

INTEGRITY AT WORK

INTRODUCTION

The word "integrity" comes from the adjective *integer*, meaning whole or complete. It is also derived from the Latin term *integritatem*, meaning soundness, wholeness, and correctness. Integrity means doing the right thing even when it might be more convenient to take an easier path. In health care education, research, and practice, integrity adheres to a professional code of ethics and supports the public's trust in our profession.

We are providing you with a personal copy of the UW School of Dentistry's Integrity at Work handbook. This handbook contains important information regarding applicable laws, regulations, and policies governing our business practices. Although compliance with laws and regulations is a requirement for what we do and how we do it, compliance with an ethical code sets the bar much higher. Integrity means that we do the right thing, the ethical thing, even when there is no law or regulation requiring it. This handbook sets forth guidelines to help us achieve the ethical and compliant practices that our patients, students, faculty, and staff expect of us and that we expect of one another.

You are an important contributor to our mission to provide excellent patient care, to teach, to conduct research, and to engage in community outreach. This is why we ask that you take the time to carefully read and periodically review the material in this booklet.

In the highly regulated industry of health care, with complex laws, rules, and guidelines that are constantly under interpretation, we always strive to do what is right for our patients, students, faculty, staff, and the community. The Compliance Program has been designed to help us avoid mistakes and rectify them when they happen.

You are an important part of our community. Thank you for your continued support of the School's mission and for your dedication to excellence and the highest ethical standards

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CODE OF CONDUCT

The UW School of Dentistry is committed to operating in an ethical and legal manner. To support this commitment, the School has adopted a Code of Conduct to guide each of us in carrying out our daily activities. The code has four broad aspects:

1. Our workforce (faculty, students, and staff) will follow Washington state ethical guidelines as applicable to their roles.
2. Our billing practices for clinical care, including clinical research, will meet applicable laws and policies.
3. Our patients can trust us to keep their personal health information private and secure.
4. Our clinical care at the School will follow laws and clinical care standards that govern our practice.

SCHOOL OF DENTISTRY COMPLIANCE PROGRAM

Because of our commitment to follow federal and state laws and to uphold professional standards, we have developed a Compliance Program. The Compliance Program supports the School by seeking to prevent, detect and resolve situations that threaten our compliance standards.

The Compliance Program is composed of the following:

Participation: It is the responsibility of each faculty member, staff, student and independent contractor to abide by applicable laws and support the School's compliance efforts.

Responsible Officer: The School has designated the Director of Compliance as the individual responsible for overall implementation and operation of the Compliance Program.

Compliance Committee: The School's Compliance Oversight Committee will advise and assist the Director of Compliance with implementation of the Compliance Program.

Oversight: The Director of Compliance will report biannually to the Compliance and Training Committee on the status of compliance within the School.

Workforce and Vendor Screening: The School shall not contract with, employ or extend privileges to any individual or entity ineligible to participate in federal health care programs.

Education: The School will provide ongoing, effective education and training programs for all faculty, staff and students on Organizational Professionalism and the Compliance Program.

Auditing and Monitoring: The School will establish procedures for monitoring the effectiveness of the Compliance Program.

Risk Assessment: The School will conduct ongoing risk assessments and take appropriate steps to reduce the risk of law violation.

Enforcement and Prevention: Individuals violating Compliance Program standards will be subject to progressive discipline, up to and including termination, if warranted. Sanctions will be applied in accordance with relevant staff personnel policies, School policies / procedures and /or faculty code as appropriate.

Organizational Response: The School will respond to potential violations of the Compliance Program and /or applicable federal and state laws /regulations reported by staff, students, faculty members or others that have questions or concerns regarding School activity.

WASHINGTON STATE ETHICS IN PUBLIC SERVICE ACT

The Washington State Ethics in Public Service Act (RCW 42.52) establishes standards of conduct for state employees while performing their public duties and seeks to make clear how to maintain public trust and confidence. http://www.ethics.wa.gov/ENFORCEMENT/Laws_Rules.htm

Confidential Information

Confidential information is specific information that is not available to the general public on request or is information made confidential by law. The following guidelines cover the use of confidential information. State employees may not:

- Disclose confidential information to unauthorized persons.
- Disclose or use confidential information for personal benefit or to benefit others.
- Accept employment or engage in business that might reasonably be expected to induce or require the disclosure of confidential information.

Conflict of Interest

A conflict of interest exists whenever the loyalty of an employee is divided between his or her responsibilities to the School of Dentistry and an outside interest.

You should avoid actual conflict of interest, as well as actions that appear to involve conflict of interest. If you believe a conflict of interest may exist, it must be disclosed to your supervisor or manager before taking any action. Until you have disclosed and resolved the potential conflict with your supervisor or manager, treat the situation as if a conflict of interest does exist.

While no set of guidelines can cover every type of conflict of interest, the following address some important types:

- Do not conduct personal business activities in your work environment.
- Do not use UW telephone numbers and addresses (including email and/or web addresses) or UW stationery and other office supplies for your personal or outside business.
- Do not use UW titles and affiliations to promote or advertise personal business, including outside private practice.
- Do not conduct UW business with any firm in which you, your family or your close business or personal associates have a direct or indirect interest.
- Do not participate in the hiring or direct supervision of a family member.
- Do not use UW owned computing resources to conduct an outside business.
- Maintain impartial relationships with actual and potential vendors and contractors.
- Do not endorse any product or service on behalf of UW School of Dentistry without prior review by the Office of Attorney General, UW Health Sciences Section.
- Donations to the UW School of Dentistry must be deposited in a UW-approved gift account and reported to the Development Office.
- If you serve as a member of an outside organization or board or in public office, you must abstain from any decision or discussion affecting UW School of Dentistry.

Gifts, Gratuities and Items of Value

As a state employee, you should not solicit or accept any gift, gratuities or other items of value for yourself, family members, friends or associates when acceptance could influence (or reasonably be interpreted by others as influencing) your neutrality as representatives of the state. Questions regarding gifts should be reviewed with your supervisor or the Director of Compliance to ensure compliance with state law.

The state's ethics law has three standards relating to gifts:

- A gift may not be accepted if there is a reasonable expectation that your vote, judgment or action may be influenced by the gift.
- A gift may not be accepted if the gift could be a reward for the performance or nonperformance of your job.
- A gift may not be accepted if its value exceeds \$50 from a single source within a calendar year, or combined sources if used together.

Improper Use of Funds

UW School of Dentistry funds may not be used for improper or illegal activities. The University prohibits any payment to an employee that may be viewed as a bribe, kickback or inducement. Payment or consideration of value offered in order to influence a decision on grounds not directly related to business merits is not allowed.

You may not use UW School of Dentistry funds to contribute to a political party, committee, organization or candidate in connection with any political campaign for public office. (Note: Personal contributions of your own funds to the campaigns of candidates or ballot initiatives of your choice as a private citizen, unrelated to your UW employment, are not prohibited.)

Outside Employment

School employees may engage in outside employment provided there is no actual, apparent or potential conflict of interest. Outside employment should not adversely influence an employee's independence and objectivity in making decisions or detract from the performance of official duties.

The outside work cannot be related to a contract or grant that is within the employee's official duties for the UW School of Dentistry or is under the individual's supervision. The work must comply with the School's rules or policies on outside employment.

Protecting School Assets

We are all responsible for protecting and preserving School property, equipment and supplies. School property, owned or leased, includes office and dental equipment, vehicles, supplies, reports and records and computer software and data. School property also includes trademarks, intellectual property, facilities and services.

State resources, such as a computer or telephone, may not be used for an individual's benefit or personal gain, or for the personal benefit or gain of others.

State resources may be used for personal purposes on a limited, occasional basis if all of the following qualifications are met:

- There is no cost to the State of Washington.
- The use does not interfere with official duties.
- The use is brief in duration and does not distract from the conduct of state business.
- The use does not compromise the security or integrity of state information or software.

State resources may never be used for the following:

- To conduct an outside business.
- To conduct a political campaign or for any other political purpose.
- For illegal activities.
- For commercial uses, advertising, or selling.
- Consumable state resources such as envelopes, paper and pens may never be used for personal purposes.

FALSE CLAIMS ACT

The Federal False Claims Act (FCA) is a powerful tool for enforcing federal laws. The FCA prohibits the knowing submission of a false claim for reimbursement. While not specific to health care claims for reimbursement, the federal government often uses the Act to investigate and sanction providers or organizations in cases alleging fraudulent health care billing. Washington State has a law that is very similar to the Federal False Claims Act (RCW 48.80). There is also a Federal Program Fraud Civil Remedies Act of 1986 that establishes administrative remedies (monetary fines) against anyone who presents claims or written statements to the government that the person knows are false.

Although the FCA requires that the organization or provider have knowledge that he or she is submitting a false claim, the definition of knowledge is very broad and includes: (1) having actual knowledge that the information is false; (2) acting in deliberate ignorance as to the truth or falsity of the information; or (3) acting in reckless disregard of the truth or falsity of the information. The government does not have to provide a specific intent to defraud in order to establish a false claim.

Violation of the FCA can result in significant civil penalties (\$5,500 - \$11,000 per claim) and damages of up to three times the amount of any overpayment based on the false claim. The civil penalties can be assessed for each false claim submitted regardless of the claim amount (e.g., the same penalties apply to a \$25 and \$2500 false claim). Often the provider must enter into a Corporate Integrity Agreement with the government. The provider may also face exclusion from federal health care programs like Medicare and Medicaid, or even criminal prosecution.

Both the Federal False Claims Act and state law (RCW 43.70) provide protections against employer retaliation of an employee who reports fraud to the government. Under the FCA, an individual (called a "relator") may bring a False Claims suit on behalf of the government. For example, an employee who has reported a concern to their employer and feels the issue has not been taken seriously may ultimately choose to contact the government. If the government recovers money from the provider allegedly committing fraud, the relator may receive a portion of the recovered dollars.

Examples of situations that may lead to a False Claim include:

- Billing for services that were not provided or not documented.
- Up-coding — billing for a more costly service than actually performed.
- Unbundling — billing each step of a procedure as separate services instead of billing once for the procedure.
- Misrepresenting a diagnosis to justify a service that was not necessary for the patient.
- Duplicate billing for the same service.

It is especially important that all School of Dentistry providers, staff and students understand the billing rules that apply to their practice or activities. Our policies require that any provider, staff member or student who has a question or concern about a coding or billing practice must raise the issue or question with a supervisor, school leader or the Compliance Office. In addition, you may contact the School's anonymous Compliance Hotline at 206-685-5254. The School enforces policies that prohibit retaliation against anyone who reports a concern in good faith.

COMPLIANCE GUIDELINES

The School of Dentistry is dedicated to the principle that all patients, staff, faculty, students, volunteers and visitors deserve to be treated with dignity, respect and courtesy.

Accuracy of Records

We expect that all patient and business records be accurate and complete and retained for the periods required by law and University of Washington policies.

Patient and business records must conform to accepted standards for the maintenance of such records and shall not contain false or misleading information. Patient dental and medical records may be amended to correct an error or complete documentation only in accordance with established records procedures.

All financial transactions must be recorded in accordance with generally accepted accounting principles and School of Dentistry policies and procedures.

Antitrust Laws

Antitrust laws are federal laws forbidding businesses from monopolizing a market or restraining free trade. The School of Dentistry complies with all antitrust laws. No matter what pressures exist in today's health care environment, we must never engage in business practices that could be viewed as competing unfairly.

It is unlawful to agree, or attempt to agree, with competitors to fix prices, divide geographic or service markets, or make any agreement that artificially raises the price of our services or improperly reduces competition. Special care should be taken in this regard when joint ventures or working relationships with other health care organizations are being considered.

Seek advice from your department leadership before taking any action that may compromise compliance with antitrust laws.

Department leadership contacted about antitrust matters should contact the Director of Compliance (206-543-5331) for advice before proceeding.

Billing

The School of Dentistry bills only for services performed and supporting dental and/or medical documentation must be provided for all services rendered. If the appropriate documentation has not been provided, it is assumed that the service has not been rendered and no charge should be submitted or bill generated.

Services rendered must be accurately coded to ensure both proper billing and data integrity.

All billing must comply with the requirements of state, federal and private payers.

The School of Dentistry will provide assistance to patients seeking to understand the charges relating to their care. Calls should be directed to Patient Billing Services at 206-543-5297.

If you suspect or have reason to believe that improper billing or documentation is occurring, you should immediately alert your supervisor or a higher-level manager. In addition, you may contact the Director of Compliance at 206-543-5331 or call the Compliance Hotline at 206-685-5254. If your questions are not answered or the issue remains a concern.

Billing data must be retained for the time periods prescribed by law and defined by UW policy. Staff involved in preparing and/or submitting charge or billing data must be trained in coding and documentation practices. Billing policies and procedures must be in writing, approved by management and periodically updated.

When a payer agreement requires the collection of co-payments and/or deductible amounts, the School of Dentistry will seek collection as required by the agreement. Decisions to waive any co-payment or deductible must be accurately disclosed and implemented in accordance with written policy.

HIPAA (HEALTH INSURANCE PORTABILITY & ACCOUNTABILITY ACT)

HIPAA is a federal law that protects the privacy and security of a person's health information. The law applies to protected health information (PHI) communicated by any method, in writing, in person, or by electronic means. The School has formally adopted UW Medicine HIPAA policies. These HIPAA policies can be accessed through our compliance website at <http://dental.washington.edu/compliance/hipaa/>

Patient Privacy

PHI (Protected Health Information) Includes:

- Names, addresses, birth dates, telephone numbers, email addresses, social security numbers, dental/medical record numbers, account numbers, health plan identification numbers and other personal demographic and health care information.
- Any information that reveals the patient's physical, psychological or financial situation.

PHI may only be accessed for authorized duties or activities:

- A family member's medical and dental records may not be accessed.
- A coworker's record may only be accessed by the care team.
- Limit access and use of PHI to the minimum amount of information necessary to perform authorized duties.

Emailing PHI to Outside Practices:

Emailing confidential information, including protected health information (PHI) requires encryption. Confidential information, including PHI may not be sent between UW School of Dentistry workforce members and non-UW School of Dentistry workforce members without special encryption safeguards in place. For more information please refer to the SoD policy on emailing PHI.

Emailing PHI to Patients or their Representatives:

When a patient requests or authorizes the use of e-mail to communicate with them, UW School of Dentistry workforce members may use standard e-mail to communicate with them, provided we document in accordance with SoD policy. Refer to the SoD policy on emailing PHI for more information.

Faxing Patient Information:

Patient information should only be faxed to fulfill a treatment, payment or health care operations obligation. Fax machines should be safeguarded to reduce the likelihood of inappropriate access to patient information and should not be placed in public access areas.

School of Dentistry workforce members are required to use a cover sheet that includes the following elements:

- Date of fax transmission
- Name of requestor and facility/organization
- Sender's name
- Sender's fax number
- Sender's phone number
- Number of pages sent (including cover letter)
- Confidentiality Notice which includes a statement regarding re-disclosure
- Statement regarding communications for misdirected faxes and destruction

Information Security

You have an obligation to safeguard data, including confidential and restricted information. We are all responsible for reducing risks associated with human error, theft, fraud, or misuse of electronic data or computing devices. Data stewardship is necessary to maintain the School's reputation, uphold the trust placed in us and prevent harm:

- Do not use unapproved email domains for School business.
- Do not share electronic health care record swipecards.
- Do not forward School email to unapproved domains.
- Keep your computer passwords private; do not share them with others.
- Log off or lock any unattended computer or workstation.
- Store PHI in a private place (e.g., cabinet or drawer) when not in use.
- Make sure PHI is not out in a public place such as a counter top.
- Dispose of PHI in a confidential manner, such as shredding.

PATIENT RIGHTS

Individuals who are accepted as patients of record into one of the care programs have a right to expect the following from the UW School of Dentistry:

QUALITY CARE — Patients can expect that services rendered in the School meet the standard of care of the dental profession.

TIMELY CARE — Patients have the right to expect that appointments will be offered to them on a regular basis until the completion of care.

COURTEOUS CARE — Patients have the right to be treated with courtesy by faculty, staff and students.

INFORMED CONSENT — Patients have the right to be informed about their care, including related cost estimates. Care providers should provide an explanation of oral health condition and treatment alternatives, including no treatment, as well as answer any questions.

CHIEF COMPLAINT — Patients have a right to have their principle reason for seeking treatment at the School addressed by either having a condition treated, or by a clear explanation of why the condition cannot be treated.

CONFIDENTIALITY — Patients have the right to expect that all communications and records relating to their care will be treated as confidential. Patients have the right to have access to their dental record or to obtain a copy of the record.

URGENT CARE — Patients have the right to access services for urgent care at the School or to obtain a referral if necessary.

A summary of complete patient rights and responsibilities is available in all clinics.

WORK ENVIRONMENT

The School of Dentistry is committed to providing a safe and healthy workplace and to the privacy, security and comfort of its patients. If you observe any practice or condition that may put our policies and procedures or any law, standard or regulation, promptly report this to your supervisor, manager or an appropriate School of Dentistry authority.

We expect our faculty, staff and students to uphold all policies, procedures, laws, regulations, standards and practices intended to make the treatment and work environment healthy and safe.

Drugs and pharmaceuticals must be safely stored and inventoried and any missing supplies must be promptly reported.

Every supervisor and manager has a responsibility to create a work environment in which legal or ethical concerns can be raised without fear of retribution or retaliation.

Faculty, staff and students are expected to observe the standards of their profession and exercise good judgment. Significant differences of opinion in professional judgment should be promptly referred to the supervisor, manager or appropriate School of Dentistry authority.

School of Dentistry faculty, staff and students are encouraged to treat one another in a fair and respectful manner. The School prohibits discrimination on the basis of race, color, religion, gender, sexual orientation, national origin, age, disability, veteran status or any characteristic protected by law. All employment-related decisions will reflect this commitment.

Sexual harassment is a violation of the University of Washington's human rights policy. It is defined as: (1) the use of an individual's authority or power, either explicitly or implicitly, to coerce another person into unwanted sexual relations or to punish another for his or her refusal; or (2) the creation by a member of the UW community of an intimidating, hostile or offensive working or educational environment through verbal or physical conduct of a sexual nature.

REPORTING YOUR CONCERNS

The Director of Compliance is not the only person responsible for compliance at the School of Dentistry. It is critical that all faculty, staff and students understand that they each share in this responsibility. It is the responsibility of every staff, student and faculty member to abide by applicable laws and regulations and to support the School's compliance efforts. Faculty, staff and students are required to promptly report any potential violation of the Compliance Program, School policy and procedures, or applicable state or federal laws.

What do I need to report?

Compliance issues can be complex and knowing when to report a potential issue is not always easy. Here are some questions to ask yourself to gauge whether or not a situation should be reported:

- Does the action seem to violate UW or School policies?
- Does the action seem illegal?
- Does the action violate your standard of ethical behavior?
- Would failing to act make the situation worse or allow a "wrong" to continue?

Why do I need to report a concern?

It is the responsibility of every faculty, staff and student to abide by and support the School's compliance efforts by reporting goodfaith concerns.

How do I report a concern?

Reporting a goodfaith concern or issue can be done via any of the following methods:

- Contact your supervisor or anyone in a UW School of Dentistry leadership role.
- Contact the School's Director of Compliance at: 206-543-5331 or Box 356365
- Call the School's Compliance Hotline at 206-685-5254.
- Email Compliance at dcomply@uw.edu

School of Dentistry policy strictly forbids any form of retaliation against anyone who, in good faith, reports a potential violation, raises a concern or asks a question.

Whistleblower Provisions and Protection

The "Whistleblower Act" was enacted to encourage employees of the State of Washington to report improper governmental actions. "Improper governmental action" means any action by an employee undertaken in the performance of the employee's official duties which:

- Is a gross waste of public funds or resources; or
- Is in violation of federal or state law or rule if the violation is not merely technical or of a minimum nature; or
- Is of substantial and specific danger to the public health or safety; or
- Is a gross mismanagement of funds; or
- Prevents the dissemination of scientific opinion or alters technical findings without scientifically valid justification, unless state law or a common law privilege prohibits disclosure.

Improper governmental action does not include personnel actions for which other remedies exist.

Assertions of improper governmental action must be filed in writing with the State Auditor's Office or the following designated University officials:

- President
- Provost and Executive Vice President
- Chancellor, UW Bothell
- Chancellor, UW Tacoma
- Vice President, Human Resources
- Executive Director, Internal Audit
- Associate Vice President/Chief Compliance Officer, UW Medicine

The identity of the whistleblower is kept confidential. The law protects whistleblowers from reprisal or retaliatory action.

A more detailed summary of the Whistleblower Act and methods of transmitting whistleblower assertions are contained in the Administrative Policy Statements at <http://www.washington.edu/admin/rules/policies/AP5/47.01.html>.

State Government Efficiency Hotline

State law requires the State Auditor's Office (SAO) to establish a toll-free telephone line that is available to public employees and members of the public to:

- Recommend measures to improve efficiency in state and local government
- Report waste, inefficiency or abuse
- Report examples of efficiency or outstanding achievement by state and local agencies, public employees, or persons under contract with state and local agencies

The hotline can be reached by:

- Telephone: 1-866-902-3900
- Website: www.sao.wa.gov
- Mail: State Auditor's Office, Attn: Hotline, P.O. Box 40031, Olympia, WA 98504

Disciplinary Process

Individuals violating these standards will be subject to progressive discipline, including termination, if warranted.

The disciplinary process will be applied in accordance with relevant University of Washington staff personnel policies or the University of Washington Faculty Code, as appropriate.

ACKNOWLEDGMENTS

Sources for this handbook include the *Revised Code of Washington* chapters 42.52, 43.70, 48.80 and 70.02, University of Washington's policies, School of Dentistry Policies and Procedures and the School's Compliance Program. In addition, the *Integrity at Work* handbook developed by the University of Washington Medical Center greatly assisted in the development of this handbook.

ELECTRONIC ATTESTATION IS REQUIRED FOR COMPLETING CREDIT.

Go to <https://dental.washington.edu/compliance/compliance-training/>, log in to the learning management system with your UW NetID, locate the training module for Integrity At Work, and take the Final Exam to attest that you have read and understand this document.

www.dental.washington.edu

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