

The University of Toledo Employee Compliance Manual



Compliance is Everyone's Responsibility

Compliance and Privacy Office
419-383-6933 or 419-530-8423

<http://utoledo.edu/offices/compliance>

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Introduction to the University Compliance Program

Dear Colleagues,

The University operates in an increasingly complex environment of federal, state, and local oversight. There are numerous laws and regulations that govern our activities as an institution, and many government agencies monitoring our activities. The penalties for violating laws and regulations, even when they involve a good faith mistake, are often severe. For this reason we all must be extremely vigilant in how we conduct ourselves and perform our jobs, and we must emphasize compliance with laws and regulations, personal accountability, and ethics in performing our duties at the University.

Although most employees are aware of the policies that apply to their specific jobs and are sensitive to their requirements, there are still many legal requirements that are not readily apparent to us.

As part of the Compliance Program, all faculty and staff are required to participate in general Compliance/HIPAA Training. Some employees will receive training in group settings, while others will be required to attend individual training sessions specific to their work situations or will be required to complete training using web-based modules.

The key to success of this Compliance Program is individual effort. Your cooperation in understanding what is expected of each of us will play an important role in the University's overall compliance with its external obligations, and in maintaining high standards in all of its activities.

Ethical and well-informed performance of personal duties is the responsibility of each of us as members of the University community, and the University is counting on us all, both collectively and individually. Please do your part.

Standards of Conduct

As faculty and staff of The University of Toledo, it is our responsibility to conduct our activities with the highest standards of conduct in mind. This requires our personal commitment to:

- Become familiar with and comply with relevant University Policies;
- Obey laws and regulations;
- Be honest, fair, and trustworthy in our activities;
- Foster an atmosphere in which equal opportunity is extended to every member of our diverse community;
- Create a sage University community;
- Avoid conflicts of interest between our work and personal affairs; and
- Sustain a culture in which ethical conduct is recognized, respected and promoted.

The University of Toledo

Statement of Ethical Principles

The University of Toledo dedicates itself to furthering human well-being. To do this the University must maintain the confidence of the local, national, and worldwide communities. For the University to maintain this confidence, trustees, senior officials, faculty, principal investigators, staff, student employees, and others acting on behalf of the University, should strive to maintain the highest level of ethics in all their actions on behalf of the University, and must comply with University policies as well as external laws and regulations.

The Statement of Ethical Principles sets forth standards of ethical conduct to which all person acting on the University's behalf should aspire. The Statement should be used as a general Manual in making ethical decisions in all situations, especially those where the "right" answer is not always clear.

These standards are intended to provide a summary of ethical principles of conduct and to encourage each of us to maintain heightened awareness of their existence. University employees are required to follow Ohio Ethics Law that can be found in its entirety at <http://www.ethics.ohio.gov/OhioEthicsLaw.html>. These Standards are also stated, clarified and implemented in several separate policies and procedures of the University. Violations of University policy will be subject to disciplinary actions as provided in those policies. University of Toledo policies are documented at <http://utoledo.edu/policies>.

Integrity and Respect

The University community is diverse -- in race, background, age, religion, and in many other ways. The personal actions of each community member establish and maintain the culture of tolerance and respect for which we strive. The University is committed to free inquiry, free expression, and the vigorous discussion and debate on which the advancement of its educational mission depends. At the same time, trustees, senior officials, faculty, principal investigators, staff, student employees, and others acting on behalf of the University should respect the rights and dignity of others regardless of their differences, and must conscientiously comply with nondiscrimination policies adopted by the University.

Responsibility and Accountability

University trustees, senior officials, faculty, principal investigators, staff, student employees, and others acting on behalf of the University should assume and exercise responsibility appropriate to their positions and roles. We are accountable to each other, to the University, and to ourselves for our actions and our decisions not to act. When roles or responsibilities are unclear, we should take it upon ourselves to obtain clarity. We should exercise sound professional judgment in the performance of our responsibilities, to the best of our ability.

Conflicts of Interest and Commitment

All trustees, senior officials, faculty, principal investigators, staff, student employees, and others acting on behalf of the University hold positions of trust, and should conduct their activities accordingly. Activities that impair or appear to impair the ability to perform our duties or affect independence and objectivity of judgment in the discharge of our responsibilities to the University should be avoided. We should demonstrate sensitivity in identifying potential conflicts of interest, whether of a financial, personal, or professional nature. Conflicts of interest must be disclosed, reviewed, and appropriately managed or eliminated in accordance with the reporting and other provisions of applicable University policies.

Harassment and Abuse of Power

The University supports an environment in which harassment of others is not tolerated. Trustees, senior officials, faculty, principal investigators, staff, student employees, and others acting on behalf of the University may not use positions of authority to violate or to influence others to violate laws, regulations or University policies.

Stewardship

As stewards of University resources, all trustees, senior officials, faculty, principal investigators, staff, student employees, and others acting on behalf of the University have a responsibility to ensure that all University resources are used prudently, ethically, and for their designated purposes. We have a responsibility to contributors to the University, including federal, state, and local governments, to treat University property with care, and to expend funds prudently. We should avoid waste and improper use, and should not use tangible or intangible University assets, funds, property, or facilities for our personal benefit or for the benefit of a non-University organization without proper approval. Our acts should reflect the recognition of a special obligation to use University property responsibly and consistent with the tax-exempt status conferred on the University in light of its educational, research, and service missions. It is imperative that those with access to confidential, proprietary, or private information not make unauthorized disclosures or use of this information.

Reporting

All trustees, senior officials, faculty, principal investigators, staff, student employees, and others acting on behalf of the University are expected to report violations of laws, regulations or University policies to appropriate University officials, e.g., the employee's dean, department chair or other supervisor, senior University administrator, University Compliance & Privacy Office, or Office of Legal Affairs. Confidentiality of individuals reporting violations of these standards will be maintained to the extent permitted by law.

THE UNIVERSITY OF TOLEDO

Mission, Values, and Vision

The mission of The University of Toledo is to improve the human condition; to advance knowledge through excellence in learning, discovery, engagement and service as a diverse, student-centered public metropolitan research university.

The University of Toledo Core Values

Core Value I . Compassion, Professionalism and Respect –

Treat every individual with kindness, dignity and care; consider the thoughts and ideas of others inside and outside of the University with a strong commitment to exemplary personal and institutional altruism, accountability, integrity and honor.

Core Value II . Discovery, Learning and Communication –

Vigorously pursue and widely share new knowledge; expand the understanding of existing knowledge; develop the knowledge, skills and competencies of students, faculty, staff and the community while promoting a culture of lifelong learning.

Core Value III . Diversity, Integrity and Teamwork –

Create an environment that values and fosters diversity, earn the trust and commitment of colleagues and the communities served; provide a collaborative and supportive work environment, based upon stewardship and advocacy, that adheres to the highest ethical standard.

Core Value IV . Engagement, Outreach and Service –

Provide services that meet students' and regional needs and where possible exceed expectations; be a global resource and the partner of choice for education, individual development and health care, as well as a center of excellence for cultural, athletic and other events.

Core Value V . Excellence, Focus and Innovation –

Strive, individually and collectively, to achieve the highest level of focus, quality and pride in all endeavors; continuously improve operations, engage in reflective planning and innovative risk-taking in an environment of academic freedom and responsibility.

Core Value VI . Wellness, Healing and Safety –

Promote the physical and mental well-being and safety of others, including students, faculty and staff; provide the highest levels of health promotion, disease prevention, treatment and healing possible for those in need within our community and around the world.

The University of Toledo Medical Center Mission Statement

The mission of The University of Toledo Medical Center is to provide superior patient care that is compassionate and cost effective and to support and enhance the health education of The University of Toledo. In partnership with the university, the hospital continuously strives to develop and incorporate advancements in health-care knowledge to improve the quality of patient care.

Education: The medical school will be educating future leaders of medical practice, biomedical and healthcare research, and medical education. All dimensions will be improved and be better integrated. The University of Toledo will have a national reputation for an innovative curriculum, will compete effectively for top medical students, residents, and fellows, and will have well defined financial support for the educational mission. The University of Toledo will be a lifelong educational partner with all those who have touched the system, including faculty and staff, students and trainees, referring physicians, patients, and the community.

Patient Care: The patient care enterprise within The University of Toledo Medical Center will proactively seek to improve the health of the population of Ohio and Michigan and beyond, through direct patient services, new care coordination models, patient-oriented education, and clinical and healthcare research. The University of Toledo will be nationally recognized by patients, payers, and peers as a provider of innovative, evidence-based, outcomes-oriented, friendly, accessible, coordinated, and cost-competitive health care, regularly benchmarking its' self using appropriate metrics.

Research and Technology Development: The University of Toledo will enhance its reputation as a leading institution in advancing biomedical and behavioral knowledge and in achieving clinical impact from its laboratory, clinical, population based, and health services research. Through discoveries and applications, the University will enhance its capabilities and competitiveness in patient care and contribute to improved health nationally and worldwide. The Office of Research Collaboration a partnership including the University of Toledo and Bowling Green was created among researchers, practitioners, and the metropolitan community to advance research in Northwest Ohio.

THE UNIVERSITY OF TOLEDO EXPECTATIONS

To excel in our mission, function as a team and execute responsibilities with the highest of standards. Every employee is vital, fully aware of their role and responsibilities, possesses a set of unique attributes and skills, is empowered to contribute to mutually established goals, and is accountable for their actions. Employees are regularly acknowledged for their contributions toward the universities' goals.

To organize and locate our programs and services to meet the expressed needs and expectations of our customers (patients, payers, referring physicians, faculty and staff, students, trainees, regulatory agencies and research benefactors); and do so in a manner that optimizes the return on the resources available to us. Our efficiency is continuously reviewed and variations minimized through process improvements.

The efficacy of the health services that we provide is continuously challenged as new technologies become available and/or cost reductions can be realized. Our achievements and outcomes for the health care services provided are measured by patient centered methodologies and by peer standards for research and educational enterprises.

We expect all who seek to join us at The University of Toledo to share our Vision, exemplify our Values and strive to meet our Expectations.

Compliance/HIPPA Training Goals

What is compliance? Simply stated, compliance means following the laws, regulations and University policies that govern our everyday activities as members of the University community. *Compliance Awareness Training* is intended to make employees **aware** of the various laws, regulations and policies that they need to know in order to perform their job responsibilities, and to make them aware of where to go for guidance and help. The *Compliance Awareness Training* goals are to:

1. Communicate the magnitude of the regulatory compliance environment that the University and its employees face and to:
 - a. Introduce the employee to those transactions/process that have significant regulatory and compliance expectations:
 - b. Review the significant consequences the University faces if we fail to comply (fines, criminal prosecution, suspensions, etc.) and to provide some examples of large fines levied against other universities for failing to comply in various operational areas.
2. Provide an initial education to the employee regarding the University's *Compliance Program*;
3. Introduce the employee to the University's *Standard of Conduct*, management's expectation that they "do the right thing" and how these overarching requirements form the basis for compliance;
4. Introduce the employee to the central policy web site and to explain how it is set up, what is published there, and that it identifies the various compliance organizations and contact persons that can help the employee learn how to "do the right thing."
6. Explain the purpose and operations of the *Anonymous Reporting Line* and how employees can use it to help meet compliance responsibilities and to distribute the *Compliance Brochure*.
7. Assure employees know about Joint Commission and reporting concerns:
Employees that have concerns about patient safety or quality of care should Contact Quality Management at (419) 383-3968. If the employee does not get a resolution the employee may contact the Joint Commission directly at (800) 994-6610. No disciplinary action will be taken against an employee when reporting safety or quality of care concerns.

Resources

University of Toledo Policies

“A **policy** is a deliberate plan of action to guide decisions and achieve rational outcome(s).” as taken from **Wikipedia**. The University of Toledo understands the importance of providing guidance to the employees through documented policies and procedures. It is extremely important that the policies and procedures be current and relevant. The president of The University of Toledo has a policy committee working on reformatting policies to be in compliance with the requirements of the State of Ohio as well as subcommittees reviewing policy content. Revised or new policies are on the policy website for a period of 30 days for comment. After the comment period the policies are either signed by the President or reviewed by the responsible party for further revision.

All policies and procedures are now located on the policy website at:
www.utoledo.edu/policies.

Mediregs

The university provides each employee with access to Mediregs a web-based site that has all of the federal and state regulations, as well as reports, memorandums, codes for billing, and much more. Every employee has access by using their utad account name, password will be issued by Mediregs when first accessing. There will be a prompt to change this password to a personal password. This is available to all employees at http://utoledo.mediregs.com/cgi-bin/_trial/index_gen?page=q.

Questions regarding policies and procedures should be direct to the department supervisor for clarification. Employees are always welcome to bring questions to the Compliance/Privacy office.

The University Compliance Program and the “Regulatory Compliance Anonymous Reporting Line”- Ethics Point

The University’s *Compliance Program* (“*Program*”) reflects the University’s commitment to maintaining the highest ethical principles and complying with all applicable laws, regulations, policies, and procedures. The Compliance/Privacy Officer for the University is responsible for the administration of the Program. Usually, compliance issues should be addressed through normal administrative channels. However the University has established a Regulatory Compliance Anonymous Reporting Line to provide a method for employees to report instances of suspected non-compliance with laws, rules, regulations and policies outside the normal chain of command. This method is intended to preserve confidentiality to the extent possible under University Policy, and allows employees who call the Anonymous Reporting line to remain anonymous if they so chose. If the caller request anonymity, no attempt will be made to identify the caller. Of course, depending on the allegation, the investigation may be restricted if the caller cannot be contacted for additional information. The telephone number for the Anonymous Reporting Line is toll free (888) 416-1308, and is available 24 hours a day, 7 days a week. The Anonymous Reporting line is administered by the Director of Internal Audit. Employees may also report instances of non-compliance to the Compliance and Privacy Office at (419) 383-6933 or by e-mail at lynn.hutt@utoledo.edu.

As stated earlier in this Manual, ethical behavior is expected of every University employee. Management personnel at every level are expected to set an ethical “tone” and to be role models for ethical behavior. They should create a culture that promotes the highest standards of ethics and encourages everyone to voice concerns when unethical behavior or incidents of non-compliance with applicable laws, policies, rules or regulations occur. Each employee has an obligation to report any activity that they perceive to violate such laws, policies, rules and regulations to their supervisor, the responsible administrative office, or the Compliance/Privacy Office. Approved University policies may be found on the University web site at www.utoledo.edu/policies or compliance office website: utoledo.edu/offices/compliance.

Fraud Waste and Abuse

The elimination of waste, fraud and abuse is the responsibility of all University employees. The University performs work for the federal and state government, and because the University submits invoices and receives payment from the government, it is subject to the False Claims Act and the Deficit Reduction Act. The policy 3364-15-02 Detecting and Preventing Fraud, Waste and Abuse states; “that The University of Toledo is committed to following all applicable laws and regulation...” This policy can be found at www.utoledo.edu/policies under Administration - Compliance. Submitting false claims to federal or state agencies, whether intentionally or unintentionally, may subject the University and/or individuals to substantial fines, penalties and interest.

Employees are encouraged to report dishonest, illegal activities including but not limited to: suspected theft, misappropriation of funds, and other fiscal irregularities to the Compliance and Privacy Office in accordance with policy 3364-15-03 Compliance and Incident Reporting (non-patient) Reporting Financial Irregularities policy.

The Non-Retaliation policy 3364-15-04 does not permit the university or any agent of the university to take, or tolerate, any retaliatory act against an individual who, in good faith, makes a report of practices reasonably believed to be a violation of this policy.

Employees are encouraged to follow the reporting structure outlined in the policy:

Reporting Structure:

1. Report to your supervisor;
2. Report incidents to a Department head, such as Human Resources;
3. Report to the Compliance Officer: 419-383-6933;
4. EthicsPoint – Anonymous Reporting Line- 1-888-416-1308;
5. State or Federal Regulatory agency;
6. Joint Commission for issues related to quality of care or any patient related incidents.

THE UNIVERSITY OF TOLEDO MEDICAL CENTER

The University of Toledo Medical Center provides compassionate, university-caliber patient care while supporting and enhancing the health education of The University of Toledo. In partnership with the university, the physicians and staff continuously strive to develop and incorporate advancements in health-care knowledge to improve the quality of patient care. The University of Toledo Medical Center is accredited by the Joint Commission.

The Quality Management Department interacts with hospital administration, medical staff, department directors, students, and others as needed. The department also provides services to external systems with which we have a contracted or legal obligation.

The Quality Management Department provides data management and consultative services related to the purposes of improving quality and cost-effectiveness of patient care, patient safety, risk reduction, regulatory compliance, clinical profiling, clinical benchmarking, and strategic planning. The department also provides assistance in the research activities of hospital and medical staff and participates in the educational programs, where appropriate, for medical, nursing, and allied health students.

Call 419-383-3968 or 419-38-3665 for any concerns or questions related to patient care, patient safety or clinical issues. The Quality Management Department interacts with hospital administration, medical staff, department directors, students, and others as needed. The department also provides services to external systems with which we have a contracted or legal obligation.

The Joint Commission addresses all complaints that relate to quality of care issues within the scope of our standards. These include issues such as patient rights, care of patients, safety, infection control, medication use and security.

The Joint Commission does not address individual billing issues and payment disputes. Also, the Joint Commission does not have jurisdiction in labor relations issues or the individual clinical management of a patient. The Joint Commission does not review complaints of any kind in unaccredited organizations.

Quality of care issues that are not addressed by university administration or the compliance officer should be reported to the Joint Commission.

Complaints maybe reported online or submitted by mail, fax or e-mail. The Joint Commission policy forbids accredited organizations from taking retaliatory actions against employees for having reported quality of care concerns to The Joint Commission.

The e-mail address of the Joint Commission is complaint@jointcommission.org.

Faxes should be sent to Office of Quality Monitoring at (630) 792-5636 or mail to:

Office of Quality Monitoring
The Joint Commission
One Renaissance Boulevard
Oakbrook Terrace, IL 60181

If you have questions about how to file your complaint, you may contact the Joint Commission at this toll free U.S. telephone number, 8:30 to 5 p.m., Central Time, weekdays. (800) 994-6610

Things to Remember

- Do not discriminate against an employee, student, applicant or vendor because of race, gender, religion, national origin, color, age, disability, sexual orientation or preference, or veteran's status.
- Commit to the highest standards of business and ethical conduct in all activities.
- Respect the rights of others.
- Avoid conflicts of interest and self-dealing.
- Be aware of laws, rules, regulations and policies that apply to your job.
- Know where to find all approved University Policies (policy web site- <http://www.utoledo.edu/policies>).
- Promote accuracy and truth in University business transactions.
- Observe sound business practices in effort reporting and billing services.
- Do not accept any gift that could appear to influence your official conduct.
- Maintain absolute confidentiality regarding student, employee, and patient records.
- Report any perceived wrongdoing to your supervisor or the University Compliance and Privacy Office.
- Do not destroy any records except in accordance with the Record Retention Policy.

What Should I do if I Suspect Something is Not Right?

When you have good cause to suspect something is not right:

- o Talk to your supervisor, and/or;
- o Report your concern to the appropriate University administrative office, and/or;
- o Call the *Anonymous Reporting Line* at (888) 416-1308, or;
- o Contact the Compliance and Privacy Office by mail 3045 Arlington Avenue, MS# 1018, Toledo, Ohio and can be contacted by phone at (419) 383-6933, by fax at (419) 383-3850 or by e-mail at lynn.hutt@utoledo.edu

"Compliance is Your Responsibility"

It is every employee's responsibility to comply with federal, state and local laws and regulations, and University Policies that apply to his or her job. It is also every employee's responsibility to report concerns to his or her supervisor or to the Compliance and Privacy Office if illegal or unethical behavior is suspected.

Captain Integrity while being a cartoon is a quick reference for employees to get acquainted with the various rules and regulations pertaining to the university without having to read detailed articles. Please ask any questions that arise after reading these snip-its.



Acknowledgement and Agreement

I _____, have received the Compliance Manual. I understand that I have a continuing obligation to adhere to the expectations of The University of Toledo and will conduct my business and professional affairs in an ethical manner. I have read and understand the Statement of Ethical Principals and am aware that I have an obligation to be familiar with the sections of the Ohio Revised Code that pertains to my employment.

Should I become aware of information that indicates a probable violation of the ethical conduct expectations of the university, I have a responsibility to report such violations.

I agree to comply with all Federal and State laws that pertain to my employment.

I will report any Conflicts of Interest that arise during my employment at the university and submit a Conflict of Interest statement once a year if required by the terms of my employment.

As an employee of The University of Toledo, I will conduct myself with integrity and with the highest of standards.

Print Name

Signature

Date

Witness