

## *Code of Ethics*

Each member of School of Medicine at the State University of New York at Stony Brook is expected to read, understand and comply with the following Code of Ethics. A member of the School of Medicine is defined as anybody, who possesses a faculty appointment to the medical school and its students.

The School of Medicine at the State University of New York at Stony Brook is committed to achieving excellence in:

1. patient care
2. education and training of medical students, graduate students, and house officers
3. continuing education of staff members;
4. research; and
5. community service.

To further the goal of excellence, all members of the medical school and its students are expected to adhere to this Code of Ethics in their interactions with patients, colleagues, other health professionals, students, other trainees, other staff, and the public. The Code consists of two complementary sections: obligations and ideals. **Obligations** refer to *necessary* behaviors that are required by the ethical foundation of medical practice, teaching, learning, and research. **Ideals** refer to *desirable* behaviors that health care providers at all levels should attempt to acquire because they enhance excellence.

The Code applies to all members of medical school involved in the clinical, teaching, research, and administrative activities of the school. Because of its broad reach, certain portions of the Code will be more directly applicable to some disciplines than to others. For example, the clinical portions apply mainly to physicians and medical students. Similarly, those portions pertaining to teaching and research apply to all professionals engaged in teaching and research regardless of discipline or level of training. The portions pertaining to students apply to trainees at all levels. The general portions of the Code that discuss confidentiality, conflicts of interest, interpersonal relations, and the professional ideals apply to all members. When ethics and law appear to be in conflict, one should seek counsel through the medical school, one's own professional organizations, or individually. This Code does not replace or supercede the Policies and Procedures of The State University of New York at Stony Brook.

\*\*Fashioned after the Code of Professional Conduct policy of the Dartmouth-Hitchcock Medical Center, Lebanon, New Hampshire with permission.

### 1. *Professional Obligations*

#### 1. **Responsibility for Patient Care**

- Maintain the best interest of the patient as the foremost concern in all circumstances.
- Once you assume care of a patient, your responsibility continues until the problem has resolved or you are assured that your patient

is under the care of another physician. When off duty, or on vacation, assure that your patients are adequately cared for by another practitioner.

- Obtain the patient's informed consent for diagnostic tests or therapies.
- Follow up on ordered laboratory tests.
- Complete patient record documentation promptly and conscientiously.
- Coordinate with your team the timing of information sharing with patients and their families to present a coherent and consistent treatment plan.
- Charge patients or their insurers fairly and appropriately.
- Do not abuse alcohol or drugs that could diminish the quality of patient care or academic performance.
- Do not allow to develop or engage in romantic or sexual relationships with patients. If such a relationship seems to be developing, seek guidance and terminate the professional relationship.
- Do not abandon a patient. If you are unable or unwilling to continue care, you must assist in referring the patient to another competent practitioner willing to care for the patient.
- Do not withhold vital or emergent treatment to a patient because of inability to pay.

## 2. **Respect for Persons**

- Treat patients, colleagues, other health professionals, other staff, students, and teachers with the same degree of respect you would wish them to show you.
- Treat patients with kindness, gentleness, dignity, compassion, and honesty.
- Respect the privacy and modesty of patients.
- Do not use offensive language, either verbally or in writing, when referring to patients or their illnesses.
- Do not harass others physically, verbally, psychologically, or sexually.
- Do not discriminate on the basis of sex, religion, race, disability, age, or sexual orientation.

## 3. **Respect for Patient Confidentiality**

- Do not share the medical or personal details of a patient's history, diagnostic or therapeutic regimen, or prognosis with anyone, except those health care professionals integral to the well-being of the patient or within the context of an educational endeavor, at which time the patient's identity must not be disclosed.
- Do not discuss patients or their illnesses in public places where the conversation may be overheard.
- Do not publicly identify individual patients, in words or in writing,

- without adequate justification and the patients' authorization
  - Do not invite or permit unauthorized persons into patient care areas of the institution.
  - Do not share your confidential clinic passwords with unauthorized persons.
  - Do not look up confidential data on patients without a professional need to know.
  - Do not photograph or videotape a patient without the patient's written authorization.
4. **Honesty, Integrity**
- Be truthful in verbal and in written communications.
  - Acknowledge your errors of omission and commission to colleagues and patients.
  - Clinical decision-making must not be influenced by personal, institutional, or financial considerations, at the expense of the delivery of medical care of the highest feasible quality.
  - Do not knowingly mislead others.
  - Do not cheat, plagiarize, or otherwise act dishonestly.
  - Do not abuse privileges, e.g. charge personal expenses to the medical school.
5. **Awareness of Limitations, Professional Growth**
- Be aware of your personal limitations and deficiencies in knowledge and abilities.
  - Know when and whom to ask for supervision, assistance, or consultation.
  - Know when and for whom to provide appropriate supervision.
  - Students and other trainees should have all patient workups and orders countersigned by the appropriate supervision.
  - Avoid patient involvement when you are ill, distraught, or overcome with personal problems.
  - Do not engage in unsupervised involvement in areas or situations where you are not adequately trained.
6. **Department as a Professional**
- Clearly identify yourself and your professional level to patients and staff. Wear your nametag when in patient areas.
  - Dress in a neat, clean, professionally appropriate manner.
  - Maintain a professional composure despite the stresses of fatigue, professional pressures, or personal problems.
  - Do not introduce medical students as: "Doctor" or allow yourself as a medical student to be introduced as: "Doctor".
  - Do not write offensive or judgmental comments in patients' charts.
  - Do not criticize the medical decisions of colleagues in the presence of patients or in inappropriate places.
  - Avoid the use of first names without permission when addressing adult patients.

7. **Avoiding Conflicts of Interest**
  - Maintain the best interests of the patient when making all clinical decisions.
  - Do not accept non-educational gifts of value from drug companies or medical equipment vendors or suppliers.
  - Do not participate in individual incentive programs sponsored by drug and/or instrument companies.
  - Do not refer patients to laboratories or other agencies in which you have a direct personal financial stake.
  - Do not accept a kickback for any patient referral.
8. **Responsibility for Peer Behavior**
  - Take the initiative to identify and help rehabilitate impaired students, physicians, nurses, and other employees with the assistance of all of the appropriate resources made available by the University Medical Center, the Medical School, and the State University of New York.
  - Report serious breaches of the Code of Ethics to the appropriate person.
  - Indicate disapproval or seek appropriate intervention if you observe less serious breaches.
9. **Respect for Personal Ethics**
  - You are not required to perform procedures (e.g., elective abortions, termination of medical treatment) that you, personally, believe are unethical, illegal, or may be detrimental to patients.
  - You have an obligation, however, to inform patients and their families of all available treatment options that are consistent with acceptable standards of medical care.
10. **Respect for Property and Laws**
  - Adhere to the regulations and policies of University Medical Center and the State University of New York at Stony Brook and its component institutions.
  - Adhere to all applicable local, state, and federal laws and regulations.
  - Do not misappropriate, destroy, damage, or misuse property of University Medical Center or its affiliated institutions.
11. **Integrity in Research**
  - Adhere to the institutional regulations that govern research using human subjects and animals.
  - Do not engage in research that knowingly and unnecessarily jeopardizes the health, safety, or longevity of human subjects.
  - Report research results honestly in scientific and scholarly presentations and publications.
  - When publishing and presenting reports, give proper credit and responsibility to colleagues and others who participated in the research.

- Co-authorship should not be assigned to individuals who do not meaningfully participate in the project.
- Report research findings to the public and press honestly and without exaggeration.
- Avoid potential conflicts of interest in research.
- Disclose funding sources, company ownership, and other potential conflicts of interest in written and spoken research presentations.

## 2. *Professional Ideals*

### 1. **Clinical Virtues**

- Attempt to cultivate and practice accepted clinical virtues, such as caring, empathy, compassion, fidelity, fortitude, justice, integrity, and self-effacement.

### 2. **Conscientiousness**

- Fulfill your responsibilities thoroughly.
- Notify the responsible supervisor if something interferes with your ability to perform clinical tasks effectively.
- Learn from experience and grow from the knowledge gained from making errors and recognizing them to avoid repeating them.
- Dedicate yourself to lifelong learning and self-improvement by implementing a personal program of continuing education and continuous quality improvement.
- Students and trainees should complete all assignments accurately, thoroughly, legibly, and in a timely manner.
- Students and trainees should attend scheduled classes, laboratories, seminars, and conferences except for justified absences.

### 3. **Collegiality**

- Cooperate with other members of the health care team in clinical activities and with other members of the research team in research activities.
- Teach others at all levels of education and training.
- Be generous with your time to answer questions from trainees, patients, and patients' family members.
- Shoulder a fair share of the institutional administrative burden.
- Adopt a spirit of volunteerism and altruism in teaching and patient care tasks.
- Use communal resources (equipment, supplies, and funds) responsibly and equitably.

### 4. **Personal Health**

- To the extent possible in the present context of your personal and professional life, develop a life style of dietary habits, recreation, disease prevention, exercise, and outside interests to optimize physical and emotional health and enhance professional performance.

### 5. **Objectivity**

- Avoid providing professional care to members of your family or to

persons with whom you have a romantic relationship.

**6. Responsibility to Society**

- Avoid unnecessary patient or societal health care monetary expenditures.
- Never limit indicated individual patient care in any way to conserve monetary expenditures.
- Provide services to all patients regardless of their ability to pay.
- Within the limits of your personal competence and preferences, speak out on all social or public health issues to which medical knowledge is relevant.

Protocol for Reporting Suspected Violations of the Code of Ethics

The protocol described below is to be available to any student, staff, or Stony Brook University Medical Center employee who believes that he/she witnessed or has been subject to a violation of the Code of Ethics. It should be regarded as an informal mechanism for resolving conflicts prior to initiating any formal disciplinary action. Such informal action shall not be construed to be a part of the disciplinary procedure contained in any University agreements or contracts with any parties. In no way does it replace any of the Policies or Procedures of State University of New York at Stony Brook, University Medical Center, or any current agreements or contracts.

1. Each member of the Medical School Community who observes, or is the object of a violation of the Code of Ethics, is advised to discuss the incident with the perpetrator, unless the member feels that this confrontation may result in personal harm and/or retribution.
2. If the issue has not been resolved by direct discussion, or if the observer is unable to confront the perpetrator, the appropriate supervisor, department chair, and/or dean should be notified.
3. If an illegal act has been observed, the observer is required to request the perpetrator to report this act to the appropriate committee and/or authority, unless the observer feels that this confrontation may result in personal harm and/or retribution. In that case, the observer is required to report the incident to the appropriate committee and/or authority.
4. If the observer or the object of the unethical behavior is afraid, does not know to whom to report the incident, or feels that the issue has not been resolved satisfactorily by the above measures, the Stony Brook University Employee Assistance Program, the University Ombuds Office, the University Medical Center Corporate Compliance Office and/or the School of Medicine Faculty Assistance Committee can be consulted in confidential manner.

Protocol for Amending Code of Ethics

Proposals to amend the Code of Ethics may be initiated by the Executive Committee of the Faculty Senate or by petition of at least ten members of the Senate. Such proposals

must be made and read at two regular meetings of the Senate, with a mail vote taken only after the second meeting. Amendments require an affirmative vote of two-thirds of the Senate membership.

### Resources for Addressing Suspected Violations of the Code of Ethics

#### *The Stony Brook University Employee Assistance Program*

The State of New York established the Employee Assistance Program in 1985, and the Stony Brook University Employee Assistance Program was founded in 1985. The mission is to provide a comprehensive worksite-based program to assist faculty and staff in the prevention, early intervention, and resolution of problems that may impact job performance. These include but are not limited to emotional, family, work stress, legal, financial, grief, change, marital/relationship, alcohol/drug or domestic violence.

Specifically the goals of this program are:

1. To improve the health and well-being of faculty and staff.
2. To reduce the impact of personal and job-related problems on employee productivity.
3. To communicate that USB cares about its employees.
4. To support USB policies for maintaining a safe workplace.
5. To work closely with the EAP Advisory Committee, to serve our employees and maintain good relations with labor and management.
6. To assure that all faculty and staff are treated with respect and dignity.

The program is voluntary, designed to offer a highly professional, confidential source of help for people with personal problems or concerns. Employees may self-refer or be referred by a supervisor, union representative, human resource/labor relations representative, or other service on campus to contact EAP for assistance due to personal or job performance issues. An informal referral is made before the situation has resulted in performance problems and before it requires formal disciplinary action. The decision to keep an appointment with EAP and accept an informal referral rests entirely with the employee. Without written authorization by the employee no information will be released by the EAP. A formal referral is made when a supervisor identifies, documents and discusses with an employee specific behavioral or job performance problems, and makes a recommendation that the employee contact EAP. EAP may then be able to assist the employee in a confidential manner. EAP will also serve as a clearinghouse of resources and advice concerning the most appropriate venue for the resolution of any interpersonal conflicts.

Supervisors and management personnel may request information and consultation from EAP, concerning workplace stress, interpersonal conflict, communication skills, team

building and substance abuse education.

[The Employee Assistance Program is located in Suite 140, Old Chemistry Building and, on the East Campus, in Room 5-624 just off the Hospital lobby. Confidential help from caring professionals can be arranged by calling 631-632-6085; 631-632-9575 (fax) or [www.sunysb.edu/eap](http://www.sunysb.edu/eap)]

### *The University Ombuds Office*

The University Ombuds Office provides informal, independent and confidential assistance to students, staff, faculty and administrators who have concerns, conflicts, complaints or disputes arising from or affecting their work or studies at the University. The primary goal of the Ombudsperson is to enhance each member's ability to deal effectively with the situation. The Ombuds Office provides a safe forum for any member of the University community to voice concerns, to evaluate the situation, to organize thoughts, and to explore options for positive action in seeking a timely, fair and equitable resolution.

The Ombuds Office operates independently as a supplement to existing administrative or formal resources for conflict resolution and fair practice at Stony Brook University and has no formal decision making authority.

The Ombudsperson, as a designated neutral, will assess an issue or concern impartially, offer information about University policies and procedures, accept suggestions and feedback from individuals who seek a confidential channel for surfacing responsible concerns, assist in examining options for dealing with a particular concern, and when deemed appropriate conduct an informal inquiry or intervention to facilitate a resolution. The Ombudsperson does not take action on any inquiry without the permission of the individual that introduced the inquiry or concern.

An Ombudsperson can assist in dealing with concerns or disputes related to a wide range of issues including:

1. Interpersonal conflict
2. Performance Appraisal
3. Professional/Scientific Misconduct
4. Intellectual Property
5. Health and Safety Issues
6. Discrimination
7. Personal Policies/Issues
8. Harassment

Discussions with the Ombuds Office are off-the-record and do not constitute formal notice to the University.



[The Ombuds Office is located in Room 114, Humanities Building. For further information, contact Judi Segall, University Ombudsperson, or Maureen Browler, Assistant Ombudsperson, at 631-632-9200.]

### *The University Medical Center Corporate Compliance Office*

The Corporate Compliance Program is intended to define the standards of conduct expected of Medical Center representatives, to provide guidance on how to resolve questions regarding legal and ethical issues, and to establish a mechanism for reporting of possible violations of law or ethical principles within the Medical Center. The guidelines contained in the Code are designed to assist Medical Center representatives in making the right choices when confronted with difficult situations.

The Code imposes requirements that are often more exacting than those mandated by law, reflecting the Medical Center's goal of conducting oneself with the highest level of integrity. The willingness of each Medical Center representative to raise ethical issues and legal concerns is essential. Ultimately, the responsibility for ethical behavior rests with each person's exercise of independent judgment. Medical Center representatives must report suspected violations. As a matter of policy, no Medical Center representative will be disciplined or subjected to retaliatory action because he or she made a report in good faith. Where possible, the confidentiality of the Medical Center representative making the report will be protected.

(Reports by a representative of possible violations of law or ethical standards can be made to the immediate supervisor or directly to the Compliance Officer at University Medical Center, Room 14-128. Stony Brook, New York 11794-7745. Confidential calls can be made to the Hotline line number at 631-444-6666. The line should not take the place of established procedures but serve as an independent reporting mechanism.)

### *The School of Medicine Faculty Assistance Committee*

The Faculty Assistance Committee (FAC) has been established to assist faculty of the School of Medicine who are seeking to resolve conflicts concerning the faculty's relationship with their department, the institution, or their colleagues. Upon being notified that a faculty member is seeking assistance, the FAC will determine the most appropriate hearing body, be it a University-wide Committee, a Medical School Committee, the UUP, or another appropriate committee. The FAC is not designed to replace any already-existing committees.

If a faculty member's request cannot be distributed to any appropriate committee or organization, the FAC may decide by a simple majority vote whether to become the hearing body. Upon deciding to review the issue, the FAC will review written documentation and will have the authority to request any other form of documentation it deems appropriate. If, in the course of its deliberations, it becomes evident that the issue is one that can be reviewed by an already existing hearing body (be it a University-wide

Committee, a Medical School Committee, or the UUP), all collected data will be transferred to that hearing body. In situations where the issue remains with the FAC, when documentation is complete, the committee shall distribute its findings to the faculty members involved and the Dean of the School of Medicine.

(More detailed information concerning the Faculty Assistance Committee can be found in the By-laws of the Faculty of the School of Medicine, Article V, Section 11, School of Medicine, State University of New York at Stony Brook.)