



EFFECTIVE DATE:
SEPTEMBER 23, 2020

HSC CODES OF PROFESSIONALISM AND CONDUCT

THE UNIVERSITY OF NEW MEXICO, HEALTH SCIENCES CENTER
HSC INSTITUTIONAL COMPLIANCE PROGRAM



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INTRODUCTION

The University of New Mexico Health Sciences Center (UNM HSC) Community

These Codes of Professionalism and Conduct provides the requirements and expectations for conducting business on behalf of the UNM HSC. The HSC Codes of Professionalism and Conduct has been approved by the UNM HSC Executive Compliance Committee. It has been adopted as policy for all the HSC systems, and all HSC Members, including employees, students and trainees (e.g., interns, post-doctoral fellows on training grants, etc.), volunteers, vendors, faculty, and staff are held to its standards. As with all HSC policies, those who violate the HSC Codes of Professionalism and Conduct may be subject to disciplinary action.

The UNM HSC Mission

Our mission is to provide an opportunity for all New Mexicans to obtain an excellent education in the health sciences. We will advance health sciences in the most important areas of human health with a focus on the priority health needs of our communities. As a majority-minority state, our mission will ensure that all populations in New Mexico have access to the highest quality health care.

In order to realize our Vision and Mission, we will achieve the following goals:

1. Improve health and health care to the populations we serve with community-wide solutions
2. Build the workforce of New Mexico by providing a premier education and transformative experience that prepares students to excel in the workplace
3. Foster innovation, discovery and creativity; and translate our research and discoveries into clinical or educational practice;
4. Provide the environment and resources to enable our people and programs to do their best
5. Deliver a well-integrated academic health center that provides high quality of care and service while being accessible to all New Mexicans
6. Nurture and embrace an environment of diversity, integrity and transparency

Our Core Values

The UNM Health Sciences Center's most important value is a steadfast duty to improve the health of all New Mexicans. We will serve our patients and the public with **integrity** and **accountability**. We will strive as an institution and as individuals to recognize, cultivate and promote all forms of **diversity**; to fully understand the health needs of our communities; and to advance clinical, academic, and research **excellence**. We are committed to perform our duties with **compassion** and **respect** for our patients, learners, and colleagues; and always to conduct ourselves with the highest level of **professionalism**.

The UNM HSC is and should be the standard bearer for quality. We are looked to by the community to establish the benchmarks for quality and to model behavior that adheres to those standards. We embrace the pursuit of quality in the broadest sense—a commitment to excellence in our mission areas and integrity in our behavior. As such, transparency is the foundation on which trust grows, develops, and is essential to everything the HSC does. Transparency builds credibility by creating clarity throughout the systems and their organization. This can be uncomfortable because transparency can also reveal areas of vulnerability, but it is necessary to inspire public trust in order to meet the needs of those we serve.

Core Competencies

The UNM HSC Core Competencies are expected of everyone employed by the HSC, regardless of role, title, or level of authority. These Core Competencies are the knowledge, skills, and behaviors that create the organizational culture required for our success.

Inclusion, Collaboration, and Teamwork. Every person matters. We all benefit from a wealth of ideas, skills, and perspectives that emerge when we work together. Our collaboration fuels innovation, better solutions to complex problems, and a sense of community. Cultivating a climate of inclusion and respect enables us to realize the HSC's vision and mission.

Organizational Perspective. We are all connected. Whether our role is caring for patients, inspiring students, advancing scientific knowledge, or supporting any of those endeavors, each of our employee's work impacts another's. When we understand how our actions and decisions affect the HSC as a whole, we can better align the needs of our workgroup with the best interests of ourselves and the HSC in mind. We have a common purpose that guides what we do and why.

Performance Results. We all work hard to achieve great things. We hold ourselves and our colleagues to high standards of performance that are focused on results. We pursue excellence by giving and receiving feedback openly and directly. We continually seek to improve ourselves and our work by setting goals, measuring outcomes, and developing our knowledge and skills. We exceed those expectations in pursuit of our vision and mission.

Personal Effectiveness. We are strong in character. As individuals, we value integrity and inspire trust. We meet obstacles with calm resolve and can adapt quickly and effectively to change. We continue to move forward and evolve as individuals and as an institution. Each of us aspires to be our best self, and each of us is accountable for the work we do and dedicated to the purpose of the HSC.

Clinical Enterprise. We make a difference. Through innovation, education, and clinical expertise, we provide the best possible health care experiences for patients and their families. Each of us understands our vital roles in promoting clinical excellence. We continuously strive to create a positive impact in our community through our work.

1. PROFESSIONALISM

We are all representatives of the University of New Mexico Health Sciences Center. All members of the UNM HSC shall strive to promote the highest possible standard of behavior and moral conduct by adhering to the following Components of Professional Standards. Regardless of title within the HSC, all our members shall promote and abide by these requirements and expectations, both while acting within the scope of their responsibilities at the HSC and in any activity rendering the individual a representative of the HSC.

I. Professional Obligations

- A. **Respect for Persons.** The HSC succeeds only when we foster an environment of respect. All HSC members have an obligation to treat patients, coworkers, third parties, and all others with a high degree of dignity and courtesy, both in the direct scope of our work and in personal interactions. Maintaining confidentiality of sensitive information is a necessary moral and legal obligation. Respect for persons includes refraining from discriminatory or retaliatory behavior. For more information, see (Section 1.1). Often, members of the public interact with the HSC in a difficult time, especially for those facing medical concerns. Communication, kindness, and patience are important in these interactions, and all HSC members will exercise this conduct at all times.
- B. **Respect for Patient Confidentiality.** HSC members will share medical information only to the extent that it is necessary for the execution of their professional obligations. HSC members will never discuss sensitive information in places where conversation may be overheard. For more information, see (Section 1.5).
- C. **Honesty.** HSC members will be truthful in verbal and written communications. HSC members must maintain accurate, honest records of patient care and business activities, which include following procedures to correct and amend records to make late entries in medical records.

- D. **Integrity.** Integrity means strict adherence to a code or set of values. Every organization has its own written and unwritten rules, the common ways of interacting and conducting business, and the formal and informal processes that account for the way work gets done. We are committed to reviewing our own processes, identifying strategies for progress, and constantly evolving and adapting to the changes in the health care industry. At the HSC, integrity is adhering to the specific codes of conduct (e.g., the American Medical Association's Code of Ethics, etc.), as well as an adherence to the HSC's implied expectations and norms.
- E. **Personal Growth and Awareness of Limitations.** Members of the HSC must be aware of personal limitations and deficiencies in knowledge and abilities and must know when and with whom to speak for supervision, assistance, or consultation.
- F. **Responsibility for Peer Behavior.** HSC members will take initiative in making sure that other HSC members are able to fulfill the requirements of their roles. HSC members will also report serious breaches of this Code and other important rules and regulations (e.g., HIPAA, EMTALA, etc.) to the HSC Institutional Compliance Program (HSC ICP).

II. Professional Ideals

- A. **Conscientiousness.** HSC members strive to learn from experience and grow from the knowledge gained from errors to avoid repeating them. HSC members will dedicate themselves to lifelong learning and continual professional and person development.
- B. **Cooperation.** The HSC is an institution with a focus on teaching and learning. It is important that HSC members cooperate, share knowledge to help others, and be generous with their time when assisting or answering questions from patients, coworkers, or others. HSC members will strive to shoulder each of their fair share of the institutional burden by adopting a spirit of volunteerism and altruism.
- C. **Responsibility to Community.** HSC members should avoid unnecessary institutional expenditures. Additionally, all members will avoid behaviors that impair the community's confidence in the University health care systems.

1.1. Respect and Diversity

Our success depends on how well we work together. If we treat all members of the HSC community with respect, we are doing a better job of serving our community. All HSC members will treat all patients, students, visitors, faculty, and staff with the highest level of respect and dignity.

One component of treating people with respect is not discriminating. We live and work in a diverse state and UNM is a diverse institution. We honor, respect, embrace, and value the unique contributions and perspectives of all HSC members, including but not limited to employees, students, patients, students, faculty, staff, volunteers, and our local and global communities. Everyone at the HSC, including faculty, staff, visitors, patients, and students will be given equal access and treatment, without regard to race, color, sex, sexual orientation, gender identity, national origin, ancestry, religion, age, spousal affiliation, genetic information, physical or mental disability, or medical condition. We accomplish more together as a team when we include people with diverse backgrounds, talents, and contributions.

Diversity is fundamental to the HSC's ability to attract and retain top talent, achieve innovation and creativity, flourish in a competitive market, maximize the return on our investment in people, and ensure flexibility to thrive. Diversity is essential to realize our multifaceted mission and to set the example for integrity, compassion, and leadership in health care, education, research, and community service.

Patients who don't speak English, or don't speak it adequately for the purposes of their contact with the HSC, have a right to an interpreter. It is our responsibility as a healthcare provider to make interpreter services available to patients at no cost. Using a Hospital interpreter has some significant advantages. For example, some patients may not feel comfortable discussing sensitive health information in front of a friend or family member. UNMH Interpreter Language Services may be contacted at 505-272-5399.

The HSC also complies with Title IX of the Education Amendments of 1972 by prohibiting sex and gender discrimination in education programs, activities, employment, and admissions. Such discrimination and harassment on the basis of gender, gender identity, gender expression, or sex, sexual harassment, sexual misconduct, sexual violence, and retaliation for those concerns. The HSC also prohibits dating violence, domestic violence, sexual assault, and stalking.

Another component of treating people with respect is maintaining an environment free from harassment and bullying. The HSC does not tolerate harassment or bullying of any kind. This includes any conduct, whether electronic, physical, nonverbal, verbal, visual, or other conduct, that disrupts another's work performance or creates an intimidating, offensive, abusive, or hostile work environment.

Harassment is defined as any conduct that is connected in a negative way to an individual's or a group's age, color, disability, gender, gender identity or expression, marital status, military status, national origin, race, religion, sex, sexual orientation, participating in a Civil Rights complaint, use of the federal Family and Medical Leave Act, use of the workers' compensation system or any other status protected by law when:

- A. Submission to or rejection of such conduct is used either explicitly or implicitly as a basis for any decision affecting terms or conditions of an individual's employment, receipt of services or academic activities; or
- B. Such conduct has the effect of unreasonably interfering with an individual's work performance, receipt of services, or academic activities or creates an intimidating, hostile, or offensive environment.

Bullying is defined as any behavior that is repeated, systematic, and directed towards an individual or group of individuals which a reasonable person would expect to victimize, humiliate, undermine, or threaten that individual or group and which creates a risk to health and safety. Intimidation is a form of bullying where someone acts aggressively in a manner that causes someone else to reasonably fear imminent harm.

HSC members must speak up if they see or suspect that anyone is being harassed, bullied, or discriminated against. Supervisors must ensure that employment decisions comply with UNM policy and are based on lawful business reasons.

At the HSC, we are committed to providing a welcoming environment for all members of the community. If someone is engaging in discriminatory behavior, the first thing an HSC member must do is ask that person to stop, if the situation permits. If the situation does not improve, or the HSC member does not feel comfortable asking the person to stop, the HSC member should speak with their immediate supervisor. If the HSC member is not comfortable speaking to their supervisor, or does not notice any improvement, the member should contact the Office of Equal Opportunity at 505-277-5251. The Office of Equal Opportunity is located on UNM Main Campus.

1.2. Doing Business with Good People

Professionalism isn't just about the commitment to do the right thing; it is also the desire to interact with people, vendors, and other third parties or entities that share that commitment.

One of the ways we can be sure we are interacting with good people is through exclusion checks. Exclusion checks help us identify people or entities that have gotten into trouble with the law. Since we want to do business with good people and businesses, the UNM Health Sciences Center performs exclusion checks before hiring, or contracting with, any person or vendor, as well as on a monthly recurring basis for the duration of the business relationship.

State and federal governments make a wide variety of exclusion lists available. The HSC Institutional Compliance Program checks the exclusion lists from the Office of the Inspector General of the Department of Health and Human Services (OIG) and the General Services Administration (GSA). By checking both lists, we ensure that our faculty, staff, and vendors are not included on any of the exclusion or debarment lists that apply to us.

1.3. Conflicts of Interest

As HSC faculty and staff, we have certain obligations to the HSC. These obligations help protect the integrity of the organization and its mission.

A conflict of interest occurs whenever an HSC member has an interest that competes with that member's ability to make an objective decision in the scope of that member's role at the HSC. For example, if a member is involved in a transaction that might create the appearance of promoting the interest of another person or entity than the HSC, whether for the member's personal gain or for the gain of friends, relatives, or vendors, then an HSC member may have a conflict of interest.

All HSC members owe a fiduciary duty of loyalty to the HSC. In other words, HSC faculty and staff are obligated to safeguard HSC resources and to act in the best interest of the HSC. In practice, that means that HSC members must not:

- use HSC facilities and equipment, including proprietary intellectual property, for purposes other than valid HSC purposes, unless such use is otherwise approved or authorized by policy;
- act in any manner so as to create the appearance of a conflict of interest, regardless of whether one is actually present;
- take advantage of business opportunities that might be taken by the HSC;
- use their position at the HSC or knowledge gained through their position for personal profit or to assist others in profiting at expense of the HSC;
- use their position to obtain a personal profit by undertaking an engagement that is adverse to the interests of the HSC; or
- accept outside or dual employment or compensation that could reasonably be expected to impair the employee's judgement in their performance of their duties at the HSC.

A common source of conflict of interest issues arises in situations in which HSC members may be sought as expert witnesses in legal proceedings. In certain areas of the HSC, the faculty are frequently called upon as part of their duties in the scope of their employment to render expert witness testimony. Nothing contained in this HSC Codes of Professionalism and Conduct is intended to limit employees from being called upon to serve as expert witnesses in these circumstances, provided that, in the views of the HSC, such engagement is not a personal engagement.

The HSC believes that it is important to ensure the quality, integrity, and credibility of expert witness testimony provided by its members. It is important that HSC members only undertake an expert witness engagement within the scope of the member's expertise, and that any testimony a member provides must be free from conflicts of interest and impartial.

To this end, the HSC generally permits HSC members to accept a personal engagement as an expert witness if UNM is not involved in the case, or if the HSC member is serving as an expert witness for UNM or a party on the same side as UNM. For more information and for conflict of interest checks, contact the HSC Office of University Counsel by calling (505) 272-2377, or emailing counsel@unm.edu.

1.4. Employee Privacy

As HSC members, we have the responsibility to protect the personal information of our colleagues. That means that those of us who have access to personal information about employees need to be careful about how we safeguard that information.

IT professionals have access to information about employees and how they use their computers. In order to do their jobs, they need access to this information. Fortunately, IT professionals understand that they have a responsibility to respect the privacy of other employees. Because of that, they access information only when it is necessary to perform their jobs.

All HSC members shall access, use, and disclose HSC information for legitimate business purposes only. Members must not share, sell, or post colleagues' personal information. This includes posting information to personal social media, email or "cloud" storage accounts. If an HSC member witnesses or suspects unauthorized use or disclosure of this type of restricted information, they are responsible for reporting it to their supervisor and the HSC Institutional Compliance Program.

1.5. Patient Privacy

One of the HSC's most valuable assets is information. It is important that HSC members follow all policies and laws pertaining to confidentiality, including HIPAA. Members must be attentive and safeguard all protected information, including patients' and families' confidential information that is entrusted to the HSC.

Members must only access, use, and disclose protected patient information in the direct course of members' responsibilities in the scope of the member's professional relationship with the HSC. When accessing, maintaining, sharing, storing, or transmitting electronic data, members must always use encrypted HSC-owned or -approved systems and storage devices, and HSC or HSC-approved email systems. Members shall avoid discussion of restricted patient information in public areas.

For any questions about the Privacy Rule in the Health Insurance Portability and Accountability Act (HIPAA), please contact the Privacy Office at 505-272-1493. For anonymous questions or to report a HIPAA Privacy concern anonymously, call the Compliance Hotline at 1-888-899-6092.

1.6. Social Media

At the HSC, we understand that social media provides people with many opportunities to connect with friends, family, and colleagues. However, the use of social media also presents risks and carries with it certain responsibilities.

Ultimately, HSC members are solely responsible for what they post online. Before creating online content, consider some of the risks involved. Although social media is personal in nature, it is not private. That means that personal communications, such as posts or tweets, might be seen by people who were not necessarily intended to have seen them.

As members of the HSC community, we have the responsibility to be professional at work and online. Here are some tips:

- **Think before posting.** If the content would not be appropriate for supervisors or family members to see, it should not be posted.
- **Maintain privacy.** Many social media sites give users some control over who can see posts. Take advantage of such filters when appropriate
- **Be honest about identity.** Assure your online identity is yours, not someone else's.
- **Include a disclaimer.** Unless an HSC member is posting about the HSC as part of their job, they should make sure readers know that they are not representing UNM or the HSC.
- **Protect patient privacy.** In order to protect the privacy of our patients, HSC members must never post information about patients on social networking sites.

Remember that because social media is new, it is also changing fast. All of us are learning how best to deal with it. Always keep in mind that all HSC members are representative of the HSC, and that conduct outside the workplace can affect perceptions of the University. Any conduct that adversely affects work or school performance, or otherwise adversely affects others or HSC's legitimate business interests, may result in disciplinary action up to and including termination or expulsion.

A common question raised in the context of the HSC's work is whether a provider's relationship with patients should be reflected over social media. Often, patients search providers on social media platforms like Facebook and send a friend request. While this gesture is a testament to their appreciation of the provider's interactions with the patient, the relationship is of a professional nature. A provider's relationship with patients should be businesslike, and "friending" on Facebook may compromise the provider's ability to conduct themselves professionally. In order to maintain a proper provider-patient relationship, HSC providers shall only make social media connections with patients when the provider knows the patient in another context.

1.7. Political Activities

The HSC recognizes the important role that political involvement plays for many of our members as participation in the broader community. The HSC supports the right of HSC members to be involved in civic and community activities. It is also vital to make a clear distinction between one's personal political activities and those undertaken on behalf of the HSC. However, this section does not restrict the right of HSC members to express personal political views.

For the purposes of this section, political activities are activities that promote or oppose any political committee or any initiative, referendum, or recall petition, measure, or candidate. Political activities do not include activities related to promoting or opposing legislative bills, unless the bill is one that results in a referral to an election.

Employees may participate in political activities provided such activities:

- are not conducted during work hours;
- are in compliance with the Constitution and the laws of the State of New Mexico;
- do not interfere with the discharge and performance of the employee's duties and responsibilities;
- do not include the use of equipment, supplies, facilities or other assets of the HSC;
- do not involve the attempt to coerce faculty, staff or students to participate in or support political activity;
- are not presented in a way such that the member's personal views are the views of the HSC or the University;
- do not include political or charitable contributions with the intent to improperly exert influence.

1.8. Media

The Office of Public Affairs serves as the spokesperson for the University and responds to media inquiries, and interview request. If an employee is contacted by a member of the media, refer to the Office of Public Affairs for assistance. After hours, the UNM Hospital switchboard can page the Public Affairs on call representative.

1.9. Ask Questions

When professionals don't know the answer, they ask questions. For any questions about this Code, laws and regulations, or other compliance issues, contact your supervisor. Members may also contact the HSC Institutional Compliance Program (HSC ICP) by phone at 505-272-7371 or via email at compliance@salud.unm.edu.

When HSC ICP receives a question, the officers are not obligated to conduct an investigation, depending on the content of the question or concern. Usually, HSC ICP is able to answer the question without the need to investigate. Sometimes, however, investigations are conducted in response to questions. If this is a relevant concern, the Compliance Hotline can take anonymous questions and complaints and can be reached at 1- 888-899-6092.

HSC members should, however, be aware that anonymous reports can take longer to investigate. In order to ensure that an investigation is completed quickly, callers should be sure to include as much information as possible in the report.

1.10. Reporting Concerns

There are several ways to report compliance concerns:

- Discuss it with your supervisor. This is often the best way to resolve a problem or get an answer about compliance issues.
- Call the HSC Institutional Compliance Program at (505) 272-7371.
- Email questions or concerns to compliance@salud.unm.edu or privacy@salud.unm.edu.
- Call the Compliance Hotline at 1-888-899-6092, 24/7. The Compliance Hotline, which is run by an outside vendor, allows anonymous complaints and questions.
- Submit questions and/or concerns online at [UNM EthicsPoint](#), 24/7.

1.11. Non-Retaliation

The HSC is committed to providing its faculty and staff a work environment that encourages communication. All members of the HSC community who raise concerns or ask questions in good faith are protected from retaliation under Policy 2200 (a link to all policies can be found in the [Appendix](#)), as well as by state and federal law. That means that HSC members who ask a compliance question or raise a compliance concern must continue to be treated with respect by co-workers and supervisors.

If a member is concerned about retaliatory behavior, the member shall contact the HSC Institutional Compliance Program. The member does not have to be certain that retaliation has actually occurred to make a report to the HSC Institutional Compliance Program.

A Note for Leaders:

Making employees feel comfortable communicating their concerns is essential. By encouraging communication, we create a better work environment.

When concerns are not communicated, morale suffers, and it puts the organization at risk for whistleblowers.

Remember, no one will be punished for doing the right thing.

For more information on the University's Whistleblower Protection policies, see University Administrative Policy 2200: Reporting Suspected Misconduct and Whistleblower Protection from Retaliation, and the New Mexico Whistleblower Protection Act, NMSA 1978 §10-16C-1.

1.12. Maintaining a Safe Campus

The HSC is committed to creating a safe environment for all its members and all members of the community who come in contact with the HSC. Nothing is more important to us than ensuring the safety of our patients and all members of the HSC community. We must always be careful to use sound and safe procedures and to look out for the safety of others. We must be alert to health and safety risks as we go about our jobs and speak up whenever we see a potential hazard.

If an HSC member witnesses illegal or suspicious activity occurring on the HSC Campus, or a potentially unsafe condition, they must notify either UNMH or UNM PD. If an HSC member witnesses a crime being committed that involves anyone being physically assaulted, especially if the victim is a child, they must call UNM PD immediately and notify their supervisor.

2. PATIENT CARE

2.1. Treating Patients with Respect

Our patients come from many different backgrounds. It is the HSC's responsibility as a healthcare provider to make sure that every patient is treated with respect. No patient will be denied treatment based on race, national origin, religion, sex, sexual orientation, marital status, age, disability, or source of payment.

Under the federal Emergency Medical Treatment and Active Labor Act (EMTALA), our providers are required to provide necessary emergency medical services to everyone, regardless of their ability to pay. The order in which patients are treated depends on the severity of their condition, never on whether they are able to pay for medical services. A patient's ability to pay cannot and will not be a factor in deciding whether a patient is seen.

2.2. Patients Have a Right to Make Decisions about their Care

One of our duties to our patients is to ensure that, if they are capable, they are involved in making decisions about their own care. At the HSC, we make sure that our patients are involved in decision-making and given adequate information to make those decisions.

Explanations are given to the patient regarding their condition and treatment on an ongoing basis. Discharge instructions are given to patients when departing. Many conditions have educational material that can be printed out at discharge and given to patients. Hospital units and most clinics have staff that can assist with decisions involving transitions of care. Patients can also request a copy of their medical records by contacting the Health Information Management Department (HIM), at 505-272-2111.

2.3. Patient Advocacy

Being a patient can be confusing and scary. Patient Advocates help patients access the services they need to navigate their own healthcare. At the HSC, we are committed to assist our patients throughout the process of receiving care from us.

At UNM Hospitals, a patient advocate can be reached either by requesting to speak with an advocate, by going to the administration reception area on the first floor, or by calling (505) 272-2121.

2.4. Discharge Planning

At the HSC, we understand that what happens to a patient after they leave our care in the hospital is as important as what happens while under our care. Because of that, our Care Management team begins finding the safest transition plan for the patient at admission.

If patients have concerns about their discharge, they can ask their nurse or doctor to notify the case manager for the unit. A nurse or social worker will come to the room and speak with the patient and/or family.

2.5. Care Management Services

The Care Management department helps patients with discharge planning, community resources and referrals, financial assistance resources, and making sure payer sources have all the necessary information to authorize care or medical equipment.

Case managers are available at UNM Hospital, and in all the primary care clinics. Case managers screen patients in these locations for possible need for their services. Indications may include such factors as advanced age, unsatisfactory living situations, complicated or life altering diseases or injuries, or other stresses faced by the patient or family. Physicians, nurses or other healthcare workers may refer patients to a case manager. Patients or families may also request a case manager.

Case managers can help with transfers to other facilities such as skilled nursing or rehabilitation centers. Case managers can also help guide patients to appropriate assistance programs. If a patient is interested in contacting a case manager, providers should contact the UNM Hospitals patient advocate coordinator at (505) 272-2121.

2.6. Special Considerations Regarding Children

The HSC is committed to protecting children. If an HSC member encounters a child who that member believes to be abused or neglected, including medically neglected, they have a legal and ethical duty to ensure their suspicion is reported to the police or the Children, Youth, and Families Department (CYFD). HSC members also have a duty to ensure any potentially abused, neglected, or potentially mistreated child is seen by either Child Abuse Response Team (C.A.R.T.) or Para los Niños (in cases of suspected sexual abuse) to ensure a proper evaluation and medical diagnosis of abuse is made.

All members have an absolute legal and ethical duty to protect the child where abuse or neglect is reasonably suspected. Providers must call CYFD Statewide Central Intake at #SAFE from a cell phone or (505) 841- 6100 to report suspicions, fill out a Child Abuse Documentation form in the electronic medical record, and submit an ad hoc consult request to C.A.R.T. via Powerchart.

Any HSC member who sees a child being hurt on our campus must call UNM PD immediately at 505-277-2241 (or 911 from a Campus phone) and report the incident. Members must also notify their supervisor.

Medical neglect is a form of child abuse and neglect and the law requires that HSC members report their suspicion. Call CYFD Statewide Central Intake at #SAFE from a cell phone or (505) 841-6100 to report any suspicion. Members must also fill out a Child Abuse Documentation form in the EMR and complete an ad hoc request for C.A.R.T. via Powerchart. CYFD can often provide services to families struggling with a sick child and other socioeconomic pressures that can stem from such an illness.

3. MEDICAL DOCUMENTATION AND BILLING

Healthcare professionals are entering one of the most dramatic and rapidly changing eras of all time, where more and more health care outcomes and quality measures will be demonstrated through coded data derived from medical record documentation. Coding staff must abide by professional values, ethical principles, regulatory standards, official coding conventions, rules and guidelines when involved in diagnostic and/or procedural coding or other health record data abstraction, and must apply consistent coding practices to produce high-quality healthcare data demonstrated in the medical record documentation for each encounter or visit.

Changes in the Prospective Payment Systems and quality outcomes measures rely on improved documentation, data integrity and consistent medical coding to reflect the complexity of care and severity of illness of our patients. Documentation principles of accuracy, completeness, and timeliness are key to demonstrating to our patients and all third-party entities, that UNM HSC provides high quality and efficient patient care. Coding serves a multitude of purposes outside of financial and billing needs, including administrative uses, population health, public data reporting, research, quality and patient safety measurement.

The Health Information Management (HIM) Department at UNM HSC hospitals supports maintaining documentation compliance to regulatory standards, such as Medicare Conditions of Participation, Joint Commission Standards for accreditation, Medical Staff Bylaws, Rules and Regulations, and various New Mexico State documentation requirements. Accurate, timely and complete documentation for each patient encounter is not only the right thing to do for the various compliance standards, it is the right thing to do for our patients.

Patients have the right to access their health information, and will be exercising their patient rights, as UNM HSC transitions to individual patient access to one's own personal medical records through use of the Patient Portal within our Electronic Medical Record (EMR).

Patients have access to key documents and test results for their own viewing, and along with the right to access will be questions relative to the accuracy, timeliness, and completeness of the data contained in each encounter or visit. Timely, accurate and complete medical record documentation will take on a new look with the Patient Portal initiative, expanding our mission and expectations as a patient-focused healthcare facility.

3.1. Accurate Medical Documentation

Providers and medical staff have a professional and legal responsibility to document all patient encounters completely, accurately, and timely. Not only is complete and accurate documentation an integral part of the practice of medicine, it is also a factor in providing better health care.

Here is a short list of some of the benefits of complete and accurate documentation:

- Supports a diagnosis or justifies treatment
- Improves continuity of care by providing other physicians or nurses with the information they need
- Ensures that patients receive high quality care and assists in organizational quality initiatives
- Protects providers and the organization from medical malpractice liability
- Supports appropriate payment for services performed

Accurate and complete medical documentation helps prevent False Claims Act violations. If we bill the government for services that are not provided, we violate the False Claims Act. Violating the False Claims Act can cost us a lot of money. Penalties include damages up to three times the amount paid and fines. All employees must comply with CMS regulations. For any questions about how to document effectively, please contact the Compliance Educator in the HSC Institutional Compliance Program at (505) 272-0035, or compliance@salud.unm.edu.

It is important that documentation is completed in a timely manner. First, documentation that is completed in a timely fashion is more likely to be accurate, which makes it more useful for patient care and quality initiatives. Second, depending on how long it takes for a record to be completed, we may not be entitled to bill for the services associated with that record. Additionally, incomplete records can have an impact on accreditation and state licensure, violate medical staff rules, or adversely affect medical legal actions.

The bottom line is that documentation that is complete, accurate, and finished on time benefits HSC members, patients, and all the HSC Health Systems entities.

3.2. Referrals

When we refer our patients to other providers, we must do so according to medical judgment, not business or family relationships. Because of that, we must pay careful attention to the referrals we make. Some referrals, such as those that involve close family members or certain business arrangements, have the potential to put our patients at risk.

Referring patients to a close family member might violate federal law. Under the Stark Laws, “self-referrals” are prohibited. Self-referrals are referrals to health care providers in which the HSC member or a close family member have a significant financial interest. This statute also prohibits payments of any kind in exchange for referrals. Giving a discount on office space, for instance, in exchange for referrals would likely violate the statute.

A Note about Exceptions and Safe Harbors:

The Stark Law and Anti-Kickback Statute can be very confusing because of the large number of exceptions or safe harbors associated with them. This is a highly technical area of the law. Please contact the HSC Institutional Compliance Program at (505) 272-7371, or compliance@salud.unm.edu. Members can also call the anonymous Compliance Hotline at 1- 888-899-6092.

3.3. Medical Necessity

The HSC is committed to only billing for services that are medically necessary. Unfortunately, “medical necessity” often means different things to different professionals. This makes it harder for professionals to communicate with each other about what “medical necessity” really means.

“Medical necessity” is not determined on a case by case basis and is not synonymous with “medical judgment.” Instead, it is related to what a payer, such as Medicare or a private insurer, will pay for.

Payers determine “medical necessity” based on what benefits populations of patients, not what benefits individual patients. Because “medical necessity” is defined in this way, a treatment that may benefit an individual patient is not always “medically necessary.”

To put this into the context of government payers, the Center for Medicare and Medicaid Services (CMS) states the following: “No payment shall be made for items or services that are not reasonable and necessary for diagnosis or treatment of illness or injury.” And it is CMS that decides whether an item or service is “medically necessary” under this definition.

With any questions about whether a treatment is “medically necessary” within the context of billing and payment, please contact the Compliance Educator in the HSC Institutional Compliance Program at 505-272-0035.

3.4. Financial Assistance

As part of our responsibility to the people who live in our community, the HSC will provide financial assistance, in accordance with policy, to patients who have demonstrated an inability to pay.

The HSC is committed to providing patients the care they need, whether they can pay or not. Providers shall refer patients with questions about financial assistance to Patient Financial Services at (505) 272-2521. They will determine whether she qualifies for financial assistance.

Having a close, personal relationship with a patient has no effect on a provider’s legal and financial responsibilities. Even if a patient is a close friend, providers must still document every patient encounter completely and accurately and appropriately bill them.

4. RESEARCH

The University of New Mexico Health Sciences Center conducts a broad range of biomedical research that aims to ease the burdens of disease and enhance the quality of life for all. To achieve that goal our research pursues new treatments, devices and cures that often require very detailed studies to prove safety and benefit. In order to maintain public trust and accountability, we adhere to the highest ethical standards and compliance in all research activities. We prioritize the safety and security of our students, researchers, faculty and staff, and the community at large. Modern biomedical research can involve the use of a wide variety of resources, from animals to human subjects and potentially hazardous materials.

Our research compliance units within the Office of Research provide detailed training and continuous oversight of these resources as a core element in the responsible conduct of research. For studies involving human participants we focus on ethical study designs, confidentiality of personal health information and the highest standards for informed consent.

The Office of Research oversees adherence to all guidelines set forth by government entities. We also take additional, proactive measures to safeguard our research integrity, the environment and our people. We encourage continuous quality improvement and secure measures are in place to protect those who, in an effort to assist us in upholding the highest standards in our research, report potentially unethical or irresponsible behaviors. We believe that the enduring impact of our research in the world of healthcare needs is dependent on our dedication to the responsible conduct of research and the trust and support of the citizens we serve.

For more information, please read the detailed descriptions below, or visit our website at <https://hsc.unm.edu/research/>.

4.1. Protection of Human Subjects in Research

Thanks to research on human subjects, we now have treatments or cures for diseases or conditions that, in the past, were not treatable. At the HSC, we conduct valuable research that advances the health sciences. At times, scientists at the HSC need to recruit human subjects for studies in order to conduct valuable research related to a disease or condition.

The HSC is committed to the well-being of our research participants and their families. All human research participants and/or their appropriate representatives shall be engaged in a meaningful informed consent process.

Our human subjects do us a great service. We offer them the highest standards of ethical and safe care while participating in studies at the HSC. The Human Research Protections Office (HRPO) is committed to promoting the safety and protection of individuals involved in human research by providing support, guidance, and education to facilitate ethical and scientifically sound research. The HRPO provides free consultations to all researchers considering the use of human subjects or identifiable private data. The HRPO can be reached at (505) 272-1129, or at HRPO@salud.unm.edu.

The Human Research Review Committee (HRRRC) is an Institutional Review Board that reviews human subject research projects for compliance with federal regulations. Biomedical and behavioral research involving human subjects to be conducted at or sponsored by UNM, or that is conducted by or under the direction of a faculty, staff or student of UNM, or which uses any confidential information of patients at UNM, cannot commence until it has been reviewed and approved by the HRRRC. The HRRRC Submission Guide is available at <https://hsc.unm.edu/research/hrpo/common/pdf/hrrcsubguide.pdf>.

4.2. Use of Animals in Research

At the HSC, we recognize that using animals in research is a privilege that must be taken seriously. Unlike human subjects, animal subjects cannot consent for themselves. Because of that, we put protections in place to ensure that the animals involved in research at the HSC are given the care and respect they deserve.

The Office of Animal Care Compliance (OACC) is tasked with administering the mandated procedural protections in place to ensure that animals used in research are treated with the least pain and undue stress.

All UNM-affiliated personnel must have an approved animal care and use protocol to conduct research (including field observations) using live, vertebrate animals (amphibians, birds, fish, mammals, or reptiles) or vertebrate animal tissue (including blood). The OACC can assist with protocol submission and using the electronic database management system.

The Institutional Animal Care and Use Committee (IACUC) is a Committee comprised of at least five members, including a veterinarian with laboratory experience and program responsibilities, a scientist experienced in laboratory animal research, a non-scientist, and a community member. This Committee is responsible for overseeing the animal care and use program, and reviewing and approving, or not approving, research proposals involving animals.

The HSC has its own IACUC. Anyone who has concerns about the treatment or use of animals or witnesses improper or unapproved animal care or use procedures must report their concerns to the anonymous Compliance Hotline or the Vice Chancellor for Research Health Sciences Center, at (505) 272-6950.

4.3. Conflicts of Interest in Research

The Conflicts of Interest (COI) Office assists investigators at the HSC with maintaining integrity in their ethical and legal obligations to disclose financial interests with proposals and protocols submitted for funding and/or compliance review. A conflict of interest is a situation in which there is a risk that one's actions or judgments about a primary responsibility such as patient care, teaching, or research could be compromised by potential personal financial gain or considerations favoring the interests or family, friends, or colleagues to the disadvantage of others.

Research has the capacity to make an impact on many people. Because it can have such an impact, there people or entities, such as pharmaceutical companies or medical device manufacturers, that might make a lot of money, depending on the outcome of the research. When an HSC researcher has financial relationships that might provide an incentive for producing research with a certain outcome, there is a risk that the research may be compromised. The Conflicts of Interest Office puts protections in place in order to ensure that the quality of the research is not affected by financial relationships.

The HSC Conflicts of Interest Committee is tasked with determining if an investigator's interests have the potential to significantly affect or bias the design, conduct, or reporting of UNM research. If the Committee determines a potential conflict of interest exists, its goal is to develop a management strategy.

Any individual who is responsible for design, conduct, or reporting of HSC research must complete a disclosure form. This includes faculty, staff, students, and non-UNM collaborators (e.g., consultants, contractors, or subaward recipients). The form is included in submissions to the PreAward, Human Research Protections, and Research Allocation Committee offices, and to the Office of Animal Care Compliance, if not previously submitted to the PreAward office for the same protocol.

The HSC Conflicts of Interest Office can be reached at (505) 272-6433. A guidance document regarding conflicts of interests at the HSC is available at <https://hsc.unm.edu/research/coi/>.

4.4. Research Involving Biohazardous Materials

Scientists at HSC engage in research with the hopes of finding new treatments, therapies and cures for human diseases. This requires, at times, that they use biohazardous materials to conduct research. The Biohazard Compliance Office (BHC) safeguards the HSC community and the community at large by ensuring all biohazardous materials associated with HSC research are secured in laboratories and handled properly to prevent accidental exposure.

Before HSC scientists conduct experiments with microorganisms or artificially constructed living cells, the investigator must conduct a risk assessment. When any proposed experimental assessment has disease-causing risk potential, the investigator seeks approval from the Institutional Biohazard Compliance Committee (IBC) before initiating experiments.

The safety of UNM faculty, staff, and students and members of the surrounding community is a top priority. Ensuring that research involving the use of these materials is safe is just one of the many ways in which UNM serves the community. The Biohazard Compliance Office puts processes and controls in place to ensure that these materials are handled safely and according to best practices.

UNM's IBC is certified annually by the NIH Office of Biotechnology Activities (OBA). IBC membership is comprised of the University Biosafety Officer, who serves as the UNM biosafety containment specialist, and a dozen or more UNM scientists with a variety of expertise in medical research, such as in infectious disease, animal experimentation, infection control, molecular biology, or other areas. Community members (unaffiliated with UNM) also serve on the committee. IBC members meet quarterly to critically review and discuss each Principal Investigator's proposal, determining if enough safety barriers are built into the experimental plans before the experiment can be conducted.

The HSC Biohazard Compliance Office can be reached at (505) 272-8001.

4.5. Ethical Business Practices in Research

When an HSC member accepts money from a grant to conduct research, they agree to use the money according to certain rules. It is very important to understand and follow these rules. If the HSC member does not follow the rules, there can be serious consequences for the member, their research, and the HSC.

The HSC will comply with all applicable laws and regulations governing the receipt and disbursement of sponsored funds and will adhere to all grant and contract obligations of the university, including true, accurate and allowable costs.

Costs that are charged to grants must be allowable. For many grants, items like office supplies and administrative support are not allowable even though they might be used to perform work associated with the grant.

5. ACADEMIC

Established in 1994, the University of New Mexico Health Sciences Center is the largest academic health complex in the state. The UNM HSC trains more than 1500 students each year in twenty-one different fields.

5.1. Code of Student Conduct

All students are required to abide by the UNM Student Code of Conduct, which applies to both full time and part time students pursuing undergraduate, graduate or professional studies.

The policy can be found at: <https://pathfinder.unm.edu/code-of-conduct.html>.

5.2. Student Grievance Procedure

The UNM grievance procedure is intended to provide resolution of disputes of an academic nature between students and University faculty, as well as procedures for handling student disciplinary matters.

The procedure can be found at: <https://pathfinder.unm.edu/student-grievance-procedure.html>.

APPENDIX

POLICIES

HSC Policies:

The purpose of this site is to provide easy, online access to all policies that fall under HSC. Policies posted under the HSC Policies tab, are policies that apply to ALL HSC members, regardless of department, unit, clinic, college or facility affiliation.

<http://hsc.unm.edu/policyoffice/>

Regents' Policy Manual:

Exercising powers granted under state law, the Board of Regents of the University of New Mexico adopted a body of policies for the governance of the University. The policies, which are published as the Regents' Policy Manual, provide the framework and authority for the University's administrative policies.

<https://policy.unm.edu/regents-policies/index.html>

University Administrative Policies and Procedures Manual:

The University Administrative Policies and Procedures Manual policies align operations across the University, define roles and responsibilities, and implement the policies in the Regents' Policy Manual. The policies include any institutional procedures necessary for a comprehensive understanding of the policies' intent and application. Before new and amended policies are issued, they must be approved in writing by the University President.

<https://policy.unm.edu/university-policies/index.html>