile environment.

“Sexual harassment” means unwelcome sexual advances, requests for sexual favors, and/or unwanted verbal or physical conduct of a sexual nature. Sexual harassment may include direct or indirect request or demands for sexual favors in exchange for job security, i.e., in which sexual contact is made an explicit or implicit condition of employment or future employment-related decisions; unwelcome conduct of a sexual nature (which may involve the telling of sexual jokes, stories, displaying of sexually suggestive materials, making suggestive remarks) which has the purpose or effect of unreasonably interfering with a person’s work performance or which creates an offensive, intimidating or otherwise hostile environment.

“Medical staff member” means physicians, allied health practitioners, and others granted membership on the Medical staff and for purposes of this Code of Conduct, includes individuals with temporary clinical privileges.

“Retaliation” occurs whenever a person or a group “gets back at” another person or holds it against that person when he/she exercises the right to refuse advances or file a complaint about inappropriate behavior or harassment of any kind. Retaliation may also occur if adverse action is taken against someone who cooperates in the investigation of a complaint. Retaliation of any type is prohibited by UMCNO.

V. TYPES OF CONDUCT

Appropriate Behavior

Learners cannot be subject to suspension from access to UMCNO and reported to his/her respective school for appropriate behavior. Examples of appropriate behavior include, but are not limited to, the following:

- Criticism communicated in a reasonable manner and offered in good faith with aim of improving patient care safety;
- Encouraging clear communication;
- Expressions of concern about a patient’s care and safety;
- Expressions of dissatisfaction with policies through appropriate grievance channels or other civil non-personal means of communication;
- Use of cooperative approach to problem resolution;
- Constructive criticism conveyed in a respectful and professional manner, without blame or shame for adverse outcomes;
- Professional comments to any profession, managerial, supervisory, or administrative staff, or members of the Board of Directors about patient care or safety provided by others;
- Active participation in hospital meetings; and
- Seeking legal advice or the initiation of legal action for cause.

Inappropriate Behavior

Inappropriate behavior by Learners is discouraged. Persistent inappropriate behavior can become a form of harassment and thereby become disruptive and subject to treatment as “disruptive behavior.” Examples of inappropriate behavior include, but are not limited to, the following:

- Belittling or berating statements;
- Name calling;
- Use of profanity or disrespectful language;
- Inappropriate comments written in the medical record;

- Blatant failure to respond to patient care needs or staff requests;
- Deliberate refusal to return phone calls, pages, or other messages concerning patient care or safety;
- Inappropriate comments or behavior in meetings;
- Intentional condescending language; and
- Degrading or demeaning comments regarding patients, patient families, nurses, physicians, allied health professionals, UMCNO personnel or contractors and/or UMCNO.

Disruptive Behavior

Disruptive behavior by Learners is prohibited. Examples of disruptive behavior include, but are not limited to, the following:

- Physically threatening language directed at anyone at UMCNO including, physicians, nurses, other medical staff members, patients, their families, any hospital employee, administrator, or member of the Board of Directors;
- Physical contact with another individual that is threatening or intimidating;
- Throwing instruments, charts, or other things;
- Threats of violence or retribution;
- Sexual harassment;
- Other forms of harassment including, but not limited to, persistent inappropriate behavior and repeated threats of litigation; and
- Repetitive inappropriate comments or disruptions in meetings.

VI. GENERAL GUIDELINES/PRINCIPLES

1. Issues of employee conduct will be dealt with in accordance with UMCNO's Human Resources Policies. Issues of conduct by members of the Medical Staff (hereinafter referred to as "practitioners") will be addressed in accordance with the Code of Conduct applicable to the UMCNO Medical staff. Employees and providers are expected to adhere to the code of conduct applicable to them, which codes are substantially similar to this Code applicable to Learners.
2. This Code of Conduct outlines the steps that can be taken to address concerns about inappropriate conduct by Learners. However, a single incident of inappropriate conduct or a pattern of inappropriate conduct may be so unacceptable that immediate action is required. Therefore, nothing in this Policy precludes an immediate suspension of a Learner from access to UMCNO and immediate referral of a

matter being addressed through this Policy to the Learner's school or the elimination of any particular step in this Code of Conduct.

3. The Office of Academic Affairs, or its designee, shall provide education to all Learners regarding appropriate professional behavior. The Medical Staff leadership and Hospital Administration shall also make employees, members of the Medical Staff, and other personnel in the Hospital aware of this Policy and shall institute procedures to facilitate prompt reporting of inappropriate conduct and prompt action as appropriate under the circumstances.

VII. COMPLAINT CONTENT

Every individual should feel free to lodge a complaint in good faith about unprofessional behavior without fear of reprisal or retaliation. Learners have an obligation to address and/or report incidents of inappropriate and disruptive behavior. Complaints regarding allegedly inappropriate or disruptive behavior should be reported within 5 business days to the Office of Academic Affairs.

The complaint should include, to the extent feasible:

1. name of individual exhibiting disruptive or inappropriate behavior, the date(s), time(s), and location of the behavior;
2. a factual description of the inappropriate or disruptive behavior;
3. the circumstances which precipitated the incident;
4. the name and medical record number of any patient or patient's family member who was involved in or witnessed the incident;
5. the names of other witnesses to the incident;
6. the consequences, if any, of the inappropriate or disruptive behavior as it relates to patient care or safety, or UMCNO personnel or operations; and
7. any action taken to intervene in, or remedy, the incident, including the names of those intervening.

VIII. PROCEDURE – COMPLAINTS INVOLVING LEARNERS EXHIBITING INAPPROPRIATE OR DISRUPTIVE BEHAVIOR

1. The Chief Academic Officer or designee will screen all complaints to determine the authenticity and severity of the complaint. If the complaint is clearly invalid, it may be summarily dismissed. If it is determined that the complaint may have validity, the Chief Academic Officer or designee may, but is not required to, speak with the

- complainant, or others, for additional information.
2. All complaints that may have validity wherein the person complained about is a Learner may be forwarded to the Learner's school for handling in accordance with that school's policies and procedures.
 3. The Chief Academic Officer will immediately notify UMCNO counsel of any complaint that poses an immediate threat to patient care or the safety of others or UMCNO personnel or operations or constitutes alleged sexual harassment by a Learner. The Chief Academic Officer, in conjunction UMCNO and other members of administration shall, where necessary to prevent harm, notify UMCNO Public Safety and UMCNO IT to suspend all badge access, email access, and medical record/EPIC access that has been assigned to the Learner. The Learner's school shall be immediately notified of said suspension.
 4. The Chief Academic Officer should be kept informed regarding the status of a complaint referred to the Learner's school by the school. Upon resolution of the complaint, and after the school confirms the Learner's fitness to return to duty, the Chief Academic Officer or designee shall notify UMCNO Public Safety and UMCNO IT to reinstate badge access, email access, and medical record/ EPIC access. Access shall not be reinstated prior to this time.
 5. Nothing herein shall require UMCNO to allow the Learner access to future work/rotations in the event of egregious activity, which shall be determined (a) in accordance with any contract then in place by and between UMCNO and the Learner's school or, (b) if said contract is silent, solely in UMCNO's discretion.

IX. CONFIDENTIALITY

The complaints investigation procedure is intended to be a confidential procedure. All parties to the process are expected to respect and maintain the confidentiality of the process and not to divulge the details of the investigation to anyone. Where there is any risk to other Learners, providers, employees or patients, disclosure will be made to the extent necessary to offer adequate protection.

X. PROCEDURE – COMPLAINTS REGARDING BEHAVIOR DIRECTED TOWARD A LEARNER BY ANYONE OTHER THAN ANOTHER LEARNER

Inappropriate or disruptive behavior which is directed against a Learner by a UMCNO employee, administrator, board member, contractor, or other member of the UMCNO community, including UMCNO Medical Staff, shall be reported by the Learner to the Chief Academic Officer for referral to the appropriate person, department, or entity, including, without limitation, human resources, President of the Medical Staff, the state or federal government, or relevant accrediting body for further investigation and handling.

XI. AWARENESS OF LEARNERS CODE OF CONDUCT

UMCNO shall promote continuing awareness of this Code of Conduct among Learners by:

1. Sponsoring or supporting educational programs on disruptive behavior offered to Learners, Medical Staff members and/or UMCNO employees.
2. Disseminating this Code of Conduct to all Learners at orientation.
3. Educating, Learners, Medical Staff members and UMCNO employees regarding the procedures UMCNO has put into place for effective communication of any Learner's concerns, complaints, and suggestions.
4. Obtaining acknowledgement statements from all learners, whenever reasonable and possible, either in a written or electronic, via LCMC U. (See Exhibit I).

XII. WORKFLOW

The following entities have reviewed and approved this policy:

- Policy Review Team -
- Administrative Council – approved April 23, 2019
- Clinical Quality Management Committee – approved April 24, 2019.

Exhibit I
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Code of Conduct

ACKNOWLEDGMENT



This is to acknowledge that I have read and understand the University Medical Center New Orleans Learner Code of Conduct. I hereby authorize University Medical Center New Orleans and my school to communicate with each other as outlined in the Code of Conduct where necessary.

(Print Name)

Signature

Date