

The Sayville Project

Administrative Policy and Procedures

Subject: Corporate Compliance Code of Conduct	Published Date: 7/1/25
Leadership	Next Review Date: 7/1/26
Scope: Sayville Project	Original Creation Date: 11/01/2000

Printed copies are for reference only. Please refer to the electronic copy for the latest version.

Responsible Department/Division/Committee:

Office of Health Sciences Schools Compliance

Policy:

The Sayville Project Corporate Compliance Code of Conduct (hereinafter referred to as "Code") is strictly adhered to by all Sayville Project representatives in their activities for and on behalf of the Sayville Project. The Code is an essential component of the Sayville Project Corporate Compliance Program. It is based on the mission, vision, and values of the Sayville Project and defines the basic principles with which all Sayville Project Representatives must comply. The Code requires all Sayville Project Representatives to comply with applicable federal and state laws, rules and regulations, Sayville Project policies and procedures, and appropriate standards of ethical conduct and to have a working knowledge of the legal and ethical requirements affecting their Sayville Project activities.

This Code does not replace or supersede the Policies and Procedures of The State University of New York at Stony Brook.

Definitions:

Anti-Kickback Statute (“AKS”) – refers to a criminal law that prohibits the knowing and willful payment of “remuneration” to induce or reward patient/clients referrals or the generation of business involving any item or service payable by the federal health care programs (e.g., drugs, supplies or health services for Medicare or Medicaid patients).

Gifts: Includes, but is not limited to, money, services, loans, travel, lodging, meals, refreshments, entertainment, discounts, or forbearance of an obligation or a promise that has monetary value.

Immediate Family Member - shall include spouse; birth and adoptive parents, children, and siblings; stepparents, stepchildren, and stepsiblings; fathers-in-law, mothers-in-law, brothers-in-law, sisters-in-law, sons-in-law, and daughters-in-law; and grandparents and grandchildren. (NY PHL §238. Definitions)

Nominal Value: Is considered such a small amount that acceptance could not reasonably be interpreted or construed as intending to influence a State employee or public official. Items of nominal value, such as food or beverage less than fifteen dollars, are considered nominal. Alcoholic beverages, cash, and cash equivalents (e.g., gift cards), regardless of value, are not allowed.

Protected Health Information - A patient’s/client’s oral, written, or electronic health information created or received by a Covered Entity that is identifiable or for which there is a reasonable basis to believe that the data can be used to identify the patient/client and relates to 1) the past, present, or future physical or mental health condition of a patient, or 2) the provision of health care or payment for health care to a patient/client. HIPAA details the below 18 identifiers that render health information identifiable:

1. Names
2. All geographic subdivisions smaller than a [State](#), including street address, city, county, precinct, zip code, and their equivalent geocodes, except for the initial three digits of a zip code in certain situations.
3. All elements of dates (except year) for dates directly related to an individual, including birth date, admission date, discharge date, and date of death; and all ages over 89 and all elements of dates (including year) indicative of such age, except that such ages and elements may be aggregated into a single category of age 90 or older;
4. Telephone numbers;

5. Fax numbers;
6. Electronic mail addresses;
7. Social security numbers;
8. Medical record numbers;
9. [Health plan](#) beneficiary numbers;
10. Account numbers;
11. Certificate/license numbers;
12. Vehicle identifiers and serial numbers, including license plate numbers;
13. Device identifiers and serial numbers;
14. Web Universal Resource Locators (URLs);
15. Internet Protocol (IP) address numbers;
16. Biometric identifiers, including finger and voice prints;
17. Full-face photographic images and any comparable images; and
18. Any other unique identifying number, characteristic, or code.

Remuneration - includes transferring anything of value, directly or indirectly, overtly, or covertly, in cash or in-kind.

Research misconduct - is fabrication, falsification, or plagiarism in proposing, performing, or reviewing research or reporting research results. (Federal Research Misconduct Policy available at <https://ori.hhs.gov/federal-researchmisconduct-policy>)

- (a) Fabrication is making up data or results and recording or reporting them.
- (b) Falsification is manipulating research materials, equipment, or processes or changing or omitting data or results such that the research is not accurately represented in the research record.
- (c) Plagiarism is appropriating another person's ideas, processes, results, or words without giving appropriate credit. Note: Unless the activity in question is funded by the National Science Foundation (NSF), this statement of policy and procedures does not apply to authorship or collaboration disputes. These exclusions from the Plagiarism definition are consistent with the federal Office of Research Integrity's position on the matter. See <http://ori.hhs.gov/ori-policy-plagiarism>.

Research misconduct may include the destruction, absence of, or respondent's failure to provide research records where these actions constitute a significant

departure from the accepted practice of the relevant research community. Honest errors or differences of opinion are not considered to be research misconduct.

Sayville Project Representatives: Staff; volunteers; students; including State; Research Foundation; personnel employed through contracted agencies; contracted or subcontracted agents; vendors or consultants who furnish products or services on behalf of the Sayville Project; and other individuals affiliated with the Sayville Project regardless of whether the individual is paid by Stony Brook University or The Research Foundation.

Procedures:

CORPORATE COMPLIANCE CODE OF CONDUCT

- I. OUR COMMITMENT TO ETHICS & COMPLIANCE
 - A. Leadership Commitment to Ethics and Compliance
 - B. Sayville Project Representatives' Commitment to Ethics and Compliance
- II. DISTRIBUTION AND ACKNOWLEDGEMENT OF THE CODE OF CONDUCT
- III. STANDARDS OF CONDUCT
 - A. Refrain from Misrepresentations
 - B. Prevent Fraud, Waste, and Abuse and Non-Intimidation and Non-Retaliation (Whistleblower Protections)
 - 1 Prevent Fraud, Waste, and Abuse
 - 2 Non-Intimidation and Non-Retaliation (Whistleblower Protections)
 - C. Submit Accurate Documentation for All Business Records
 - D. Submit Accurate Billings and Financial Reports
 - E. Ensure Proper Use of the Sayville Project's Assets
 - F. Ensure Accurate Facility Certification
 - G. Prevent Unfair Trade Practices
 - H. Prevent Unlawful Referrals and Kickbacks
 - I. Adhere to Tax-Exempt Requirements
 - J. Avoid Inappropriate Gifts
 - K. Engage in Appropriate Fundraising
 - L. Prevent Theft
 - M. Commit to Fairness and Equity
 - N. Comply with Procurement Policy
 - O. Avoid Conflicts of Interest
 - P. Comply with Labor and Employment Laws
 - Q. Comply with Immigration Requirements
 - R. Comply with Environmental Health and Safety Requirements
 - S. Avoid Scientific Misconduct

- T. Ensure Appropriate Political Participation/Government Relations
- U. Confidentiality of Protected Health Information
- V. Ensure Confidentiality of Sayville Project Information
- W. Ensure Confidentiality of Information Owned by Others
- X. Ensure Proper Retention and Destruction of Records
- Y. Government Investigations

IV. COMPLIANCE WITH THE CODE

- A. Questions Regarding the Code
- B. Reporting of Suspected Violations
- C. Investigation of Suspected Violations
- D. Discipline for Violations

I. OUR COMMITMENT TO ETHICS AND COMPLIANCE

A. Leadership Commitment to Ethics and Compliance

The Sayville Project is proud of its long tradition of ethical and responsible conduct. The Code of Conduct reflects the Sayville Project's mission, core values and vision. The SBM Executive Vice President and the School of Social Welfare Dean have authority over compliance with governmental laws and regulations.

The Sayville Project promotes relationships based on mutual trust and respect and provides an environment where individuals may question a practice without fear of intimidation or retaliation. The Code of Conduct demonstrates the Sayville Project's commitment to compliance with federal and state laws on fraud, waste, and abuse and the standards of conduct expected for all Sayville Project Representatives.

The Code of Conduct provides guidance on resolving questions regarding legal and ethical issues, establishes mechanisms for reporting possible violations of law or ethical principles within the Sayville Project, and provides tools for making the right choices when confronted with difficult situations. The Code of Conduct imposes requirements that may be stricter than those mandated by law, reflecting the Sayville Project's goal of conducting its mission with the highest level of integrity.

B. Sayville Project Representatives' Commitment to Ethics and Compliance

Sayville Project Representatives are expected to adhere to the Code of Conduct whenever acting on behalf of the Sayville Project, in all business activities with

other Sayville Project Representatives, clients, and their families, government regulators, or the general public. Violations of legal or ethical requirements jeopardize the welfare of the Sayville Project, Sayville Project Representatives, clients, and the communities the Sayville Project serves. Sayville Project Representatives are also responsible for performing in a manner that is honest and law-abiding.

Sayville Project Representatives are responsible for reporting actual or suspected violations of the Code of Conduct and ethical and legal concerns. To report an actual or potential violation or if there are any questions about the application or interpretation of the Code of Conduct, Sayville Project Representatives may use any of the ways of communication described in Section IV below.

Each Sayville Project Representative is responsible for compliance and fulfilling the Code of Conduct. The Dean for the School of Social Welfare, the Director of Sayville Project and/or their designee has the authority for compliance with governmental laws and regulations. The Senior Vice President for the Health Sciences has ultimate oversight of the Sayville Project's Corporate Compliance Program.

The Corporate Compliance Program is intended to define the standards of conduct expected of all Sayville Project Representatives, to provide guidance on how to resolve questions regarding legal and ethical issues, and to establish mechanisms for reporting possible violations of law or ethical principles within the Sayville Project. The standards of conduct are designed to assist Sayville Project 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 Sayville Project's goal of carrying out its mission with the highest level of integrity. The willingness of each Sayville Project Representative to raise ethical and legal concerns is essential. Responsibility for ethical behavior ultimately rests with each person's exercise of independent judgment.

All Sayville Project Representatives must abide by the letter and spirit of the Code of Conduct, adhere to the highest ethical standards of conduct in all business activities, and act in a manner that enhances the Sayville Project's standing within the community. To this end, the Sayville Project promotes relationships based on mutual trust and respect and provides an environment where individuals may question a practice without fear of intimidation or retaliation.

Appointment and retention of Sayville Project Representatives at the Sayville Project is contingent on acceptance of and compliance with the Code. Vendors, consultants, and others acting on behalf of the Sayville Project are expected to adhere to similar standards in their dealings with the Sayville Project and with others on the Sayville Project's behalf.

The Corporate Compliance Program described in this document establishes a framework for legal compliance, particularly compliance with federal and state laws on fraud, waste, and abuse. It is intended to reflect collective good judgment and common sense. It is not intended to replace other compliance practices or rules and regulations as defined in Sayville Project Policies and Procedures. Whenever Sayville Representatives see a situation that does not appear to comply with the Code of Conduct, they must bring the concern to the attention of the Director of the Sayville Project, the Director of Health Sciences Schools Compliance, or the Chief Compliance Officer. A Sayville Project Representative who questions the application or interpretation of the Code of Conduct must use the procedure specified in Section IV below. Sayville Project Representatives are assured that they may question a practice without fear of intimidation or retaliation.

The Sayville Project has implemented a Corporate Compliance Program (Compliance Program) demonstrating and reflecting the Sayville Project's commitment to integrity, ethics, and compliance. The Compliance Program supports the Sayville Project's commitment to conduct business and care management service in an honest, ethical, and proper manner. The Compliance Program also incorporates preventive, detective, and corrective measures to reduce the potential for fraud, waste, and abuse and has systems and processes in place to identify and self-correct errors.

II. DISTRIBUTION AND ACKNOWLEDGEMENT OF THE CODE OF CONDUCT

Sayville Project Representatives shall be provided with a copy of the Sayville Project Code of Conduct upon hire and annually. The Sayville Project Code of Conduct will also be made available on the Sayville Project public-facing internet sites and upon request made to the Office of Health Sciences School Compliance.

Upon hire, all Sayville Project Representatives shall participate in compliance training that incorporates the Sayville Project Code of Conduct. A copy of the Sayville Project Code of Conduct will be provided with the training. Sayville Project Representatives are required to review and attest to compliance with the Sayville Project Code of Conduct.

Annually all Sayville Project Representatives will participate in training that includes a review of the Code of Conduct that shall, at a minimum, address critical areas such as compliance with laws and regulations, prevention of fraud, waste, and abuse, non-intimidation and nonretaliation, and conflicts of interest, proprietary rights, privacy and confidentiality, and appropriate use of Sayville Project assets.

The Acknowledgment of review and attestation with the Sayville Project Code of Conduct shall be maintained in Brightspace Learning Management System.

The Sayville Project Code of Conduct is reviewed no less than annually by the Director of Health Sciences Schools Compliance to determine whether revisions are warranted. Updates are reported to the Stony Brook Medicine Executive Vice President .

All written agreements with outside contractors and vendors providing services directly to the Sayville Project must specify that the organization has a similar Code of Conduct.

Sayville Project Representatives who are subject to the requirements under the Protection of People with Special Needs Act are additionally required to comply with the requirements under the Protection of People with Special Needs Act.

Failure to comply with the requirements of review and attestation of the Code of Conduct may result in adverse action consistent with the applicable collective bargaining agreements or Stony Brook University's Code of Student Responsibility.

III. STANDARDS OF CONDUCT

The Sayville Project has strict rules to guard against and guidelines to address fraud or dishonest behavior or activities.

If you detect or suspect any improper activities on the part of a Sayville Project Representative, you must immediately report this information so an investigation is initiated (see Section IV). Withholding knowledge of improper activities is a violation of the Code. If evidence of a violation of the Code is established, any involved Sayville Project Representative is subject to disciplinary action up to and including dismissal, consistent with any applicable collective bargaining agreements or Stony Brook University's Code of Student Responsibility. Any such evidence is reviewed by the Chief Compliance Officer and, where appropriate, the

Office of General Counsel. Sayville Project Representatives must conduct their activities in a manner to protect the integrity of decision-making, regardless of how the Sayville Project compensates or shares financial risks with its leaders, managers, and staff. Below are the Standards by which Sayville Project Representatives must comply:

A. Refrain from Misrepresentations

Honesty based on clear communication is the cornerstone of the ethical disclosure of information. Sayville Project Representatives must make no misrepresentations or dishonest statements in conducting the Sayville Project business. Sayville Project Representatives must report and record all information accurately and honestly, whether on marketing materials, client records, requests for payment, timesheets, clinical research records, financial reports, or otherwise. Marketing materials must accurately reflect accreditation, licensure, and services available.

B. Prevent Fraud, Waste, and Abuse and Non-Intimidation and Non-Retaliation (Whistleblower Protections)

1. Prevent Fraud, Waste, and Abuse

Sayville Project Representatives must comply with the requirements of the Federal and New York State False Claims laws and regulations in preventing and detecting any fraud, waste, or abuse in the organization and are protected as whistleblowers under these laws. Liability may be imposed on any person who submits a claim to or seeks reimbursement from the Federal or State government knowing that the submission is false. (See policies and procedures for **“Sayville Project Responsibilities for Preventing and Detecting Fraud, Waste, and Abuse Related to Federal and State Funded Health Care Programs.”**)

- a. Fraud refers to an intentional or deliberate act to deprive another of property or money by deception or other unfair means. It is associated with the intentional submission of false information to get money or a benefit.
- b. Waste includes practices that, directly or indirectly, result in unnecessary costs to state and federally funded programs, such as overusing services. It is often associated with the misuse of resources.

- c. Abuse includes actions that may, directly or indirectly, result in unnecessary costs to state and federally funded programs. It is associated with paying for items or services when there is no legal entitlement to that payment.

2. Non-Intimidation and Non-Retaliation (Whistleblower Protections)

The Sayville Project prohibits anyone from taking any retaliatory or intimidating action against a Sayville Project Representative if the Sayville Project Representative does any of the following:

- a. discloses or threatens to disclose to a supervisor or to a public body an activity, policy, or practice of the Sayville Project that the Sayville Project Representative (1) reasonably believes is in violation of law, rule, or regulation; or (2) believes that that action poses a substantial and specific danger to the public health or safety;
- b. provides information to, or testifies before, any public body conducting an investigation, hearing, or inquiry into any such activity, policy, or practice by the Sayville Project; or
- c. objects to or refuses to participate in any such activity, policy, or practice.

The Office of Compliance will immediately investigate all reported acts of retaliation or intimidation and take appropriate action.

C. Submit Accurate Documentation for All Business Records

All Sayville Project Representatives are responsible for ensuring accurate, transparent, and truthful documentation. Falsification of records or documents (e.g., medical records, timecards, financial records, etc.) is a very serious violation of Sayville Project policies and is strictly prohibited. Falsification of business records with intent to defraud is also a felony pursuant to New York State Penal Law § 175.05. Sayville Project Representatives who falsify documents are subject to disciplinary action, up to and including termination, pursuant to the applicable collective bargaining agreement and possible prosecution by applicable authorities.

D. Submit Accurate Billings and Financial Reports

The Sayville Project is committed to the accurate preparation and submission of claims to federal and state programs and third-party payers in accordance with

legal and regulatory requirements. The Sayville Project prohibits any practice related to claim misrepresentations or conspiracy to commit fraud.

Sayville Project Representatives participating in billing must comply with legal and regulatory mandates. At least annually, the Office of Health Sciences Schools Compliance performs auditing and monitoring reviews to ensure compliance program efficacy.

The following conduct is unacceptable by Sayville Project Representatives when billing clients, federal and state programs (including Medicare and Medicaid), and third-party payers or others:

- Knowingly making any false statement of fact for use in determining rights to a benefit or payment;
- Knowingly making any false statement of fact in any application for payment or benefit;
- Knowingly concealing or failing to disclose an event affecting a right to a benefit or payment with the intent to fraudulently secure the benefit or payment in an amount greater than is due or when no such benefit is authorized;
- Knowingly converting a benefit or payment for a use other than for the use of the person in whose name the application for the benefit was made;
- Knowingly requesting payment in violation of the terms of an assignment or an agreement with the payer; and
- Knowingly claiming, charging, accepting, or receiving any payments for tests and procedures unless they are medically necessary and are billed according to applicable regulations.

Under federal and state law, the Sayville Project must report and return an overpayment within 60 days of its identification. Penalties may be imposed when the Sayville Project staff has or should have, through the exercise of reasonable diligence, determined that the Sayville Project has received an overpayment. Sayville Project representatives must immediately report overpayments to their supervisors and the Office of Health Sciences Schools Compliance.

E. Ensure Proper Use of the Sayville Project Assets

All managers must use appropriate internal accounting controls over all areas of their responsibility to safeguard the Sayville Project's assets and the accuracy of financial records and reports.

All Sayville Project Representatives have a role in protecting Sayville Project assets, and it is our collective duty to:

- Fully and accurately complete and maintain all financial records consistent with proper business practices;
- Protect Sayville Project personal, private, sensitive, or confidential information and resources from unauthorized use or disclosure;
- Observe authorized levels of access and utilize only approved IT technology devices or services;
- Immediately report suspected information security incidents or weaknesses to the appropriate manager and the Information Security Department;
- Avoid interfering with official business or an employee's job responsibilities.

F. Ensure Accurate Facility Certification

Sayville Project Representatives must truthfully state the conditions or operations of any facility for participation in federal or state government programs or when responding to inquiries by an accrediting body. Sayville Project Representatives must truthfully represent information regarding ownership and control of a facility or affiliated entity.

G. Prevent Unfair Trade Practices

The Sayville Project complies with all laws pertaining to the restraint of trade and unfair competition. Such laws generally forbid any kind of understanding or agreement, whether written or verbal, between competitors to fix or control fees for services or to engage in any other conduct that results in restraint of competition.

The following conduct is prohibited:

- Attempts to unlawfully monopolize the provision of services;
- Fixing or unlawfully controlling fees or prices, including setting unreasonably low fees or prices to drive or keep competitors out of the market;
- Telling a supplier that the decision to purchase goods or services is dependent upon the supplier's seeking services at the Sayville Project;
- Engaging in any other antitrust arrangements (e.g., tying arrangements);
- Unlawfully reducing or eliminating competition over price, terms of business, or services offered;
- Unlawfully refusing to deal with, or to boycott, suppliers, third-party payers, or other providers;
- Conducting discussions, conversations, or other communications with competitors about the division of either clients, geographic areas, or services; the circumstances under which business will be conducted with

suppliers, insurance companies, clients, or customers (including boycotts); or marketing efforts;

- Discussing with competitors the future business plans of the Sayville Project or those of any competitors;
- Discussing with competitors such information as pricing, reimbursement, or salary levels.

Participation in surveys among competitors regarding the information on such things as salaries and fees is permissible only if (1) a non-competitor third party manages the survey ; (2) the information provided by survey participants is based on data more than three months old; (3) at least five care management agencies participate in the survey; and (4) the information provided is not identifiable. Contact the Office of General Counsel if you have questions regarding trade practices.

H. Prevent Unlawful Referrals and Kickbacks

Sayville Project Representatives are prohibited from directly or indirectly offering, paying for, soliciting, or accepting money or anything of value in exchange for client or member referrals. As a provider of care management, the Sayville Project must not receive any improper inducement from its vendors to influence it in making decisions regarding the use of particular products or the referral or recommendation of clients to other providers of goods and services paid for by Medicare or Medicaid.

The Anti-Kickback statute is a criminal law that specifically prohibits the knowing and willful payment of remuneration from inducing or rewarding client referrals or the generation of business involving any item or service payable by the Federal health care programs (e.g., drugs, supplies, or health care services for Medicare or Medicaid patients).

New York Social Services Law prohibits medical assistance providers from soliciting, receiving, accepting, or agreeing to any payment or consideration in exchange for the referral of services for payment by Medicaid. Federal and state laws impose criminal and administrative sanctions for violating the Anti-Kickback Statute.

The Sayville Project must scrupulously avoid being either the offeror or the recipient of an improper inducement. Care must be taken in structuring relationships with persons not employed by the Sayville Project so as not to create a situation where the Sayville Project appears to be offering an improper

inducement to those who may be in a position to refer or influence the referral of clients to the Sayville Project.

I. Adhere to Tax-Exempt Requirements

In general, the New York State Tax Law provides an exemption from sales tax for purchases made by the Sayville Project. Purchases made by Sayville Project Representatives are exempt from sales tax only if such purchases are made on behalf of the Sayville Project for legitimate Sayville Project activities. Sayville Project Representatives may not purchase personal items through the Sayville Project even if the Sayville Project is reimbursed by the Sayville Project Representative. Sayville Project Representatives must comply with all SUNY and Stony Brook University Procurement Policies and New York State Finance Law when making purchases on behalf of the Sayville Project. Questions on these issues should be referred to the Office of General Counsel.

J. Avoid Inappropriate Gifts

Soliciting, giving, or accepting gifts and entertainment can sometimes be construed as an attempt to influence the other party. No personal gifts can be offered or received if the action could raise a reasonable question concerning whether the gift was offered or received to influence a person in the exercise of proper business judgment or is intended as a reward for any official action on the Sayville Project Representative's part. Sayville Project Representatives may not solicit, accept, or offer any gift of more than Nominal Value. For further guidance regarding gifts, read the SUNY policy on Gift Acceptance Procedures. If you have any questions, contact the Director of Health Sciences Schools Compliance or the Chief Compliance Officer.

K. Engage in Appropriate Fundraising

The Sayville Project adheres to SUNY policy in that only fundraising or solicitation of funds that result in a benefit to the University is permitted unless specifically authorized by the President or designee. Such events must be consistent with the missions, goals, and mandates of the University.

Sayville Project Representatives must report all fundraising activities through the Advancement Office of Stony Brook University. Sayville Project Representatives must not undertake solicitation and fundraising to support student activities and projects within the Sayville Project without appropriate written authorization.

L. Prevent Theft

Sayville Project Representatives must not take, convert, consume, or use the property or funds belonging to the Sayville Project or any company or private person without the owner's consent or proper authorization. If you suspect a Sayville Project item is missing due to theft, you must report it to the University Police.

M. Commit to Fairness and Equity

The Sayville Project is committed to creating fair and equitable learning and work environments. All Sayville Project Representatives must abide by the rules, regulations, and policies related to equal employment, educational opportunity, sexual misconduct, and affirmative action. The Sayville Project prohibits discrimination on the basis of race, sex, sexual orientation, gender identity or expression, religion, age, color, creed, national or ethnic origin, disability, marital status, familial status, pregnancy, genetic predisposition, criminal convictions, domestic violence victim status, and veteran or military status and all other protected classes under federal or state laws in the administration of its policies, programs, and activities. Sayville Project representatives with discrimination-related concerns are encouraged to contact the Office of Equity and Access (OEA). If you choose to report a concern with OEA, the action does not bar you from filing a complaint with an outside agency such as the State Division of Human Rights or the Equal Employment Opportunity Commission.

Students are encouraged to contact the Student Accessibility Support Center (SASC) with their accommodation requests due to disability. Sayville Project Representatives who require accommodation due to disability, religious observation, or religious practice are encouraged to contact OEA.

The Sayville Project reaffirms our commitment to creating a learning and working environment free of sexual harassment and discrimination. The Sayville Project takes reported incidents seriously and encourages its members to report such violations to either OEA, Labor Relations, or Human Resources. Such violations may result in discipline, up to and including termination of employment.

N. Comply with Procurement Policy

The Director of the Sayville Project or their designees are the only authorized administrative officers who can provide department-wide financial approval to initiate the University procurement process. The SBU Procurement are the

authorized departments to enter into contractual agreements with prospective vendors in accordance with SUNY guidelines.

Sayville Project Representatives are not independently authorized to bind the Sayville Project to financial commitments and must not permit a vendor to start providing goods or services without an executed agreement or prior authorization by the Director of the Sayville Project or designee and the SBU Procurement.

Vendors who provide goods, services, loan equipment, demo equipment, or consignment goods without authorization from the Director of the Sayville Project or designee and the SBU Procurement will not be paid and are subject to being denied future access to Sayville Project business.

O. Avoid Conflicts of Interest

A conflict of interest arises if a person's judgment and discretion are or may be influenced by personal considerations or if the interests of the Sayville Project are jeopardized. Please refer to the standards listed in the Sayville Project Conflict of Interest Policy, such as:

- Sayville Project Representatives must promptly disclose any existing or new relationships that may give the appearance of a conflict of interest to the Director of Health Sciences Schools Compliance or the Chief Compliance Officer.
- Sayville Project Representatives must also report any investment or ownership in a competitor, supplier, or entity which refers clients to the Sayville Project.
- Sayville Project Representatives must not supervise or report to an immediate family member.
- Sayville Project Representatives must not have outside employment that interferes with their performance at the Sayville Project.

Sayville Project Representatives should not use equipment, materials, or proprietary information owned by the Sayville Project for any outside employment purpose. Sayville Project Representatives are to avoid situations that present the appearance of or actual conflict of interest. For complete guidance to State policy on these types of issues, please refer to New York State Ethics: A Guide to Public Law and Public Officer's Law, both published by the New York State Ethics Commission. See also New York State Public Officers Law §73, §74.

P. Comply with Labor and Employment Laws

1. Employer-Employee, Relationship

It is the Sayville Project's policy to comply fully with all applicable labor laws and other statutes regulating the employer-employee relationship and the workplace environment. Under federal and state law, it is illegal for the Sayville Project or an Sayville Project Representative to pay or to receive any money or other thing of value from any labor organization that represents the Sayville Project employees (this does not include the amount paid in the normal course of business, e.g., union dues, political action committee). No Sayville Project Representative may interfere or retaliate against another Sayville Project Representatives who seek to invoke their rights under those laws.

Sayville Project Representatives should refer questions regarding the laws governing labor and employee relations to the Director of Labor Relations.

2. Non-Retaliation, Non-Intimidation

The Sayville Project promotes a safe environment for employees, clients, students, and visitors free from violence, harassment, and other threatening behaviors. Sayville Project Representatives who experience or observes disruptive behavior, inclusive of conduct or behavior that may be perceived by a reasonable person as demeaning, intimidating, offensive, harassing, or discriminatory to a targeted individual or group, should submit a report regarding such behavior to the Compliance Helpline.

Sayville Project Representatives are not permitted to engage in intimidation or retaliation against another individual for reporting compliance-related concerns in good faith.

Q. Comply with Immigration Requirements

The Sayville Project only hires persons who are legally authorized to work in the United States, consistent with federal law. Sayville Project Representatives should refer questions on immigration issues to the Human Resources Office.

R. Comply with Environmental Health and Safety Requirements

All Sayville Project Representatives encountering hazardous materials and regulated medical waste must comply with environmental laws and regulations

and follow the environmental safety procedures explained in Sayville Project's Policies and Procedures. Sayville Project Representatives are expected to:

- Comply with all laws and regulations governing the handling, storage, and use of hazardous materials, other pollutants and regulated medical wastes;
- Comply with permits that allow Sayville Project to safely discharge pollutants into the air, sewage systems, water pollution control facilities, or onto or into land;
- Hire only reputable licensed services to transport and dispose of hazardous and polluted materials and regulated medical wastes; and
- Accurately maintain the records required by the environmental laws and regulations.

No one at the Sayville Project may participate in concealing improper discharge or disposal of hazardous materials, pollutants, or regulated medical wastes. Any Sayville Project Representative who has reason to believe that there have been violations of this or any other aspect of the Sayville Project's environmental compliance procedures should report immediately to the Chief Compliance Officer.

If you are made aware or notice potential or actual infringement of the laws and rules regarding hazardous materials and waste, immediately advise your Supervisor, the Director of the Sayville Project, the University Director of Environmental Health & Safety or Chief Compliance Officer.

S. Avoid Scientific Misconduct

Stony Brook University (hereinafter referred to as the University) is committed to excellence in all scholarly endeavors. Individuals must adhere to the highest professional standards of scientific integrity in planning, conducting or in reporting the results of research activities conducted under the auspices of this University.

All Sayville Project Representatives must report observed, suspected or apparent research misconduct, and will cooperate with the Research Integrity Officer and other University officials in the review of allegations and the conduct of Inquiries and Investigations. Research misconduct may include the destruction, absence of, or respondent's failure to provide research records where these actions constitute a significant departure from accepted practice of the relevant research community. Honest errors or differences of opinion are not considered to be research misconduct.

The full policy on Research Misconduct can be found here:

https://www.stonybrook.edu/policy/pdf/research_misconduct_policy.pdf

T. Ensure Appropriate Political Participation/Government Relations

Sayville Project Representatives must distinguish between personal and organizational political activities. Unless specifically requested by the Sayville Project to represent it before legislative or other governmental bodies, Sayville Project Representatives must clearly label any personal communication with legislators as their own beliefs.

If contacted by legislators or regulators regarding Sayville Project's position on public issues, or if you have any questions, please refer them to the Office of General Counsel or the Office of Governmental and Community Relations.

U. Confidentiality of Protected Health Information

The Sayville Project is committed to maintaining the confidentiality of employees, clients and other sensitive or proprietary information in accordance with the applicable legal and ethical standards.

The Sayville Project prioritizes the confidentiality and privacy of our clients and requires Sayville Project Representatives to adhere to confidentiality, privacy and security policies, procedures, and laws, including the Health Insurance Portability and Accountability Act ("HIPAA").

Sayville Project Representatives must:

- Actively protect and safeguard clients' Protected Health Information ("PHI") and patient's personal information whether that information is paper, electronic, verbal or telephonic;
- Only access a client's record when involved in that client's care or when access is required for a legitimate and authorized work-related purpose (e.g., billing, administrative, teaching, or research);
- Share only the minimum necessary information to accomplish the work-related task;
- Seek permission from the client before discussing client information in front of client family members and/or visitors.
- Take special precautions when managing sensitive PHI associated with the following populations, those with: substance use disorder, mental health illness and Human Immunodeficiency Virus ("HIV");

Sayville Project Representatives who engage in unauthorized disclosure, access or use of information pertaining to our clients or others are subject to disciplinary action in addition to possible civil or criminal sanctions. Any person who becomes aware of a known, suspected or alleged unauthorized use, access, or disclosure of PHI, must report it immediately to their Supervisor, the Chief HIPAA Privacy Officer, the Chief Compliance Officer or at <https://sbuh.complianceprohealth.com/report/privacy-newu>. The Chief Privacy Officer or designee investigates all known, suspected or alleged HIPAA violations.

Questions about the client confidentiality rules or any other HIPAA Privacy matter should be referred to the Chief HIPAA Privacy Officer or designee.

V. Ensure Confidentiality of Sayville Project Information

Sayville Project Representatives must not disclose to others any confidential information obtained during the course of employment. Confidential information includes Sayville Project's methods, processes, techniques, computer software, equipment, service marks, copyrights, research data, client data, marketing and sales information, personnel data, client lists, client data, financial data, plans and all other proprietary information which are in the possession of the Sayville Project and which have not been published or disclosed to the public. Sayville Project Representatives are responsible and accountable for the integrity and protection of business information.

Sayville Project Representatives must carefully manage and properly secure documents and electronic media containing sensitive information concerning clients and Sayville Project Representatives. Sayville Project Representatives must pay particular attention to the security of data stored on computer systems. If you observe employee misuse of confidential information or individuals whom you do not recognize using terminals in your area, immediately report this to the Associate Dean for Clinical Affairs, the Chief Information Security Officer, or Chief HIPAA Privacy Officer.

W. Ensure Confidentiality of Information Owned by Others

Sayville Project Representatives may only use, or access confidential information owned by third parties when there is a written agreement approved by the Office of Procurement or the Office of General Counsel. If Sayville Project Representatives have information in their possession that could be confidential to a third party or may have restrictions placed on its use, they should consult with the Office of General Counsel.

Additionally, software is intellectual property that may be protected by copyright, patent, and trade secret laws or considered confidential information. The Office of General Counsel reviews and executes software and licensing agreements. Sayville Project Representatives must follow policy **IM0044 Security of Information Technology Resources** and strictly follow the terms and conditions of license agreements, such as provisions not to copy or distribute software. The exception is a copy for backup purposes.

Personally owned or acquired software or equipment must not be used on or copied on an SBU-owned computer system.

X. Ensure Proper Retention and Destruction of Records

Sayville Project Representatives are expected to comply fully with the records retention and destruction schedule consistent with the SUNY Retention schedule. If Sayville Project Representatives believe documents should be saved beyond the applicable retention period, their supervisor should be consulted. This supervisor should contact the Office of General Counsel, Chief Compliance Officer, or the Finance Department, depending on the nature of the documents in question.

Y. Government Investigations

While it is the Sayville Project's policy to cooperate with any government investigation, the Sayville Project must only act with the advice of legal counsel. Therefore, the Office of General Counsel must coordinate all cooperation with the government in these matters. Sayville Project Representatives are not authorized to engage external consultants, auditors, or legal counsel in connection with compliance matters except with the advance approval of the Chief Compliance Officer.

IV. COMPLIANCE WITH THE CODE

A. Questions Regarding the Code

The Director of Health Sciences Schools Compliance is responsible for the implementation of the Sayville Projects Corporate Compliance Program, under the direction of the Chief Compliance Officer for Stony Brook Medicine, including the Corporate Compliance Code of Conduct. The Director of Compliance works with others in the Sayville Project, as necessary, with respect to elements of implementation, including training and enforcement of this Corporate Compliance Code of Conduct.

Sayville Project Representatives should direct any questions regarding the applicability or interpretation of the Code to the Director of Health Sciences Schools Compliance in person, in writing, or by telephone. Sayville Project Representatives should address any correspondence relating to the Code to the Director of Health Sciences Schools Compliance marked "CONFIDENTIAL."

B. Reporting of Suspected Violations

Sayville Project Representatives must report suspected violations of this Corporate Compliance Code of Conduct. As a matter of policy, no Sayville Project Representative will be disciplined or subjected to retaliatory action because they made a report in good faith. Where possible, the Sayville Project protects the confidentiality of the Sayville Project Representative making the report.

To report a compliance concern or to make a compliance inquiry, contact the Chief Compliance Officer, Patricia Cooper, at (631) 444-5864.

Reporting of compliance concerns or inquiries can also be made to:

- your Supervisor, who is then required to report the suspected violation to the Director of Health Sciences Schools Compliance;
- the Director of Health Sciences Schools Compliance and Privacy, Kim Cirne, at (631) 638-3088
- the Corporate Compliance Helpline (866) 623-1480 or <https://www.compliance-helpline.com/sbuh.jsp> (which is available 24 hours a day, seven days a week) to report anonymously or by name;
- by mail to the Director of Health Sciences Schools Compliance at 101 Nicholls Road, Health Sciences Center, Level 2, Room 502, Stony Brook, NY 11794-8430.

A Sayville Project Representative need not be absolutely certain that a violation has occurred before making a report; the reasonable belief that a violation may have occurred is sufficient. Sayville Project Representatives are required to come forward with any information, without regard to the identity or position of the suspected offender. All compliance inquiries and reports of potential violations are promptly investigated and reported to the Senior Vice President of Health Sciences.

C. Investigation of Suspected Violations

The Sayville Project promptly investigates all reports of suspected violations of the Corporate Compliance Code of Conduct and maintains confidentiality to the extent consistent with the Sayville Project's interests and legal obligations. If an investigation of an alleged violation is undertaken and the Chief Compliance Officer believes the integrity of the investigation is at stake because of the presence of Sayville Project Representatives under investigation, the Sayville Project Representative(s) allegedly involved in the misconduct is removed from their current work activity until the investigation is completed, consistent with the appropriate collective bargaining agreement, where applicable. In addition, steps are taken to prevent the destruction of documents or other evidence relevant to the investigation. Sayville Project Representatives must cooperate with investigations.

While it is the Sayville Project's policy to cooperate with any government investigation, the Sayville Project must only act with the advice of its legal counsel; therefore, the Office of General Counsel must coordinate all cooperation with the government in these matters. Sayville Project Representatives are not authorized to engage external consultants, auditors, or legal counsel in connection with compliance matters except with the advance approval of the Chief Compliance Officer.

D. Discipline for Violations

Disciplinary actions may occur for:

- Violations of the Code of Conduct.
- Failure to report a Code violation or cooperate during an investigation.
- Failure by a violator's supervisor(s) to reasonably detect and report a violation of the Code of Conduct.
- Retaliation or Intimidation against an individual for reporting a violation or possible suspected violation of the Code of Conduct.

Disciplinary action may, when appropriate, include dismissal. Any discipline applicable to union members is taken in accordance with the appropriate collective bargaining agreement.

Disciplinary decisions are reported to the Senior Vice President for Health Sciences, as required.

Forms:

Sayville Project Code of Conduct Attestation

Policy Cross Reference:

- Sayville Project Gifts Policy
- Sayville Project Conflict of Interest Policy

Relevant Standards/Codes/Rules/Regulations/Statutes:

Title 18 NYCRR 504.3

Title 18 NYCRR 504.8

Title 18 NYCRR Parts 514. 515. 516, 517, 518, 519, 520, 521

Title 19 NYCRR Part 934

New York State Public Officers Law §73, §74, §80, §94

42 USC § 1396a(a) (68)

31 USC §§ 3729-3733 31

USC Ch. 38

NY Labor Law § 740

NY Labor Law § 741

NY State Finance Law §§ 187-194

References and Resources:

None