



**westmed**  
medical group

# CODE OF CONDUCT

Adopted by the Board of Directors on May 25, 2011

## LETTER FROM THE CEO + MEDICAL DIRECTOR

To All Westmed Staff:

At Westmed Medical Group, we have a comprehensive Compliance Program that is based on our mission and values. The Compliance Program is a vital part of the way we conduct our business and supports our tradition of caring – for our patients, our co-workers and our community. We strive to deliver high-quality health care efficiently and compassionately, and to perform our work with complete integrity.

This Code of Conduct is an essential component of the Compliance Program. It provides guidance to help ensure that we carry out our work in an ethical and legal manner, and emphasizes the shared values and culture that guide our actions.

If you have questions regarding the application of the Code of Conduct to a specific situation, it is your responsibility to seek advice from Westmed management. In addition, if you believe there is or may be a violation of the Code, you must notify your supervisor or another member of management, or Westmed's Compliance Officer. Westmed also maintains a Compliance Hotline at (914) 681-5291 and an email address for compliance matters at [compliance@Westmedgroup.com](mailto:compliance@Westmedgroup.com), both of which can be used for anonymous reports if Staff wish to do so. We will thoroughly review the matter and take action to correct any problems identified. Staff who report a compliance issue in good faith will not be subject to retaliation.

Compliance is everyone's responsibility. We trust that you will find the Code of Conduct to be a valuable guide for your daily activities at Westmed.

Sincerely,



*Anthony Viceroy*  
**Anthony Viceroy**  
CEO



*Steven Meixler*  
**Steven Meixler, MD**  
Medical Director



## CONTENTS

Our Mission .....	4
Critical Success Factors .....	4
Our Values .....	4
Purpose of Our Code of Conduct .....	5
Quality of Care + Personal Conduct of Staff .....	5
Legal + Regulatory Compliance .....	6
Patients' Rights + Patient Information .....	6
Ordering, Coding + Billing for Services .....	6
Anti-Kickback + Physician Self-Referral .....	7
Recordkeeping + Financial Reporting .....	7
Confidential Business Information .....	8
Employment Practices + Workplace Conduct .....	8
Electronic Media + Security Requirements .....	9
Marketing + Advertising .....	9
Relationships with Business Partners .....	9
Political Activities .....	10
Accreditations + Government Investigations .....	10
Reporting .....	11
Non-Retaliation + Non-Intimidation .....	11
Responding to Potential Compliance Issues .....	11
Enforcement .....	11

## MISSION + VALUES

### OUR MISSION

To be a partner in our patients' comprehensive, lifelong care.

### CRITICAL SUCCESS FACTORS

We are committed to being the best place for patients to receive care, the best place for physicians to practice medicine, and the best place for employees to work.

We aim to achieve this by:

- Working together across specialties and roles to create a patient-centered care experience, which provides coordinated, compassionate, high quality medical care that combines scientific evidence with each person's goals, values and beliefs.
- Dedicating ourselves to the successful management of our business affairs and to the prudent utilization of the resources entrusted to us.



### OUR VALUES

We value a satisfying patient care experience. We respect patients' time and convenience and their need for timely and accurate information. We make personal outreach to patients. We measure patient satisfaction and have a mechanism for feedback. We keep our commitments to follow up.

We value honesty, integrity and professionalism. We rely upon a team approach of collaboration, reliability, flexibility and mutual respect. We recognize and reward each individual's contributions. We hold each other accountable to perform our responsibilities and uphold professional standards of conduct.

We value continuous improvement. We use technology to manage the processes of care to be efficient and effective. We practice evidence-based medicine and are committed to a process of self-review. We are dedicated to staff development.





## PRINCIPLES OF CONDUCT

### PURPOSE OF OUR CODE OF CONDUCT

The Code of Conduct (“Code”) applies to all Westmed physicians and other professionals, Westmed employees at every level of the organization, independent contractors, students and volunteers (collectively, “Staff”).

The Code provides guidance to all Staff in carrying out their daily work activities within appropriate ethical and legal standards. These obligations apply to relationships with patients, one another, third-party payors, contractors, vendors, and others doing business with Westmed. The Code is a critical component of our Compliance Program and was developed to ensure that Staff know and understand the conduct required of them.

The Code is not intended to deal fully with each subject covered. In most cases, the Code provides a general statement or overview of the standards that apply. Staff must refer to and abide by Westmed’s comprehensive policies and procedures, which expand upon or supplement many of the principles articulated in this Code of Conduct. [Click here](#) to view Westmed’s policies and procedures that are available to Staff on the Intranet.



### QUALITY OF CARE + PERSONAL CONDUCT OF STAFF

Westmed provides its patients with care and treatment that is medically necessary, appropriate to the situation, compassionate, safe, efficient and in compliance with professionally recognized standards. Staff are expected to act with honesty, integrity, good faith, professionalism and high ethical standards in all aspects of their job. Staff directly involved in the care of patients take personal responsibility for the quality of care they provide, and all Staff are responsible for performing their job duties in a manner that optimizes our patients’ overall experience and Westmed’s proper functioning as a business.

Westmed Staff are expected to be well-qualified and appropriately trained for their positions, perform their job responsibilities well and to the best of their ability, and continuously seek ways to improve their performance and Westmed’s practices and procedures. Staff participate fully in Westmed’s quality initiatives and risk management programs. Staff must report to their supervisors or Westmed management if they know of any incident of patient care that does not appear to meet Westmed’s standards or there are concerns about the quality, safety and efficiency of the care we provide or the way we operate our business.

Staff work collaboratively through positive communication, and treat coworkers, patients and visitors with courtesy and respect. Physicians, as owners and leaders of Westmed, are expected to demonstrate professionalism, equanimity and accountability. Similarly, Westmed supervisors and managers act as positive role models for their departments, make reasonable efforts to keep up with regulatory changes that affect their areas of responsibility, ensure that departmental policies, procedures and standards are up to date, and seek out opportunities for Staff development.

## **LEGAL + REGULATORY COMPLIANCE**

We provide all services and operate our business in a manner that complies with applicable federal, state and local laws and regulations, and the conditions of participation for federal and state health care programs. Staff are expected to familiarize themselves with, and to follow both the letter and spirit of the laws, regulations and Westmed policies that relate to their position.

## **PATIENTS' RIGHTS + PATIENT INFORMATION**

Westmed makes no distinction in the availability of services or in the care we provide based on a patient's age, gender, disability, race, color, religion, national origin, sexual orientation, ancestry, military status, marital status or citizenship. We recognize and respect the diverse backgrounds and cultures of our patients and make every effort to equip our Staff with the resources to provide high quality medical care in an efficient manner and to respect each patient's cultural heritage and personal values.

Each patient is provided with a Notice of Privacy Practices. We seek to involve patients in all aspects of their care, including giving consent for treatment and making health care decisions. In the promotion and protection of each patient's rights, each patient is accorded respect, autonomy, privacy and the opportunity for the resolution of complaints.

Staff are responsible for protecting every patient's right to privacy of his or her health and financial information maintained by Westmed, in keeping with HIPAA and other federal and state requirements. Compliance with Westmed's strict privacy and security policies and procedures is essential to meet our obligations with respect to our patients' protected health information. Staff may only access, use and disclose the minimum necessary patient information needed to perform their job or otherwise authorized under the circumstances.

## **ORDERING, CODING + BILLING FOR SERVICES**

Westmed is committed to preventing fraud, waste and abuse in the conduct of our medical practice. Incidents or practices that are inconsistent with sound fiscal, business or medical practices or result in unnecessary costs are not tolerated. To accomplish these aims, Westmed has implemented policies, procedures and systems to facilitate accurate and legally compliant coding and billing of governmental and other third party payors and patients, as well as to promote the quality and efficiency of care.

Staff ensure that the services they provide are medically necessary and meet professionally recognized standards for health care. Medical records must include the necessary documentation to support the medical care provided and proper billing for such services. In addition, Staff may not submit claims for payment that they know or should know to be false or fraudulent. Every Staff member is ultimately responsible for orders and claims submitted under his or her name.



## **ANTI-KICKBACK + PHYSICIAN SELF-REFERRAL**

When Westmed Staff refer a patient to another provider, either within or outside Westmed, referrals are based on the patient's documented need for the referred service and the ability of the provider to meet that need. Staff will not offer, give, accept or ask for money or other benefit in exchange for patient referrals, or purchasing, leasing, ordering, arranging for or recommending products or services.

If a Westmed Staff member or his or her family member has a financial relationship with another provider, no referrals of patients can be made to that provider for "designated health services," including clinical laboratory, radiology, physical therapy and durable medical equipment, unless a specific exception applies that permits the referral. (Because Westmed is a fully integrated group practice with centralized services, referrals for services within Westmed generally satisfy an exception under the self-referral laws.) Staff must advise Westmed if they have a financial relationship with other health care entities, providers or suppliers so that the arrangement can be evaluated to ensure compliance with applicable law.



## **RECORDKEEPING + FINANCIAL REPORTING**

Staff are responsible for the integrity and accuracy of Westmed's business and clinical records, not only to comply with legal requirements but also to ensure that records are available to support our business practices and medical decision making. As appropriate to the type of record, documentation must fully and accurately reflect the transaction or circumstances being recorded, the persons or entities involved and the individual who created the record. Staff may alter records only in appropriate circumstances, to the extent permitted by Westmed policies and procedures.

Staff adhere to the highest standards in recording, maintaining and reporting Westmed financial information so that Westmed may properly manage its business and meet its obligations to patients, Staff and others with whom we do business, including the government and private entities. Financial records must be accurate and complete and conform to generally accepted accounting principles, as applicable. All funds, assets, liabilities, revenues and expenses must be properly recorded. Staff follow Westmed's systems of internal controls so that business plans and transactions are executed in accordance with management's authorization, audited on a regular basis, and are documented in a proper manner so as to maintain accountability with respect to the organization's assets.

Medical and business records are retained in accordance with the law and our record retention policy and disposed of with due regard for their confidentiality. Staff must never alter or destroy records in an effort to impede threatened or actual litigation or to deny governmental authorities that to which they may be legally entitled in connection with an audit or investigation.



## CONFIDENTIAL BUSINESS INFORMATION

Staff safeguard Westmed's confidential business information. Confidential business information includes virtually all information related to Westmed's finances and business operations, including our patients' clinical, financial and demographic information; fee schedules and reimbursement rates; financial data, reports and analyses; details regarding surveys and investigations; strategic and marketing plans; and proprietary information belonging to third parties that Westmed is obligated to protect. Staff use and disclose business and competitive information only to perform their job responsibilities within Westmed and only in furtherance of Westmed's interests.

## EMPLOYMENT PRACTICES + WORKPLACE CONDUCT

Westmed promotes diversity and is committed to providing an inclusive work environment where everyone is treated with fairness and respect. We do not discriminate against anyone based on race, color, religion, sex, sexual orientation, national origin, age, ancestry, disability, military status, marital status or citizenship status with respect to any offer, term or condition of employment. Staff have the right to work in an environment free of harassment or disruptive or violent behavior.

Staff in positions that require professional licenses, certifications or other credentials are responsible for maintaining the current status of their credentials in order to work at Westmed and compliance with the standards that apply to their respective disciplines. Staff must promptly notify Westmed if there is any change in, or investigation relating to, their licensure or other credentials or if they become ineligible to participate in federal or state reimbursement programs.

Westmed is committed to providing a workplace that is drug-, alcohol- and smoke-free, and free of undue health risks and unsafe conditions. To accomplish

this, Staff comply with Westmed policies and procedures, and all laws relating to workplace safety and preservation of the environment as they relate to our operations. Staff properly handle and dispose of hazardous materials and medical or chemical wastes, and immediately alert the appropriate managers or Westmed's Compliance Officer if a violation of an environmental or occupational safety or health law is known or suspected.

Staff have a duty to preserve and protect Westmed's assets and to ensure their efficient use, as theft, carelessness and waste have a direct impact on our success. Staff use Westmed personnel and property, including equipment, supplies, materials and services, only for Westmed business purposes.





## **ELECTRONIC MEDIA + SECURITY REQUIREMENTS**

Because of our commitment to the use of information technology, it is essential that Staff use due care to protect Westmed's electronic communication systems, including its computers, hardware, software, networks, electronic mail, Intranet, Internet access, telephones and voice mail. Staff follow Westmed policies and procedures in order to maintain the confidentiality, availability, integrity and security of Westmed's information and information technology assets. Staff must use their passwords appropriately, exercise care in accessing, transferring, disclosing and storing electronic information, and making sure that encryption and authentication processes are followed. Westmed's electronic communications systems are to be used only for Westmed's business purposes, in accordance with Westmed's electronic communications policies and standards.

Staff must adhere to Westmed's standards of confidentiality, transparency and appropriateness when using social media, as described in our policies and procedures.

## **MARKETING + ADVERTISING**

Westmed uses marketing and advertising to increase awareness of our services, educate the public and our patients, report to our community and recruit personnel. Westmed's services are marketed in a fair, truthful and ethical manner, using marketing materials and methods that accurately describe Westmed as an organization and the qualifications of its Staff.

## **RELATIONSHIPS WITH BUSINESS PARTNERS**

Our business partners — consultants, vendors, suppliers, contractors, physicians and others with whom we do business — are vital to our success. Westmed enters into and manages its relationships with business partners in a fair and reasonable manner, free from conflicts of interest, and consistent with applicable laws and good business practices. Because our patients and community may associate our business partners' performance with those of Westmed, we look into the background of our partners before allying with them to ensure they demonstrate high standards of ethical business conduct.

Westmed does not contract with, employ or bill for services rendered by an individual or entity that is excluded, suspended or disbarred from, or ineligible to participate in, federal or state funded health care programs or health care contracts. Westmed Staff are responsible for searching the federal and state lists of such excluded or ineligible persons prior to entering into any contract or business arrangement.

Westmed ensures that its business practices comply with antitrust and other laws governing competitive activities. Staff refrain from engaging in practices that might restrict competition, including providing information about Westmed's reimbursement rates and negotiations and fee schedules to a competitor.



## CONFLICTS OF INTEREST

Staff have an obligation to avoid situations and conduct that create a conflict of interest or even the appearance of one. A conflict of interest may occur if a Staff member's outside activities, personal financial interests or other private interests influence or appear to influence his or her ability to act in Westmed's best interest. Conflicts of interest also arise when a Staff member uses his or her position at Westmed to profit personally or assist others in profiting personally at the expense of Westmed. Staff must disclose any financial interests that they or members of their immediate family have that may affect or be affected by the Staff member's work at Westmed.

Except in the limited circumstances described in Westmed's policies, Staff may never solicit or accept personal gifts or benefits from vendors, patients or others.

## RESEARCH

Staff applying for or performing research, investigations or clinical trials of any type must obtain all necessary approvals and maintain the highest standards of ethics and accuracy in regard to the research. Our first priority is to protect and respect the rights of the individuals who participate in the research, including obtaining their fully informed consent. Staff shall not engage in research misconduct of any kind, and shall submit only accurate and complete results and documentation relating to the research.

## POLITICAL ACTIVITIES

Westmed Staff do not engage in personal political activity while on Westmed time, nor do they use Westmed equipment or resources for this purpose. Staff may participate in political activity only as private citizens, and not as representatives of Westmed. If Staff choose to engage in such activity on their own time, it is important that they not give the impression

they are speaking on behalf of or representing Westmed.

Contributions to and participation in Westmed's political action committee (PAC) are strictly voluntary.

## ACCREDITATIONS + GOVERNMENT INVESTIGATIONS

Westmed takes pride in the quality of services provided and in our accreditation by the NCQA and other voluntary accrediting agencies, which support our preeminent position as a health care provider of choice. Staff shall cooperate fully with requests from such agencies and act in an open and honest manner when dealing with them.

Westmed cooperates fully with government inquiries concerning our operations. Staff must immediately report any requests received from a government investigator to his or her supervisor, who will contact Westmed's General Counsel and Compliance Officer. They in turn will coordinate Westmed's response and ensure that it is appropriate and complete. Staff must follow the guidance of Legal Counsel during this process. When any such inquiry is received, all potentially related documents (in any media) shall be preserved and Staff will cooperate with Legal Counsel in making them ready for evaluation and/or production. Staff will not destroy or alter records requested for a government investigation or survey, nor will Staff lie or make misleading statements on or about such documents, nor attempt to persuade another Staff member to do so.

The Staff obligations outlined above also apply in circumstances involving actual or threatened litigation against Westmed or any Staff member in connection with their work at Westmed.

## REPORTING + ENFORCEMENT

### REPORTING

If a Staff member has questions regarding the application of the Code of Conduct to a specific situation, it is the Staff member's responsibility to seek advice from their direct supervisor, the Director of Human Resources or the Compliance Officer.

Staff are required to report -- to their supervisor, the Director of Human Resources, Westmed's Compliance Officer or the Compliance Hotline -- any known or suspected violations of the Code of Conduct. For the Compliance Officer, a report of the concerns may be:

- Made in person
- Sent by mail to: Compliance Officer, 800 Westchester Avenue (Suite N-715) Rye Brook, NY 10573
- Made by telephone to Westmed's Compliance Hotline at (914) 681-5291
- E-mailed to [compliance@westmedgroup.com](mailto:compliance@westmedgroup.com)

Reports may be made anonymously by mail, telephone or email. Staff may also request that the report be kept confidential; this request will be honored to the extent appropriate and possible, consistent with Westmed's obligation to make a thorough investigation of the reported violation.

Failing to report a violation is a violation in itself that can subject a Staff member to disciplinary action.



### NON-RETALIATION + NON-INTIMIDATION

Westmed will not retaliate against Staff who, in good faith, raise concerns or questions about misconduct or report an actual or suspected violation of this Code of Conduct. Making a report in good faith means providing information that the Staff member believes to be true.

If a Staff member who reports an issue believes he or she is experiencing retaliation, the Staff member should report this situation to the Compliance Officer. The Compliance Officer will investigate and take appropriate action with respect to all suspected acts of retaliation. Any individual who is found to have retaliated against Staff or intimidated Staff is subject to disciplinary action.

### RESPONDING TO POTENTIAL COMPLIANCE ISSUES

Westmed will investigate all reported concerns promptly and thoroughly. The Compliance Officer will direct the investigation of compliance concerns. Staff are required to cooperate with investigative efforts. Where an internal investigation substantiates a reported violation, corrective action will be implemented.

### ENFORCEMENT

A staff member who violates the Code of Conduct is subject to disciplinary action, up to and including termination. The specific action will depend on the nature and severity of the violation.

## ACKNOWLEDGEMENT

By signing this acknowledgment, I am confirming that:

- I have received, read and understand the Code of Conduct;
- I understand that I can and should seek guidance on compliance-related issues at any time;
- I understand that I must comply with Westmed's Code of Conduct and policies and procedures and I agree to abide by and promote the principles, objectives and standards included within those documents;
- I understand that Westmed may amend the Code of Conduct, the Compliance Plan and its policies and procedures at any time, and that I have an obligation stay informed of those changes as they apply to my job responsibilities and to perform my duties consistent with those new requirements;
- I understand that Westmed has established a Compliance Hotline and other methods for reporting compliance concerns and that I have an obligation to report any known or suspected violation of the Code of Conduct, Compliance Plan, or Westmed's policies and procedures;
- I acknowledge that any violation of the Code of Conduct, Compliance Plan or related policies and procedures may subject me to adverse action in regard to my employment.

