CODE OF ETHICS
INTRODUCTION

The Hackensack University Medical Center Code of Ethics is the product of a truly collaborative effort on the part of many individuals and groups. The concept began and ended with the Biomedical Ethics Committee, whose thoughtful comments and wise guidance informed the innumerable drafts. The format and content were reviewed and improved by input from senior leadership, health care professionals and team members at every level of the Hackensack University Medical Center (HackensackUMC) clinical, organizational, research and academic settings. The final draft was presented to and enthusiastically endorsed by the HackensackUMC Board of Governors.

The result of this deliberately time- and labor-intensive process is a code of ethics that reflects the singular goals, values and aspirations that define a unique health care organization. Unlike other care-providing entities that tolerate or marginalize bioethics or restrict its activities to the clinical setting, HackensackUMC has consistently extended the scope of bioethics influence into the board room, the research laboratory and the classroom. The result is a robust, expanding and innovative organization that models ethics as integral to every aspect of its functioning rather than as a marketing gesture or rhetorical flourish.

The Hackensack University Medical Center Code of Ethics is intended to grow and change as health care evolves and our network responds to new clinical, research, organizational and academic imperatives. But its purpose will continue to be articulating the moral center that defines who we are, what we do and why we do it each and every day.

Linda Farber Post
Director, Bioethics

A MESSAGE FROM THE PRESIDENT

As President of Hackensack University Medical Center, it is my privilege to introduce the Hackensack University Medical Center Code of Ethics and share with you my thoughts on why it deserves the attention and commitment of everyone who is part of our Medical Center community. Organizations define themselves in statements of purpose, vision, values and goals. Successful organizations ground not just their defining statements but the essence of their culture in a shared morality that informs everything they do. Health care organizations, because of their unique mission of service and responsibility, are defined by elevated ethical expectations.

This Code of Ethics is an explicit statement of the core values and ethical obligations that inform Hackensack University Medical Center, its plans, decisions, actions, standards and behaviors on the corporate and individual levels. It challenges us as leaders and team members to model the ethics that serve as our organizational cornerstone. The Code is a blueprint that both reflects and inspires who we are, what we do and what we aspire to be.

The health care landscape is changing, revealing new opportunities and challenges, and testing our collective and individual responses to scientific discoveries, technological advances, unanticipated biological and natural crises, expanding productivity, increasing costs and limited resources. Managing these competing imperatives will require thoughtful, creative, principled solutions. As we lead the way forward, the HackensackUMC Code of Ethics is expected to evolve in scope and specificity. What will not change, however, are the core values, commitment to excellence, enhanced integrity and the shared morality that has made and will continue to make HackensackUMC the exceptional health care presence that it is.

Ihor Sawczuk, M.D.
President, Hackensack University Medical Center
Purpose of the Hackensack University Medical Center Code of Ethics

Ethics is the study of how decisions are made about actions, especially when facing conflicting choices. While ethics may concern decisions about actions that are right or wrong, more often ethics is about decisions when two or more worthy options are available and only one can be implemented. These analyses are informed by values, ethical principles and theories of reasoning.

A code of ethics sets the standards that inspire efforts to surpass what is required by laws and regulations, and achieve a higher level of performance. To accomplish this, a code of ethics expresses the values and principles that guide ethical decision making and the standards used to evaluate decisions, policies and actions. In addition to defining the principle-based foundations of what an organization does, a code is aspirational and articulates what the organization strives to achieve. Accordingly, this Code of Ethics identifies the values that define Hackensack University Medical Center (HackensackUMC) and the ethical principles and obligations that guide decisions and actions in its organizational, clinical, educational, research and business settings.

Ethics has special relevance in the health care setting because the moral core of caregiving creates ethical imperatives unique to health care organizations. Organizational ethics is grounded in the notion that organizations, not just the people who work in them, are moral agents with ethical obligations. The decisions organizations make and the actions they take have ethical implications and consequences. Just as the ethical obligations of each profession hold its members to elevated standards of conduct, so do equally high standards bind the organizations in which professionals practice.

These expected standards are heightened even more for organizations, such as medical centers, whose practitioners assume direct responsibility for the welfare of those with whom they have a fiduciary relationship. The fiduciary obligation imposes on HackensackUMC, its team members and practitioners the duty to put the interests of those who rely on them — patients, students, research subjects — before their own individual or corporate interests. It is this special relationship that establishes the trust-based bond between those who provide and those who receive care, and sets the healing professions apart from all other service enterprises. Because the fiduciary commitment goes beyond hierarchy, the organization is able to fulfill its moral obligations only through the actions of every team member at every level in every discipline, department or capacity.

The HackensackUMC Code of Ethics embodies the mission of offering the highest-quality health care, wellness, teaching and research, and the vision of achieving leadership in excellence. The foundation established at the organizational level creates the ethical environment for health care delivery, teaching, research and business practice. Because its defining principles and values ground activity throughout HackensackUMC, all policies, practices and standards of professional conduct are consistent with this Code of Ethics and operationalize its articulated objectives and principles.
Objectives and Principles

HackensackUMC creates an ethical organizational environment by:

❍ Ensuring that all clinical, administrative, academic and research activity throughout HackensackUMC reflects the organization’s guiding principles and values of quality, integrity, professionalism, teamwork and communication.

❍ Articulating to internal and external audiences what HackensackUMC stands for, what animates and ethically justifies its decisions and actions, and what patients, staff and the public can expect.

❍ Modeling at the leadership, management and staff levels the attitudes and behaviors that:
  • fulfill HackensackUMC’s charitable mission by providing high-quality care to all patients without regard to race, religion, ethnicity, gender, sexual orientation or ability to pay;
  • promote the dignity, security and professionalism of all team members, including clinical and non-clinical staff, administrators, researchers and educators;
  • put the welfare of patients and research subjects before the interests of any individual, group or organization;
  • foster ethical research that strives to add to generalized knowledge, while protecting human subjects;
  • foster education and mentorship of care professionals;
  • provide ample time and resources for the delivery of high-quality care;
  • promote integrity and professionalism in all clinical, academic, research and business interactions;
  • identify and manage conflicts of interest;
  • promote responsible stewardship of limited resources;
  • monitor and enhance the quality of patient care; and
  • foster justice in access to health care.

❍ Recognizing and valuing staff efforts to provide exceptional service.

❍ Ensuring that all members of the HackensackUMC community know the desired standards, are accountable for their actions and feel safe sharing their questions, concerns, insights and suggestions.

❍ Ensuring that principle-based policies that guide actions are transparent and accessible for review by:
  • sharing with management and staff the evolution of short- and long-range plans and goals; and
  • sharing with management and staff the results of surveys and changes in financial incentives, management structure and staffing.
侗Partnering with other health care organizations to achieve common goals of improving patient experience, promoting population health and creating more affordable health care.

侗Creating mechanisms for effective, efficient and confidential dispute resolution.

侗Encouraging the identification, reporting and study of untoward occurrences.

侗Fostering the fiduciary relationship between and among governance, leadership and the wider community.

侗Preparing for and managing medical emergencies and disease by ensuring that all relevant policies, protocols, guidelines and deviations from routine standards of care are thoughtful, evidence-based, transparent, and clinically and ethically justified.

侗Promoting responsible stewardship of health care resources by:
   • conserving health care resources in the clinical, administrative, educational and research settings by using them efficiently and appropriately;
   • distinguishing between scarce and expensive resources in organizational planning and decision making; and
   • modeling responsible stewardship of resources in all settings.

HackensackUMC creates an ethical clinical environment by:

侗Fostering the fiduciary relationship between care professionals and patients by:
   • placing the interests of patients before those of health care professionals or the organization;
   • distinguishing between what patients and surrogates request and what patients need; and
   • providing medically necessary care in which the anticipated benefits to the patient outweigh the anticipated burdens and risks.
Promoting the dignity, security and professionalism of caregiving team members by:

- modeling attitudes and behavior that demonstrate respect for caregiving team members;
- ensuring that caregiving team members are neither unfairly advantaged nor disadvantaged in their work because of race, religion, ethnicity, gender or sexual orientation;
- protecting caregiving team members from harm based on discriminatory or other malicious criteria;
- protecting team members from harassment, verbal or physical threat, or other forms of intimidation by patients, visitors or other staff;
- mentoring team members so that roles and responsibilities are commensurate with experience and skills;
- conferring on team members the authority to make and take responsibility for clinical decisions commensurate with each caregiver’s role and skill set; and
- teaching and mentoring new health care professionals by:
  - modeling the highest standards of professionalism; and
  - modeling the integration of ethical principles and standards in all areas of clinical work.

Promoting respect for the autonomy of capable patients by:

- ensuring that patients’ care goals and preferences are elicited and, when clinically feasible, integrated into the plan of care;
- determining what patients know and want to know about their medical condition and how involved they want to be in care planning and decision making;
- ensuring that the decisions of capable patients are communicated and honored, both before and after capacity has lapsed;
- offering information and assistance in creating advance directives and/or Practitioner Orders for Life-Sustaining Treatment (POLST), as appropriate;
- ensuring that advance directives and POLST are available and accessible during current hospitalizations and maintaining these documents for use in future patient encounters;
- identifying the appointed health care agents and alternate agents or informal surrogates who will make decisions in the event that patients’ decisional capacity is temporarily or permanently lost;
- providing patients, agents and/or other surrogates sufficient accurate, relevant and timely information about diagnosis, prognosis, and treatment options in a manner that is understandable and culturally sensitive, and ensuring that the information has been understood by the patient, agent and/or surrogate; and
- engaging certified interpreters, rather than family or other surrogates, when patients or surrogates prefer to use a language other than English.

Collaborating with patients, agents and other surrogates in shared decision making about the goals and plan of care by:

- meeting regularly with patients and/or surrogates to review the patient’s evolving condition and its implications for revising goals and plans of care;
- providing information, options and recommendations regarding care planning;
- distinguishing the responsibilities of patients, surrogates and practitioners in developing and implementing goals and plans of care; and
- interacting with patients and families with respect, honesty and empathy.

Protecting vulnerable patients who lack decisional capacity by:

- identifying patients whose decisional capacity is diminished, fluctuating or has lapsed;
- determining whether patients with diminished capacity still have sufficient capacity to appoint others to make care decisions for them;
- identifying the appointed agents or informal surrogates who will make decisions on behalf of incapacitated patients; and
- providing agents or surrogates with information, guidance and support in the process of decision making on behalf of incapacitated patients.
Promoting patient best interest and protecting patients from harm by:
• ensuring that only interventions likely to benefit patients are offered for consideration;
• ensuring that care is provided only by qualified professionals;
• ensuring that the anticipated benefits to patients of proposed interventions outweigh the anticipated burdens and risks;
• identifying and managing in a timely manner disruptive behavior by patients, family or other surrogates, visitors or team members that interferes with the delivery of care, thereby putting patients at risk;
• explaining to patients and surrogates why interventions they have requested are or are not clinically indicated and why interventions that will not benefit patients or risk causing them harm will not be provided; and
• ensuring that untoward clinical events are responded to with procedures for determining the cause, preventing reoccurrence and disclosing to patients or surrogates information necessary to understand and mitigate harm.

Protecting patient confidentiality and privacy by:
• protecting personal health information learned in diagnostic and therapeutic encounters with patients;
• disclosing personal health information only to health care professionals providing direct patient care or other essential services;
• assuring patients that personal health information will be disclosed only to family and friends consistent with their expressed preferences; and
• helping family and other surrogates understand why withholding health information from capable patients is ethically and clinically problematic, and would be considered only if a clinical assessment determined that disclosure would put the patient at risk of imminent and significant harm.

HackensackUMC creates an ethical research environment by:

Fostering the fiduciary relationship between research investigators and subjects by:
• placing the interests and safety of subjects before the interests of investigators or sponsors;
• ensuring that subjects understand the distinction between research and treatment in the research setting; and
• promoting research that minimizes risk to subjects and maximizes benefit to society.
Promoting respect for the autonomy of research subjects by:
• confirming that potential subjects have sufficient decisional capacity to provide informed and voluntary consent to participate in research;
• confirming that consent for incapacitated subjects to participate in research does not put them at more than minimal risk;
• ensuring that subjects receive and understand sufficient information about the purpose, conduct, risks and benefits of proposed research;
• ensuring that subjects understand that their initial consent and continuing participation in research is voluntary and may be withdrawn at any time; and
• ensuring that subjects understand that their decision about participating in research will not affect the health care that they receive.

Incorporating humane animal care in all aspects of laboratory work that involves research animals by:
• acknowledging that the use of animals in research, testing and teaching is justified only by the expectation that it will yield significant new and generalizable knowledge that will benefit humans and/or animals;
• confirming that research using animals cannot be conducted without using research animals; and
• ensuring that research is designed to minimize harm or risk of harm to research animals.

HackensackUMC creates an ethical business environment by:

Supporting fair marketing practices by:
• offering only those services, resources and outcomes that HackensackUMC can deliver;
• disseminating accurate information to facilitate patient choice and decisions by vendors or others who do business with the organization; and
• making information publicly available about organizational relationships that create actual, potential or apparent conflicts of interest.

Engaging in ethical business decision making by:
• balancing the need for clinical, research and educational resources with the need for organizational growth and development;
• providing and billing only for services that are medically indicated;
• ensuring transparency so that stakeholders understand the organization’s short- and long-term planning;
• ensuring that organizational leadership is accountable to stakeholders;
• entering into contracts that have clear business justification, are commercially reasonable, and whose terms reflect fair market value; and
• ensuring that the impact of business decisions takes into account their effect on the larger community.

HackensackUMC creates an ethical academic environment by:

Integrating ethics into all stages of academic pursuit.

Requiring that students demonstrate understanding of ethical theory and its application to their conduct in clinical and non-clinical settings.

Fostering intellectual honesty, transparency, discovery and innovation.

Requiring that students and faculty demonstrate accountability for ethical behavior in their academic activities.

Developing curricula and clinical training that focus on patient-centered and interdisciplinary care.

Developing and presenting educational material and clinical training in ways that are sensitive to and respectful of culture, religion and ethnicity, with recognition of and respect for personal creed.

Providing an exceptional educational experience that prepares outstanding clinicians and academicians, and contributes to the body of health care knowledge.

Fostering community engagement and social justice.
Purpose:

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A code of ethics sets out the standards that inspire efforts to go beyond what is required by laws and regulations, and achieve a higher level of performance. To accomplish this, a code of ethics expresses the values and principles that guide ethical decision making and the standards used to evaluate decisions, policies and actions. In addition to defining the principle-based foundations of what an organization does, a code expresses what the organization strives to achieve. Accordingly, this Code of Ethics identifies the values that define Hackensack University Medical Center (HackensackUMC) and the ethical principles and obligations that guide decisions and actions in its organizational, clinical, educational, research and business settings.

Ethics has special meaning in the health care setting because the moral core of caregiving creates obligations that set health care apart from all other service professions. Organizational ethics is grounded in the notion that organizations, not just the people who work in them, are moral agents with ethical obligations. The decisions organizations make and the actions they take have ethical meaning and consequences not found in other fields of study and work.

These expected standards are higher for organizations, such as medical centers, whose practitioners assume direct responsibility for the welfare of those for whom they care. This unique relationship creates for HackensackUMC, its team members and its practitioners the duty to put the interests of those who rely on them—patients, students and research subjects—before their own individual interests or the interests of the organization. It is this special relationship that creates the trust-based bond between those who provide and those who receive care. Because this commitment covers all those who belong to the organization, HackensackUMC is able to fulfill its moral duties only through the actions of every team member at every level in every discipline, department or capacity.

The HackensackUMC Code of Ethics clearly expresses the mission of offering the highest-quality health care, wellness, teaching and research, and the vision of achieving leadership in excellence. This foundation creates the ethical environment for health care delivery, teaching, research and business practice, and all HackensackUMC policies, practices and standards of professional conduct are consistent with the values and standards set out in this Code. The HackensackUMC Code of Ethics reminds team members, patients, families and the larger community what makes HackensackUMC a health care organization firmly grounded in ethical principles, values and commitment to the highest standards.
Objectives:

**HackensackUMC creates an ethical organizational environment through**
- actions that meet the highest standards of performance and professionalism;
- leadership that models integrity, responsibility and generosity;
- policies and practices grounded in concern for the dignity and well-being of patients, staff, families and the larger community; and
- decision making that is transparent, fair, honest and responsible.

**HackensackUMC creates an ethical clinical environment by**
- creating trust-based relationships between care professionals and patients that make the needs and interests of patients the highest priority;
- establishing policies and procedures that promote the dignity, security and professionalism of team members;
- promoting respect for patients, their values, health goals and the preferences they express in decisions about their care;
- ensuring that patients receive necessary information to make informed decisions about their care;
- identifying patients who lack the ability to make decisions about their care and ensuring that they are protected by others who can make decisions for them;
- promoting patients’ best interest and protecting them from harm; and
- protecting patient confidentiality and privacy.

**HackensackUMC creates an ethical research environment by**
- creating relationships between researchers and subjects that place the safety of subjects before the interests of the researchers or research sponsors;
- promoting respect for research subjects by minimizing research risks;
- ensuring that subjects understand the difference between research and treatment; and
- ensuring that subjects receive the information necessary to make informed and voluntary decisions about participation in research.

**HackensackUMC creates an ethical business environment by**
- supporting fair marketing practices, including offering only those services and outcomes that HackensackUMC can deliver;
- engaging in ethical business practices;
- practicing business decision making that is honest and transparent; and
- identifying and managing conflicts of interest.

**HackensackUMC creates an ethical academic environment by**
- making ethics part of all stages of training for health care professionals;
- promoting intellectual honesty and integrity in work that is developed, taught and published; and
- preparing clinicians to contribute to the body of health care knowledge.