

CODE OF CONDUCT



Memorial Sloan Kettering
Cancer Center

LETTER FROM THE CHIEF RISK OFFICER



People come to Memorial Sloan Kettering Cancer Center from all over the world for cancer treatment because they trust us to provide them with the most advanced and compassionate care possible. Such a high level of trust, one that allows people to put their lives in our hands, is precious and hard-won. It's something that we earn through the superior patient outcomes, personalized treatment, and cutting-edge research we bring to each patient. It's also something we earn through our culture and reputation, built on maintaining the highest standards of ethics, integrity, respect, unity, inclusivity, innovation, and stewardship for all our stakeholders.

Everyone at MSK — clinical, research, and administrative staff; leadership; Board members; and volunteers, consultants, and vendors — plays a critical role in maintaining MSK's high standards and, in doing so, nurturing the trust that people place in us every day. That trust is essential to our ability to make a transformative impact in cancer care and science, and to advance our collective vision and mission.

MSK's Code of Conduct encompasses the common set of core values and standards of conduct for everyone associated with MSK. The Code of Conduct defines what is expected from each of us in our interactions with patients, colleagues, and vendors, and it helps clarify what is acceptable behavior — and what is not. I encourage you to become familiar with these standards, use them to guide your daily decision-making and actions, and hold yourselves and each other accountable to them.

The healthcare industry is one of increasing complexity and accelerating change. MSK recognizes the challenges that come with working in such a dynamic and growing field, and we are always available to guide and support you.

Please contact the Corporate Compliance Department at compliance@mskcc.org or 646-227-2622 if you have questions about the Code of Conduct or any compliance concerns.

Thank you,

DEBRA BERNS

Senior Vice President and Chief Risk Officer

“The Code of Conduct defines what is expected from each of us in our interactions with patients, colleagues, and vendors, and it helps clarify what is acceptable behavior — and what is not.”

— **DEBRA BERNS**

CONTENTS

VISION, MISSION, AND COMMON SET OF CORE VALUES 4

Our Vision	4
Our Mission	4
Core Values	5

THE CODE OF CONDUCT 6

Purpose of the Code of Conduct	6
How to Use the Code of Conduct	6

CORPORATE COMPLIANCE PROGRAM 7

MSK's Corporate Compliance Program	7
Auditing and Monitoring	7
Reporting Misconduct	7

PRIVACY, CONFIDENTIALITY, AND INFORMATION SECURITY 9

Data Privacy	9
Acceptable Use	10
Social Media Guidelines for Employees	10

RESEARCH COMPLIANCE 12

How We Conduct Our Research	12
We Protect Our Human Subjects	13
We Protect Our Animal Subjects	13
We Ensure Safe and Ethical Research	13
We Are Committed to the Responsible Conduct of Research & Research Integrity	14
We Are Committed to Research Security	14

CONFLICTS OF INTEREST 16

How We Work with Industry	16
We Actively Manage Conflicts of Interest	16

GIFTS AND GRATUITIES 18

We Accept Only Limited Gifts from Patients	18
We Limit Our Acceptance of Business Courtesies	18

BILLING COMPLIANCE 20

We Bill Accurately	20
We Provide Access for Patients with a Financial Need	20
Research Billing	20
Fraud and Abuse	21
What Are the Penalties?	21

USE OF MSK RESOURCES 22

MSK Resources Are for MSK Business	22
We Protect Our Inventions, Discoveries, and Intellectual Property	22

REGULATORY COMPLIANCE 24

Meeting the Challenges of a Regulated Environment	24
Regulatory Site Visits and Reviews	24
Stark Law	25
Antitrust Laws	25
Insider Trading	25
Anti-Bribery and Anti-Corruption Laws	26

PATIENT RIGHTS AND SAFETY 27

How We Care for Our Patients	27
------------------------------	----

WORK ENVIRONMENT 29

How We Treat Our Employees	29
We Are a Drug-Free Workplace	30
We Are a Violence-Free Workplace	30

EMPLOYEE RIGHTS AND RESPONSIBILITIES 32

We Expect the Best from You	32
Speak Up: How to Report a Concern	32

HOW WE CONDUCT BUSINESS 34

Our Marketing and Advertising Are Truthful and Accurate	34
MSK Does Not Make Endorsements	34
We Are Accurate, Truthful, and Candid in Our Development and Fundraising Activities	34
Our Financial Reporting Is Accurate and Complete	35
We Make Contracting and Purchasing Decisions Fairly	35

FOR MORE INFORMATION OR TO REPORT A SUSPECTED VIOLATION 37

VISION, MISSION, AND COMMON SET OF CORE VALUES

Our Vision

Our vision statement captures who MSK aspires to be and serves as a guide for making decisions at the organizational level.

To be the world's leading authority on cancer.



Our Mission

Our mission statement captures why MSK exists. It serves as a rallying cry, uniting us around what makes us proud to be part of MSK.

Ending cancer for life.

Core Values

Our common set of core values are the fundamental beliefs that shape our culture and the virtues that collectively define us. They guide how we act, how we treat each other, and how we make decisions.



Respect for the individual

We ensure everyone is heard and valued.

We create an environment that embraces diverse perspectives. We care for our patients with compassion, and treat our patients, collaborators and one another with respect, warmth and dignity.



Excellence through inclusion

We succeed when diversity thrives.

We recruit, retain, and develop diverse talent and seek to create a community that reflects all populations we serve. Our diverse and inclusive teams unlock innovation across our organization. We actively address barriers to diversity and inclusion in our workforce, our science, and the care we provide. We shape internal policies, practices, and norms to give everyone equal opportunities to thrive — and hold ourselves accountable for making change.



Integrity

We do what is right.

We inspire trust by having the courage to say what we mean, matching our behaviors to our words, and taking responsibility for our actions. We value and support transparency, knowing that open, honest communication is critical to our success. We use science and data to inform our decisions and passionately advocate for what is right and fair for our patients, our communities, and each other.



Innovation with lasting impact

We challenge ourselves to constantly learn and improve.

We create and apply bold new thinking that makes a difference for patients, for our communities, and for our people. We embrace discovery, knowing that exploring the unknown is the best way to fuel progress in cancer treatment and care. We attract, develop, and retain people who possess the curiosity, passion, and drive to learn continuously and to challenge what's been done before in pursuit of a better way.



Stewardship

We each take responsibility for strengthening MSK to better serve our global cancer community, today and in the future.

We make decisions in service of building a better, stronger, and more durable MSK for our patients, employees, and communities. We carefully and responsibly utilize MSK resources. We take personal ownership for achieving our mission, meeting our commitments, protecting our reputation, and developing our people for growth and success.



One MSK

We work together to do what no one else can in cancer.

We approach everything we do as a united organization. We build relationships and work collaboratively across all parts of the institution, leveraging our respective expertise to drive collective success and deliver exceptional and compassionate patient care, research innovation, and education to train the next generation of scientists and clinicians.



THE CODE OF CONDUCT

Purpose of the Code of Conduct

For more than a century, MSK has been a leader in the fight against cancer. The Code of Conduct reflects our common set of core values and is designed to set the institution's standards and serve as your guide to appropriate conduct at work. In pursuit of our mission to end cancer for life, we work to improve the way the world prevents, diagnoses, treats, and cures cancer through exceptional patient care, innovative research, and dedicated training of the next generation of scientists and clinicians. None of this happens successfully without adherence to the highest standards of ethics and integrity. As individuals, everyone in our workforce — our employees, Board members, volunteers, vendors, contractors, students, and consultants — plays an important role in upholding these standards in everything we do.

How to Use the Code of Conduct

The MSK Code of Conduct describes the governing principles and standards of conduct for everyone associated with Memorial Sloan Kettering Cancer Center. At the end of each section, you will find question-and-answer scenarios that describe situations you may experience while working at MSK. You will also find a resources section, which includes links where you can find additional information on MSK's intranet (OneMSK), contact information for MSK departments to answer questions, and related policies and procedures. It is your responsibility to read and understand specific policies and procedures that affect you and your job. Since the code cannot address every situation you may encounter, MSK relies on your good judgment and values to uphold the spirit and intent of the code.

CORPORATE COMPLIANCE PROGRAM

MSK's Corporate Compliance Program

MSK's Corporate Compliance Program is led by the Senior Vice President and Chief Risk Officer. The Corporate Compliance Program assists senior management and the Board of Trustees in the efficient and ethical management of the institution through a coordinated program of activities designed to prevent, detect, and resolve instances of conduct that do not conform to federal, state, or local laws, ethical standards, or MSK policies. This is accomplished by:

- training and educating MSK's workforce
- monitoring and auditing high-risk areas
- maintaining anonymous and confidential ways to report concerns
- responding promptly to compliance questions or complaints
- protecting individuals who report concerns in good faith
- taking corrective action when the rules are not followed

Auditing and Monitoring

A key element of the Corporate Compliance Program is auditing and monitoring. The Compliance and Internal Audit Departments serve two distinct but complementary functions, both aimed at helping MSK reduce risk. These departments review key activities on an ongoing basis to make sure they are effective and in compliance with the law, rules, regulations, and policies. Both Compliance and Internal Audit perform annual risk assessments across the organization to develop respective work plans for the upcoming year. Compliance also performs routine audits of billing, privacy, and other identified risks to monitor and assess compliance. For example, the Privacy Office works with Information Security to monitor certain electronic communications to prevent the inadvertent disclosure of protected health information.

Reporting Misconduct

"Compliance" means making sure we follow the rules in our everyday work activities. The success of the Corporate Compliance Program relies on everyone's commitment to avoid situations that are improper or that give even the appearance of being improper, and to report any activities that may violate MSK policies or the law. If you encounter what you believe to be a potential violation of the Code of Conduct, MSK policy, or applicable laws or regulations, speak up! Speaking up, even if you just suspect that a violation has occurred, is not only the right thing to do, but also a condition of your employment at MSK.





CORPORATE COMPLIANCE PROGRAM CONTINUED

Ask Yourself

When faced with a potential compliance or ethical issue, it may help to ask these questions:

- Am I being fair and honest?
- How will my actions appear with the benefit of hindsight?
- Are my actions in the best interest of MSK?
- Will I sleep soundly tonight?
- How would I counsel a colleague?
- Am I certain my actions are legal?

Compliance concerns can be reported to the Compliance Department at 646-227-2622 or compliance@mskcc.org; or anonymously by calling the confidential MSK Compliance Hotline at 844-MSK-Line (844-675-5463).

Q&A

QUESTION

Why do we need the Corporate Compliance Program at MSK?

ANSWER

An effective compliance program is required as a condition of participation in federal healthcare programs. Additionally, MSK's Corporate Compliance Program helps the institution fulfill our responsibilities in an environment based on ethical behavior and compliance with applicable laws, rules, and guidelines. The Corporate Compliance Program helps foster an environment of open communication by educating workforce members about their obligations to report compliance concerns and by protecting workforce members from retaliation if they, in good faith, report suspected wrongdoing.

QUESTION

Internal Audit is reviewing activities in my department. Does this mean my supervisor did something wrong?

ANSWER

No. Internal Audit's job is to identify processes and activities that are important to MSK and to periodically evaluate them to be sure they are working correctly. Just because Internal Audit is reviewing an area does not mean that there is anything wrong.

RESOURCES

CONTACT THE CORPORATE COMPLIANCE DEPARTMENT:

- On [OneMSK](#)
- By phone at 646-227-2622
- Via email at compliance@mskcc.org

ANONYMOUS MSK COMPLIANCE HOTLINE:

- 844-MSK-Line (844-675-5463)

CONTACT THE INTERNAL AUDIT DEPARTMENT:

- On [OneMSK](#)

SUBMIT A CONCERN ONLINE:

www.mskcc.alertline.com/gcs/welcome

RELATED POLICIES AND PROCEDURES:

[Compliance Program Charter](#)

PRIVACY, CONFIDENTIALITY, AND INFORMATION SECURITY

Data Privacy

We are committed to safeguarding the privacy and confidentiality of protected health information (PHI). PHI is information about a person that is individually identifiable and is created or received by MSK in connection with the person's condition, treatment, or payment for healthcare services. For example, a list of MSK patient names, even without their diagnosis or other clinical information, is PHI because it includes individual identifiers that were collected by MSK. Below are some of the individual identifiers that are PHI:

- a first or last name or contact information
- a medical record number or Social Security number
- financial account numbers, and insurance, billing, and payment information
- treatment dates, and dates of birth or death
- identifiable photographs and images
- any other information that can be used to identify the person

MSK's privacy policies are designed to ensure that PHI is shared only with those who have a right to this information. Always remember:

- You should access PHI only when you need this information to perform your job.
- Always follow secure procedures when faxing, mailing, or emailing PHI outside of MSK.
- Only store PHI on MSK-managed network drives or MSK-managed information systems, never in personal accounts or on personal devices. This helps keep PHI secure and safe.
- PHI should be shared only with individuals or organizations that are authorized to have it. Before disclosing information to a vendor or third party, always verify that they are authorized to receive it.
- You should not talk about patients in public areas where patient information may be overheard by others.
- Take steps to safeguard information that is sensitive, including PHI. It is the responsibility of all employees to protect against any unauthorized or inappropriate disclosure of MSK's sensitive information.
- Report all known or suspected privacy violations to the Privacy Office immediately. Prompt notification to the Privacy Office helps MSK fulfill our obligations to our patients.





PRIVACY, CONFIDENTIALITY, AND INFORMATION SECURITY CONTINUED

Acceptable Use

MSK's Acceptable Use Policy further protects and safeguards PHI, other confidential MSK data, and MSK information resources.

Computer Usage

- MSK systems and applications, including email, may only be used for valid MSK business purposes. MSK systems and applications and their contents are subject to electronic monitoring to ensure compliance with the appropriate use of MSK resources.
- Report all known or suspected security violations or threats to the Information Security Office immediately.
- Access and use of MSK information must be consistent with the roles and responsibilities associated with your job function.

Passwords

- Never share passwords. Secure passwords are critical to protecting MSK data and preventing the unauthorized use of MSK resources.
- Be sure to construct strong passwords by including special and mixed-case characters or use multiple words to create a long pass phrase.
- Safeguard your passwords. Do not write down your password anywhere that is easily accessible or within sight of others.
- When you leave an MSK workstation, even temporarily, always lock your screen or log off computer applications that contain PHI or other sensitive information.

Social Media Guidelines for Employees

Social media is an important tool that allows MSK to share and interact with our community and the public in meaningful and effective ways. We encourage MSK employees to use these platforms to communicate with colleagues and peers, share your knowledge with others, and stay informed about news and happenings in your areas of interest. In doing so, follow basic, common-sense principles. Remember: The same rules that apply to any other form of communication also apply when using social media. Always maintain confidentiality, be transparent, and be respectful.

PRIVACY, CONFIDENTIALITY, AND INFORMATION SECURITY CONTINUED

Q&A

QUESTION

I am the office coordinator in a physician's office and have access to clinical systems. The office practice nurse I work with asked me to print a recent report from one of our patient's medical records. Am I permitted to print the report and provide it to the nurse?

ANSWER

Yes, MSK's privacy policy permits access, use and disclosure of PHI for the treatment of an individual patient. Treatment includes access to medical reports that are necessary to provide care to the patient. Since you and the nurse are involved in the care of the patient, you can access the report and provide a copy to the nurse.

QUESTION

A family member has asked me for information about a mutual friend who is being treated at MSK. I am not part of the patient's care team. Can I look up information about the patient in their medical record?

ANSWER

No. You may access a patient's medical record only if you need to do so to do your job. You may not share that information with a family member or anyone who does not have a job-related need for the information. If you do not have a need to access patient information to do your job, you are not permitted to look at the medical record.

QUESTION

A grateful patient wishes to provide MSK with photos and a quote for use on the MSK social media pages. Is this permitted?

ANSWER

Yes, as long as MSK has obtained a signed HIPAA authorization from the patient prior to the use and disclosure of the patient's information on MSK social media channels.

QUESTION

A family member of a patient engaged with me on social media, thanking me for taking care of their loved one. Can I respond?

ANSWER

No. While you may know the family member, to maintain the patient's privacy and avoid any unintended disclosure of the patient's health information, it is best to not engage with the post.

QUESTION

If a patient has publicly shared information regarding their care, can I engage in social media conversations on the topic?

ANSWER

No. Even where the patient themselves has shared publicly, an MSK staff member should not share or post any information regarding the care of a patient in which the patient is or may be identified by the information. Public dialogue about a patient, including acknowledging that they are a patient at MSK, is not consistent with maintaining the privacy of our patients.

RESOURCES

CONTACT THE PRIVACY OFFICE:

- On [OneMSK](#)
- By phone at 646-227-2056
- Via email at privacy@mskcc.org

CONTACT THE INFORMATION SECURITY DEPARTMENT:

- On [OneMSK](#)
- By phone at 646-227-2723
- Via email at infosec@mskcc.org

CONTACT SOCIAL MEDIA:

- Via email at socialmedia@mskcc.org

RELATED POLICIES AND PROCEDURES:

- [Use and Disclosure of Protected Health Information](#)
- [MSK Business Associates](#)
- [Privacy Incident Identification, Response, and Breach Notification](#)
- [Access Control](#)
- [Password Standards](#)
- [Acceptable Use](#)
- [Incident Response](#)
- [Social Media Guidelines for Employees](#)
- [Responsible Development and Use of Artificial Intelligence \(AI\) Policy](#)

RESEARCH COMPLIANCE

Basic, clinical, translational, and populational sciences research are central to our mission. Our research informs and makes vital contributions to the development of new and better therapies for the treatment of cancer. We follow the highest professional standards for designing, conducting, and reporting research. We are committed to facilitating safe, respectful, and healthy working conditions for our research community and fostering work environments conducive to high-quality research.

We also comply with all relevant statutes and regulations.

How We Conduct Our Research

The MSK Institutional Review Board (IRB) is a committee consisting of doctors, nurses, nonscientific advisers, and members of our community. The IRB's main responsibility is to ensure the protection of the rights and welfare of everyone who participates in a research study at our institution. At MSK, the IRB also serves as the Privacy Board (PB), a committee designed to meet the regulatory obligations outlined in the Health Insurance Portability and Accountability Act's Privacy Rule. MSK's IRB/PB monitors all clinical research activity to ensure that our policies are followed. This includes reviewing:

- exempt research
- non-exempt prospective research protocols and informed consent documents
- non-exempt retrospective research protocols and associated waivers of consent/authorization
- modifications to approved research
- single-patient use requests
- unanticipated problems and non-compliance
- advertisements
- external database (e.g., NIH dbGAP) data certification requests
- reporting connected with our research activities





RESEARCH COMPLIANCE CONTINUED

We Protect Our Human Subjects

We are committed to protecting the rights of people who participate in our clinical research, including ensuring the privacy and confidentiality of research study participants. In accordance with the Office for Human Research Protections regulations, a human subject is defined as a living individual, their identifiable biospecimens, and/or their identifiable PHI. People who participate in prospective clinical research at MSK do so voluntarily. Prior to agreeing to participate, they are informed of all aspects of the study, which may include alternatives, potential risks and benefits, and what to expect during the study. Participants are also kept informed as new findings, risks, and alternatives become known.

We Protect Our Animal Subjects

The thoughtful and humane care and use of animals is very important to us. The staff of the Research Animal Resource Center make sure that animals used in research and teaching at MSK are well cared for. MSK's Institutional Animal Care and Use Committee (IACUC) oversees all research activities involving animals occurring at/on behalf of MSK. The IACUC safeguards animal welfare and reviews all proposed research activities to make sure that these projects follow all federal, state, and MSK policies and guidelines. The regulations require that staff providing care for or conducting research with animals be appropriately trained. The IACUC also inspects MSK's animal facilities and laboratories where animals are used to ensure that animals are being appropriately housed and under adequate oversight. You should report any concern about the humane treatment of animals or the suspected misuse or abuse of animals at MSK. MSK's policies on confidentiality and nonretaliation apply to those who report concerns about animals.

We Ensure Safe and Ethical Research

We ensure that research is conducted in accordance with responsible research practices for the safety of personnel and the environment. The MSK Institutional Biosafety Committee (IBC) oversees all research activities that involve the use of recombinant/synthetic nucleic acids or biohazardous materials. The main objective of this Committee is to facilitate the safe conduct of research with materials under its purview and protect workers, bystanders and the environment. The IBC also provides oversight over clinical trials involving the administration of recombinant/synthetic nucleic acids to human subjects. Such trials are called human gene transfer trials and oversight is provided by both the IRB and the IBC.

We also ensure that research involving human embryonic stem cells, human embryos, and their derivatives is conducted in a manner consistent with and in compliance with established regulatory and institutional requirements. The Tri-institutional Embryonic Stem Cell Research Oversight Committee (ESCRO) provides oversight over research with human embryos, human embryonic stem cells, covered human pluripotent stem cell research and research designed or expected to generate human gametes. The main objective of the Committee is to facilitate ethical and responsible research with covered materials.

RESEARCH COMPLIANCE CONTINUED

We Are Committed to the Responsible Conduct of Research & Research Integrity

The medical and scientific communities depend on the reputation and integrity of our research scientists. That is how they know that they can trust the results of our scientists' research. Everyone involved in the research process must follow MSK policies on responsible research conduct and guidelines for investigators in scientific research. This helps ensure the quality and integrity of our research. Proper research conduct includes but is not limited to:

- protection of human research subjects
- animal welfare
- sound data practices (how research data and results (including records and specimens) are acquired, stored, shared, and reported)
- refraining from falsification, fabrication, or plagiarism
- safe laboratory practices by employees and trainees
- responsible authorship and publication practices, including acknowledging funding sources and the contributions and intellectual property rights of others
- disclosure of outside interests and relationships that present potential conflicts of interest or conflicts of commitment

We Are Committed to Research Security

MSK is part of a global community of researchers and encourages and supports appropriate international collaborations with institutions and colleagues around the world. Academic freedom, openness, and principled collaborations are essential to the success of the research enterprise. MSK is committed to compliance with U.S. regulatory requirements related to export controls and safeguarding the research enterprise against

behaviors aimed at misappropriating research and development to the detriment of national or economic security, related violations of research integrity, and foreign government interference. MSK does not discriminate in its design and implementation of research security requirements.

Q&A

QUESTION

I work on a research project in which the data on a new drug suggests it is very effective. The results have not been released or published. I am having dinner with my family and want to share this exciting news with them. Is it okay to tell them?

ANSWER

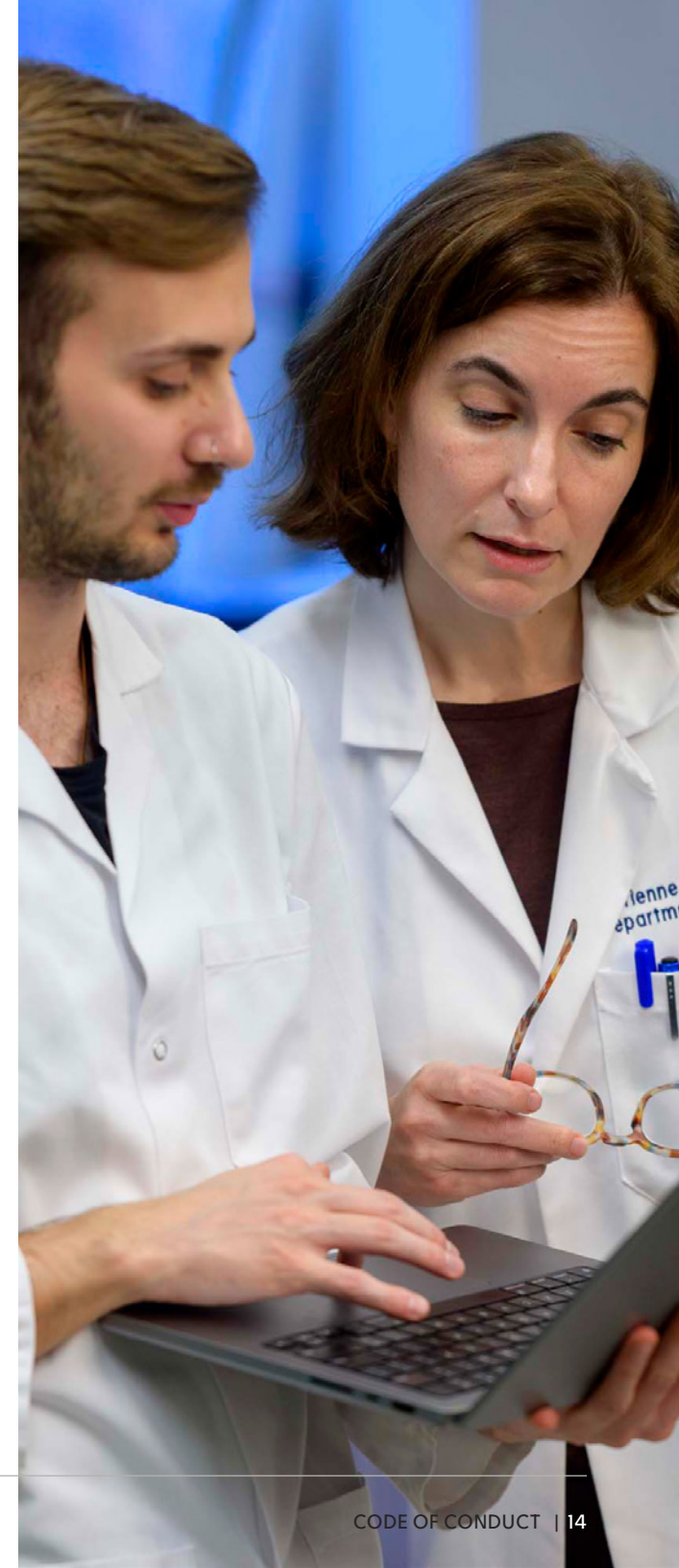
No. You should not share information about research results that have not been made public. Sharing this information could constitute a tip, even an inadvertent tip, and might violate insider trading laws.

QUESTION

A patient enrolled in a clinical trial does not want to continue in the study. What should I tell them?

ANSWER

You should encourage the patient to speak with their attending physician. They can also call the Director of Patient Representatives, whose name and phone number are included in the informed consent form that they signed when they enrolled in the study.





RESEARCH COMPLIANCE CONTINUED

QUESTION

My supervisor has asked me to conduct a procedure on a research animal subject, but I am not certain that this procedure has been approved. What should I do?

ANSWER

You should confirm that the technique has been included on the research protocol and that the IACUC has approved it by checking with the principal investigator, your supervisor, or the IACUC Administration Office.

QUESTION

I have generated a significant amount of data in the course of a laboratory research project that has just been completed. Can I dispose of the data now that I am finished?

ANSWER

No. Research data must be archived for a minimum of three years after the final closeout or publication, whichever occurs last, with original data retained whenever possible.

RESOURCES

CONTACT RESEARCH COMPLIANCE OFFICES:

- Protecting human subjects
 - On [OneMSK](#)
 - By phone at 212-639-7592
- Protecting animal subjects
 - On [OneMSK](#)
 - By phone at 646-888-1057
 - Via email at iacuc@mskcc.org
- Institutional biosafety
 - On [OneMSK](#)
 - By phone at 646-227-2180
 - Via email at rtmibc@mskcc.org
- Embryonic stem cell research oversight
 - Via email at orpaescro@mskcc.org
- The responsible conduct of research
 - On [OneMSK](#)
 - Via email at rcr@mskcc.org
- Research integrity
 - On [OneMSK](#)
 - Via email at rtmroc@mskcc.org

- Inventions, discoveries, and intellectual property
 - On [OneMSK](#)
 - By phone at 646-888-1070
- Foreign influence and research security
 - On [OneMSK](#)
 - Via email at researchchse@mskcc.org
- Export controls
 - On [OneMSK](#)
 - Via email at exportcompliance@mskcc.org

RELATED POLICIES AND PROCEDURES:

- [Reporting Animal Welfare Concerns](#)
- [Responsible Conduct of Research Training](#)
- [Responding to Allegations of Research Misconduct](#)
- [Intellectual Property](#)
- [IRB/PB Standard Operating Procedures](#)
- [IRB/Human Research Protection Program](#)
- [Authorship Guidelines](#)
- [Conflict of Interest and Commitment Policy](#)
- [Foreign Influence and Research Security Guidelines](#)
- [Export Control Policy and Procedures](#)

CONFLICTS OF INTEREST

Actual and perceived conflicts of interest are intrinsic to the collaborations with industry partners required to advance novel treatments in cancer care. MSK's mission and obligations to our patients, research participants, professional and administrative staff, students, and trainees, as well as the larger community, must be the primary driver governing our interactions with the industry. How we review and manage potential conflicts is critical to the preservation and protection of MSK's commitment to our mission and community.

MSK's Conflict of Interest Program facilitates and supports the standards and processes for identifying and managing potential conflicts of interest and conflicts of commitment and ensures compliance with conflict of interest–related regulatory and policy requirements.

How We Work with Industry

Our work with industry partners provides many benefits to society. It helps advance the science of medicine and improve patient care. These collaborative relationships contribute to our goals of exceptional and innovative patient care, research, and education. We are committed to ensuring that these relationships do not compromise our clinical or scientific judgment or influence our business decisions.

We Actively Manage Conflicts of Interest

MSK encourages staff to participate in activities outside of MSK that further our mission, provide productive collaborations, and promote the practical application of scientific discoveries. At the same time, these activities can create potential conflicts of interest that may compromise — or appear to compromise — the objectivity of our work.

We require staff to disclose financial interests and outside activities that may create conflicts of interest to safeguard the integrity and objectivity of our research, education, clinical judgment, and business decisions.

The Compliance Office reviews the interests and activities disclosed by staff in the context of their roles and responsibilities at MSK, and works with the Conflict of Interest Committee, and others as needed, to reduce, eliminate, or manage any conflicts that are identified.

To avoid an actual or perceived conflict of interest or conflict of commitment, staff should seek advance permission from their supervisor before engaging in any outside activities and/or dual employment. This ensures supervisor awareness and facilitates appropriate consideration of the potential impact on MSK activities.



How we review and manage potential conflicts is critical to the preservation and protection of MSK's commitment to our mission and community.

Q&A

QUESTION

I have been asked to consult for a company that makes surgical equipment and supplies. I am on my department's purchasing committee, but my department does not buy products from this company. Can I agree to consult?

ANSWER

Before proceeding, you must first obtain approval from your supervisor; if approved, you must submit any applicable independent consulting agreements for legal review. When the consulting activity occurs, you must disclose the activity and any remuneration received so that the relationship may be reviewed for conflicts of interest and conflicts of commitment concerns. Additionally, you should recuse yourself from any purchasing or other decisions related to the company when acting in your MSK capacity.

RESOURCES

CONTACT THE CONFLICT OF INTEREST OFFICE:

- On [OneMSK](#)
- Via email at ecoi@mskcc.org

RELATED POLICIES AND PROCEDURES:

- [Conflict of Interest and Commitment](#)
- [Institutional Conflict of Interest](#)
- [Interaction with Industry](#)
- [Favoritism/Employment of Relatives and Close Associates](#)
- [Workforce Categories](#)

GIFTS AND GRATUITIES

MSK's ability to recruit patients from, or refer patients to, other providers should be consistent with MSK's core value of integrity; therefore, gifts must not be a factor in the recruitment or referral of patients.

We Accept Only Limited Gifts from Patients

Many patients are grateful for the care and service that we provide. Some want to express their appreciation by offering us gifts. Although we respect and appreciate patients' gratitude, gift giving can be misinterpreted. It is sometimes allowable to accept a modest gift, but valuable gifts or gifts in cash or cash equivalents may never be accepted.

We Limit Our Acceptance of Business Courtesies

To ensure that industrial relationships do not influence clinical or purchasing decisions, or compromise scientific objectivity — or even appear to have such an effect — MSK has longstanding policies and procedures designed to ensure that all transactions are conducted at arm's length. In general, MSK employees may not accept gifts or other business courtesies from industry including gifts that serve a purely personal benefit (e.g., tickets to professional sporting events) and meals or food items. In certain limited circumstances, when conducted for the business purpose of the vendor, a vendor may pay for a modest meal.

Similarly, MSK does not generally accept financial or in-kind support for non-continuing medical education (CME) meetings sponsored by MSK, including food or other costs. For CME events, all support and funding must be coordinated through the CME Office. MSK does permit industry partners to participate in MSK events if the focus of the event is the educational and scientific work being done. These rules are important and ensure that our relationships with industry partners do not influence MSK's purchasing decisions or scientific objectivity.





GIFTS AND GRATUITIES CONTINUED

Q&A

QUESTION

Can industry representatives pay for staff luncheons or other functions to acknowledge staff contributions, such as in honor of National Laboratory Week?

ANSWER

No. In accordance with MSK policy, staff members cannot accept gifts, donations, or financial support from industry representatives.

QUESTION

I am attending an industry conference, and a conference sponsor is handing out branded reusable tote bags to all attendees. Is this considered a gift? Can I accept?

ANSWER

Yes, you may accept. MSK employees are permitted to accept business novelties that are de minimus in value and made available to others.

QUESTION

I've been invited by industry to attend a dinner given my role at MSK. The purpose is to discuss potential collaborations with MSK. Can I attend?

ANSWER

Yes, it would be permissible to attend, with supervisor approval, given the nature of the dinner.

QUESTION

A physician at MSK takes a non-MSK physician out to dinner. The non-MSK physician is a potential referral source for MSK. The MSK physician submits the receipt for this dinner to MSK for reimbursement. Is this permitted?

ANSWER

Yes, as long as the sum of non-monetary compensation provided to the non-MSK physician does not exceed the yearly cap, which is updated yearly in MSK's Non-Monetary Compensation policy. Communicating with the Compliance Department prior to providing non-monetary compensation to an external physician will help ensure compliance with MSK's policies and the federal Stark law.

RESOURCES

CONTACT THE CORPORATE COMPLIANCE DEPARTMENT:

- On [OneMSK](#)
- By phone at 646-227-2622
- Via email at compliance@mskcc.org

RELATED POLICIES AND PROCEDURES:

- [Gifts from Patients](#)
- [Interaction with Industry](#)
- [External Physician Non-Monetary Compensation](#)

BILLING COMPLIANCE

Documentation and billing that are accurate, complete, and timely help MSK demonstrate our commitment to high-quality patient care in a manner that maintains the valued trust of our patients and our colleagues.

We Bill Accurately

Our billing policies follow all federal and state regulations and private payer rules. We only bill for medically necessary services that have been ordered and documented in patients' medical records. Accurate and timely billing supports patient care and strengthens our patients' trust in us. We have programs to detect inaccuracies, and we correct any errors in a timely fashion. We do not misrepresent information provided for reimbursement, whether on claims, in cost reports, or in other forms, to get around the billing rules.

We Provide Access for Patients with a Financial Need

MSK offers a Financial Assistance Program for patients who have trouble paying their medical bills. This program helps those who do not have insurance if they do not qualify for Medicaid and cannot afford to pay their medical bills. The program can also help patients who have insurance. The Financial Assistance Program requires patients to provide information about their income. This information is confidential. Patients or visitors with an emergency medical condition are treated based on their medical needs, not on their ability to pay. In these cases, we request financial information only after the patient's immediate medical needs have been assessed.

Research Billing

Clinical research is central to MSK's mission, and many patients are offered enrollment in clinical research protocols. Some of the costs of treatment for patients in research protocols may be borne by grants from the government or private sources, and some services provided to patients enrolled in clinical trials may not be considered medically necessary for third-party payment purposes. MSK follows Medicare's guidelines to identify services that are billable to patients and insurance carriers, and to define those that are not billable. Improper documentation or billing practices are considered fraudulent and may result in disciplinary action for those committing such behaviors.



Accurate and timely
billing supports patient
care and strengthens
our patients' trust in us.

BILLING COMPLIANCE CONTINUED

Fraud and Abuse

“Fraud” means intentionally misrepresenting facts, knowing that the deception could result in some unauthorized benefit — usually payment from a healthcare program, such as Medicare, Medicaid, or a private insurer. By “abuse,” we mean actions that are inconsistent with accepted sound medical, business, or fiscal practices. Abuse directly or indirectly results in unnecessary costs or improper payments.

Both fraud and abuse carry significant penalties. A hospital, doctor, or other healthcare provider can be found guilty of fraud or abuse if they knew or should have known something was wrong.

What Are the Penalties?

If you are found guilty of violating compliance regulations, MSK and you personally could be subject to:

- financial penalties, up to \$28,619 per improper claim
- exclusion from participation in Medicare, Medicaid, and other federal healthcare programs
- criminal penalties, including imprisonment
- government oversight of a mandatory compliance plan

Q&A

QUESTION

I am processing an insurance claim and see a charge being denied because of the diagnosis code. I think that if I change the diagnosis code, the charge would be payable. Can I change the code?

ANSWER

No. Only the clinician who performed the service or a certified coder/billing specialist working within the scope of their designated job function

may choose or change a diagnosis code, based on review of the medical record. Tell your supervisor about the situation so it can be reviewed.

QUESTION

I am processing an insurance claim. The patient's doctor requested that I accept the insurance payment as payment in full for the rendered services because the patient says they cannot afford to pay any out-of-pocket costs. What should I do?

ANSWER

Patients who express financial hardship should be referred to Patient Financial Services for assistance. Only Patient Financial Services is authorized to assess a patient's need and make decisions about payment options.

RESOURCES

CONTACT THE BILLING COMPLIANCE OFFICE:

- On [OneMSK](#)
- By phone at 646-227-2622
- Via email at billcompiac@mskcc.org

CONTACT THE RESEARCH BILLING OFFICE:

- On [OneMSK](#)
- Via email at rtmrnbrequest@mskcc.org

CONTACT THE PATIENT ACCOUNTS OFFICE:

- On [OneMSK](#)

CONTACT THE PATIENT BILLING SERVICES OFFICE:

- By phone at 646-227-3378

RELATED POLICIES AND PROCEDURES:

- [Billing Compliance Plan](#)
- [Billing of Clinical Services Provided to Patients Enrolled in Clinical Trials](#)
- [Patient Accounts — General Description](#)
- [Professional Courtesy](#)
- [Waiving Patients' Co-Payments and Deductibles](#)

USE OF MSK RESOURCES

MSK Resources Are for MSK Business

MSK's resources are to be used for MSK business purposes only. These resources include time, materials, supplies, equipment, and information. As a general rule, the personal use of MSK resources is prohibited. MSK resources may not be used to support political campaigns or parties, unions, or other outside organizations that are not connected to MSK's mission and our work to improve the way the world prevents, diagnoses, treats and cures cancer. You should report known or suspected misuse or theft of MSK resources to a department manager or to the Vice-President of Internal Audit. While you are employed, all work relating to MSK belongs exclusively to MSK.

We Protect Our Inventions, Discoveries, and Intellectual Property

We do not undertake research or developmental work principally for the purpose of developing patents and commercial applications, but sometimes commercially valuable patentable inventions result from research or other work conducted at MSK. The rights to inventions, patentable or not, resulting from research or other work that is conducted by MSK employees or with the use of significant MSK resources are MSK property. The Office of Entrepreneurship and Commercialization manages and protects MSK's intellectual property by filing patent applications, negotiating license agreements, helping to start new companies as appropriate, and reviewing all contracts and arrangements that affect intellectual property, including consulting agreements, material transfer agreements, industry-sponsored research, and clinical trial agreements.





USE OF MSK RESOURCES CONTINUED

Q&A

QUESTION

My research at MSK has produced a result that I think might be patentable. Can I pursue a patent on my own?

ANSWER

No. The rights to inventions resulting from research conducted by MSK employees or with the use of significant MSK resources are MSK property. You should contact the Office of Entrepreneurship and Commercialization, which will assign a licensing professional to work with you to determine the appropriate next steps.

QUESTION

One of my colleagues sent me a mass email via an MSK email address asking for contributions to support a child's sports team's trip to Canada for summer camp. Is this okay?

ANSWER

No. MSK resources include email and telephone usage as well as employee time. It is not appropriate to use these resources for personal reasons, even if they are well-intentioned. You should report this event to your supervisor.

RESOURCES

CONTACT THE OFFICE OF ENTREPRENEURSHIP AND COMMERCIALIZATION:

- On [OneMSK](#)
- Via email at oec@mskcc.org

CONTACT THE INVENTIONS, DISCOVERIES, AND INTELLECTUAL PROPERTY OFFICE:

- By phone at 646-888-1070

CONTACT THE INTERNAL AUDIT DEPARTMENT:

- On [OneMSK](#)

RELATED POLICIES AND PROCEDURES:

- [Intellectual Property](#)
- [Solicitation](#)

REGULATORY COMPLIANCE

Meeting the Challenges of a Regulated Environment

Healthcare is one of the most heavily regulated sectors of the US economy. We are committed to following the many laws and regulations that affect our daily work. These laws and regulations address a wide range of activities. They affect how we deliver and document patient care and how we bill patients and insurers. They also require that our employees have the proper credentials and licenses to perform their jobs. We must also provide documentation of our work to outside agencies that conduct audits and inspections. Some of the government and private agencies responsible for overseeing what we do include:

- the Joint Commission
- the Centers for Medicare and Medicaid Services
- the Equal Opportunity Employment Commission
- the Occupational Safety and Health Administration
- the Environmental Protection Agency
- the Office of Federal Contract Compliance Programs
- the New York State Department of Health
- the New York City Department of Health and Mental Hygiene
- the New Jersey Department of Health
- the New Jersey Office of the Attorney General, Division of Consumer Affairs

Regulatory Site Visits and Reviews

Any of these agencies may conduct on-site visits or ask us for documentation. Often, we do not know when the agencies are going to come on-site or ask for documents. Staff from government or private regulatory agencies may visit you at work or ask for information by phone or mail. When this happens, you should immediately notify Regulatory Affairs at 212-639-8810. They will coordinate notification to staff in the areas involved and coordinate responses or designate others who will. Talk with your supervisor if you are not sure where to direct the request. Here are some situations you may encounter and where to direct them:

- Letters requesting medical records for billing audits should be sent to the appropriate billing department.
- Inquiries or on-site visits from the Joint Commission, Centers for Medicare and Medicaid Services, or New York State Department of Health related to patient care should be directed to the Director of Regulatory Affairs.





REGULATORY COMPLIANCE CONTINUED

- Inquiries related to accounting or financial practices (except for billing) should be directed to the Executive Vice President and Chief Financial Officer.
- Inquiries related to billing should be directed to the Director of Billing Compliance.

Our responses to regulatory agencies must be truthful and open; you should never lie or make misleading statements during a site visit or review. You should never hide, destroy, or alter any documents during an inspection or audit by one of these agencies. Violations can subject MSK and those involved in the violation to significant fines as well as criminal penalties.

If you are presented with a subpoena or search warrant, contact the MSK Office of the General Counsel immediately.

Stark Law

Stark Law, also known as the Physician Self-Referral Law, aims to maintain fairness and transparency in healthcare practices. This law generally prohibits physicians from referring Medicare or Medicaid patients to services provided by entities where the physician or their immediate family has a financial relationship. A “financial relationship” includes any payment or benefit given directly or indirectly, in cash or in kind, to the physician or their immediate family.

Regarding monetary compensation, any arrangement involving payments or other benefits to external physicians or potential referral sources must be documented with a written agreement. The compensation must also be commercially reasonable and reflect fair market value. Any non-monetary compensation, such as gifts, meals or discounts, that is provided to an external physician must not exceed the federal yearly limit and should be reported to the Corporate Compliance Department for monitoring and tracking.

To comply with Stark Law, any form of compensation must fit within established exceptions and follow relevant internal guidelines. Contact the Office of the General Counsel or the Compliance Office if you have questions on relevant policies or guidelines.

Antitrust Laws

Antitrust laws are designed to preserve fair market competition by limiting the information that may be shared among and used by competitors. MSK’s competitors include other healthcare organizations that offer similar services in the same markets as MSK. Antitrust laws prohibit sharing information among competitors that might result in:

- price-fixing
- the allocation of markets among competitors
- boycotting of other entities and suppliers

Contact the Office of the General Counsel or the Compliance Office if you have questions about what information can be shared with other organizations.

Insider Trading

Securities laws make it strictly illegal to buy or sell securities stock or bonds using nonpublic information. It is also illegal to pass nonpublic information along to others for the purpose of purchasing or selling securities. Everyone associated with MSK must avoid using or sharing nonpublic information that might result in the illegal buying or selling of securities. In general, MSK employees should avoid disclosing information that would encourage others to buy or sell securities (stock or stock options) based on information that is confidential. This information may have been gained through research or other means within MSK. Because nearly all research agreements require confidentiality, sharing such information with others could also result in contract violations.

REGULATORY COMPLIANCE CONTINUED

Anti-Bribery and Anti-Corruption Laws

Anti-bribery and anti-corruption laws (such as the Foreign Corrupt Practices Act) prohibit offering, giving, receiving, and/or soliciting anything of value (directly or indirectly) with the intention of influencing a business decision or securing an improper advantage within the context of a business arrangement. MSK has a zero-tolerance policy regarding any violation of these laws, and employees must avoid activities or conduct that could be perceived as inappropriate. Please contact the Office of General Counsel or Compliance Office if you have any questions or concerns.

Q&A

QUESTION

I have been approached at my desk by someone who works for the New York State Department of Health. They are conducting an unannounced visit and want to ask me a few questions. What should I do?

ANSWER

Be polite and respectful. Explain that it is MSK policy for all outside inquiries or site visits to be handled by Regulatory Affairs. Contact the Director of Regulatory Affairs immediately.

QUESTION

I am visiting a friend who works in the purchasing department of a hospital in New Jersey. This friend wants to compare the prices that the hospital is paying for certain supplies with what MSK pays. I've been asked to email a copy of the MSK price list. Can I share this information with this friend?

ANSWER

No. The prices MSK pays for supplies and services should be treated as strictly confidential. Sharing

information about vendor contracts, including pricing, can be viewed as violating antitrust laws.

QUESTION

I work on a research project in which the data on a new drug suggests it is very effective. The results have not been released or published. I am having dinner with my family, and I want to share this exciting news with them. Is it okay to tell them?

ANSWER

No. You should not share information about research results that have not been made public. Sharing this information could constitute a tip, even an inadvertent tip, and might violate insider trading laws.

RESOURCES

CONTACT THE CORPORATE COMPLIANCE DEPARTMENT:

- On [OneMSK](#)
- By phone at 646-227-2622
- Via email at compliance@mskcc.org

CONTACT THE REGULATORY AFFAIRS DEPARTMENT:

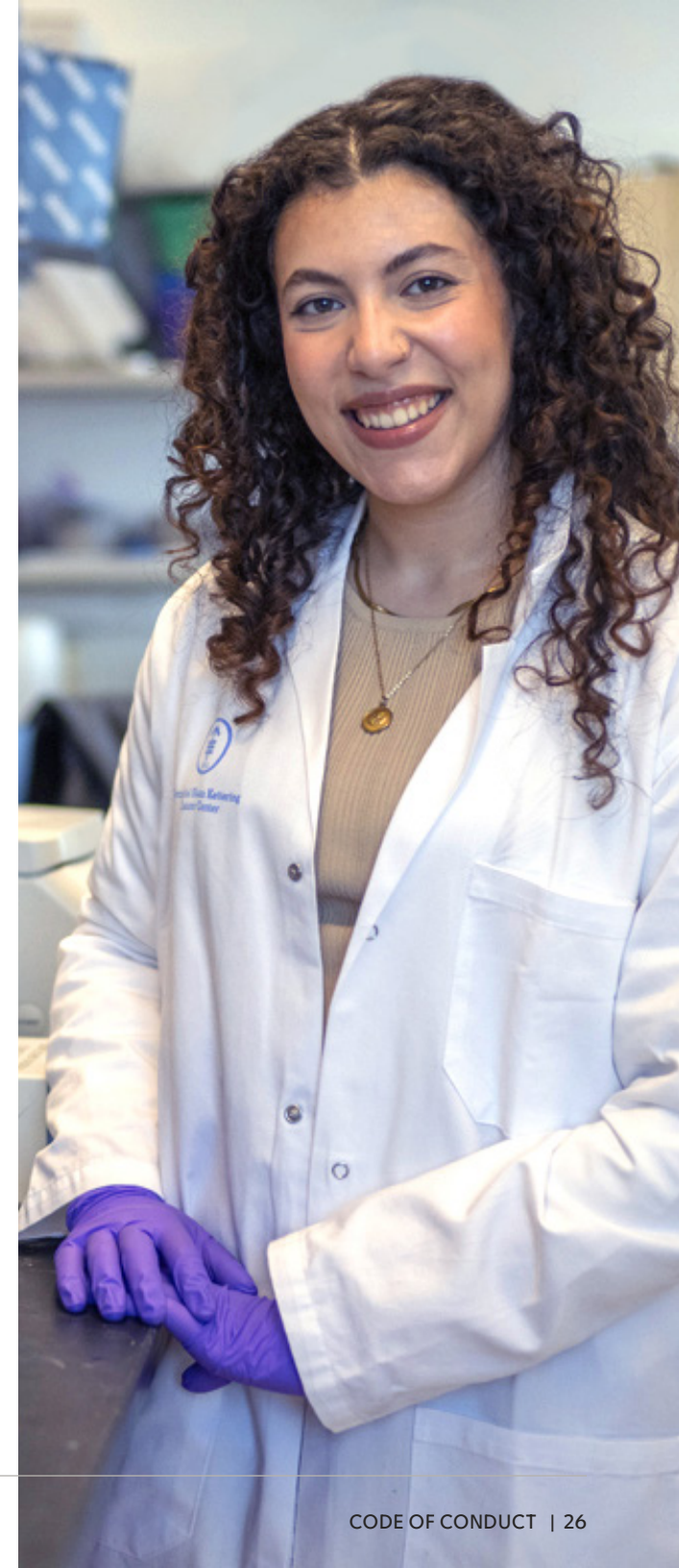
- On [OneMSK](#)
- By phone at 212-639-8810
- Via email at regaffairs@mskcc.org

CONTACT THE OFFICE OF THE GENERAL COUNSEL:

- On [OneMSK](#)
- By phone at 646-227-2100
- Via email at mskogc@mskcc.org

RELATED POLICIES AND PROCEDURES:

- [Code of Ethical Behavior; Adherence to Rules and Regulations of Agencies](#)
- [External Physician Non-Monetary Compensation Policy](#)



PATIENT RIGHTS AND SAFETY

How We Care for Our Patients

MSK's common set of core values defines what we believe in and how we treat each other—including our patients. Our dedication to providing the highest quality patient care is central to our mission and drives our commitment to patients' rights, patients' privacy, and access to care.

We deliver culturally sensitive care.

Having dedicated more than 135 years to treating and curing cancer, we know this disease does not discriminate. We are committed to providing exceptional care for every patient no matter their ability, age, ethnicity, gender identity and expression, LGBTQ, marital status, national origin, nationality, race, religion, sexual orientation, veteran status, or ability to pay for care.

We respect our patients' rights.

We are committed to treating all of our patients with dignity and respect. This means recognizing that each patient has their own personal values, beliefs, and choices. Respect for patients' rights includes involving patients and their families in decisions about their care. Obtaining proper consent for treatment and recognizing the rights of those designated by our patients to make decisions on their behalf are also things we do to protect patients' rights. Patient representatives are advocates who represent patients' interests, assist with advance directives, and are available to answer questions about hospital policies and procedures.

We learn from our mistakes.

When mistakes happen or nearly happen, we want to learn from them. We believe that transparency and open discussion of the issues that affect patient care will foster a culture of safety and lead to creative solutions that help prevent problems in the future. An important part of this effort is the [Reporting to Improve Safety and Quality \(RISQ\) application](#). You should use this system to report actual events. It is also the place to report near misses that have the potential to cause harm but that have been caught and corrected before they reach the patient.

We seek to do better, always.

Our commitment to excellence in patient care includes a dedication to ensuring that patients are safe. We continuously work to improve the quality of care we provide. The Division of Quality and Safety focuses on improving care by defining, measuring, and researching the quality of care we provide. Data and information are shared and discussed so that everyone involved in the delivery of care at MSK is aware of improvement initiatives.





PATIENT RIGHTS AND SAFETY CONTINUED

Q&A

QUESTION

A patient has approached me after a follow-up visit with an MSK doctor. The patient is extremely upset and concerned that the doctor is not providing appropriate care. The patient wants to file a complaint. What should I tell this patient?

ANSWER

You should direct the patient to the Patient Representative Department. All patients have a right to file a complaint and to have that complaint reviewed.

QUESTION

I recently witnessed a patient fall and break a leg after slipping in a puddle created by a visitor's wet umbrella. How can I address this problem?

ANSWER

You should speak with your supervisor first and then contact the Division of Quality and Safety. The Division of Quality and Safety will work with staff, department leadership, and institutional experts to analyze the situation and identify solutions to prevent similar incidents in the future. This event should also be entered electronically in the MSK RISQ system. The RISQ system allows MSK to monitor the quality and safety of the care we deliver.

QUESTION

I am a radiation oncology nurse. A patient has been brought in for treatment and upon confirming the patient's identification, I realize that this is the wrong patient. What should I do? Should I report this in RISQ?

ANSWER

You should notify your supervisor to ensure that the patient is properly taken care of. This incident should also be reported in RISQ. Reporting near misses in RISQ is very important because it helps us identify potential problems and system vulnerabilities, and understand how to prevent errors before they occur.

RESOURCES

CONTACT THE PATIENT REPRESENTATIVE DEPARTMENT:

- On [OneMSK](#)
- By phone at 212-639-7202
- Via email at patientrep@mskcc.org

CONTACT THE DIVISION OF QUALITY AND SAFETY:

- On [OneMSK](#)
- By phone at 646-888-5630

TO ENTER AN EVENT IN RISQ:

- Visit [RISQ \(Reporting to Improve Safety and Quality\)](#)

PATIENT RESOURCES:

- Patients' Bill of Rights/Patients' Responsibilities:
 - [New York](#)
 - [New Jersey](#)
- [Language Assistance Program](#)
- [Office of Health Equity](#)

RELATED POLICIES AND PROCEDURES:

- [Patient Complaint and Grievance](#)
- [Patient Communication Assistance](#)
- [Visitors of Patients](#)
- [Code of Ethical Behavior; Adherence to Rules and Regulations of Agencies](#)

WORK ENVIRONMENT

How We Treat Our Employees

MSK's common set of core values defines what we believe in and how we treat each other. Through our individual behaviors, we foster a work environment that is consistent with our core values of respect for the individual and excellence through inclusion.

We are committed to Equity, Diversity & Inclusion.

Our employees are our greatest asset. Every individual makes an important contribution to our mission and to our success, and we are committed to a diverse and inclusive culture that celebrates and embraces our differences and values each of us for our unique contributions. We have an unwavering commitment to equality and justice for all, and zero tolerance for racism, bigotry, and hate of any kind. We view diversity in the broadest sense, and our areas of focus and support include age, cross-cultural diversity, ethnicity, gender identity and expression, LGBTQ, persons with disabilities, race, religion, sexual orientation, and veteran status.

We do not tolerate harassment or discrimination in the workplace.

We are committed to a work environment in which all individuals are treated with respect and dignity. Everyone has the right to work in a professional atmosphere free from harassment, discrimination or incivility such as racism, bigotry, bias or hate of any kind. Work relationships among employees and between employees, patients and persons outside of MSK are expected to be courteous, professional and respectful. If you feel you are being harassed or discriminated against in the workplace, you should contact your Employee Relations Advisor, the anonymous MSK Compliance Hotline, or your supervisor. Employees who report harassment or discrimination in good faith are protected by MSK's nonretaliation policy.

We are committed to equal opportunity.

It is MSK's policy to provide equal opportunities to all employees and applicants for employment. This means we do not discriminate based on a person's race; color; religion; creed; gender; age; sex; height; weight; national or ethnic origin; marital, caregiver, familial, or partnership status; citizenship status; disability; status in the uniformed services of the United States, including veteran status; sexual orientation; pregnancy; sexual and reproductive health choices, actual or perceived; gender identity or expression or transgender status; credit history; unemployment status; genetic predisposition or carrier status; status as a victim of domestic violence, sexual violence, or stalking; arrest and conviction record; or any other category protected by law.





WORK ENVIRONMENT CONTINUED

We conduct employee background and sanctions checks.

All job applicants are required to tell us if they have been excluded from participation in federal healthcare programs. Once a conditional offer of employment has been made, MSK checks government databases to confirm whether a job applicant has been excluded from participation in a federal program. We do this because our policies prohibit us from employing individuals who are currently excluded. Once a conditional offer of employment has been made, prospective employees are required to disclose any criminal convictions, and MSK will conduct legally compliant criminal background checks and sanctions checks with their written permission.

As an MSK employee, you must tell us if you become excluded from any federal or state healthcare program (e.g., Medicare or Medicaid), or if you are convicted of a crime, during the time you are working at MSK. MSK checks government databases on a regular basis to ensure that current employees have not been excluded. An employee who becomes excluded while employed at MSK is subject to immediate termination.

We work together to ensure everyone's health and safety.

We follow all health and safety policies and procedures to maintain a physical environment free of hazard. This also reduces the risk of injury to patients, employees, and visitors, and it protects MSK property. MSK follows all federal, state, and local safety and environmental protection regulations. To protect our employees and our patients, we also provide special training in:

- handling and storing hazardous materials
- disposing of hazardous wastes
- fire prevention
- responding to accidents and emergencies

It is important that everyone exercises good judgment and acts to prevent accidents and injury.

We Are a Drug-Free Workplace

MSK prohibits the unauthorized manufacture, possession, use, sale, and distribution of drugs in the workplace. MSK also prohibits workforce members from being under the influence of alcohol, any illegal drug, or any nonprescribed controlled substance while at work or conducting business as a representative of MSK. MSK reserves the right to search employees' belongings while employees are on MSK premises or when being taken into or out of MSK. This helps ensure the safety and protection of our employees, as well as our patients and visitors, and safeguards the use of MSK property.

Employees with substance abuse problems can find help through MSK's Employee Assistance Program. If you or another staff member shows signs or symptoms of illness or impairment, you should notify your supervisor, Human Resources, Employee Health and Wellness, or the MSK Compliance Hotline.

We Are a Violence-Free Workplace

We do not tolerate any aggression or violence on MSK premises or by anyone working with or on behalf of MSK, or by third parties including patients, visitors and vendors. If you see someone being violent or threatening, you must immediately report it to a manager or the Security Department. This includes someone who is being disruptive or aggressive. MSK reserves the right to perform searches to ensure a violence-free workplace. Employees must permit a search when requested by a supervisor, manager, or security officer. If you refuse to cooperate in such a search, you may be subject to corrective action up to and including termination of employment.

WORK ENVIRONMENT CONTINUED

Q&A

QUESTION

I recently witnessed a patient’s family member use lewd and inappropriate language toward an employee. What should I do?

ANSWER

You should promptly report the event to your supervisor and record it in the MSK RISQ system. If immediate support is necessary, contact the Threat Management Director or their designee.

QUESTION

I have been employed at MSK for several years but have twice applied for, and been turned down for, positions that would constitute a promotion. In the past, I have reported concerns about how my department works, and I suspect that this may be affecting my supervisor’s decision not to promote me. What should I do?

ANSWER

MSK encourages you, if you are comfortable doing so, to seek feedback or resolve issues directly with your supervisor. MSK recognizes that some situations require additional support. In such instances, you should report your concern to your Employee Relations Advisor, knowing that you are protected by MSK’s nonretaliation policy.

QUESTION

I moved to the United States as a young child. Some of my colleagues have been making jokes about the country I came from, not realizing that I am originally from there. I know that they are only joking, but sometimes it bothers me. Is it right for me to tell our supervisor about this? I don’t want to get them in trouble.

ANSWER

Yes. While your co-workers may not intend it, their behavior is creating a work environment that makes you uncomfortable. It is appropriate to tell

your supervisor or to contact your Employee Relations Advisor, knowing that you are protected by MSK’s nonretaliation policy.

RESOURCES

CONTACT THE HUMAN RESOURCES DEPARTMENT:

- On [OneMSK](#)
- By phone at 646-677-7411
- Via email at hrrc@mskcc.org

CONTACT THE CORPORATE COMPLIANCE DEPARTMENT:

- On [OneMSK](#)
- By phone at 646-227-2622
- Via email at compliance@mskcc.org

ANONYMOUS MSK COMPLIANCE HOTLINE:

- 844-MSK-Line (844-675-5463)

CONTACT THE EMPLOYEE HEALTH AND WELLNESS OFFICE:

- On [OneMSK](#)
- By phone at 646-888-4000
- Via email at ehws@mskcc.org

CONTACT THE ENVIRONMENTAL HEALTH AND SAFETY DEPARTMENT:

- On [OneMSK](#)
- By phone at 646-888-2280
- Via email at ehs@mskcc.org

CONTACT THE OFFICE OF INCLUSION AND BELONGING TEAM:

- Via email at inclusionhr@mskcc.org

CONTACT THE HR LEGAL AND REGULATORY AFFAIRS DEPARTMENT:

- By phone at 646-227-2890

CONTACT THE EMPLOYEE ASSISTANCE PROGRAM:

- By phone at 800-327-8793

CONTACT THE SECURITY DEPARTMENT:

- By phone at 212-639-7866
- Via email at securitd@mskcc.org

RELATED POLICIES AND PROCEDURES:

- [Conduct of Employees](#)
- [Statement of Nondiscrimination](#)
- [Harassment and Discrimination](#)
- [Code of Ethical Behavior; Adherence to Rules and Regulations of Agencies](#)
- [Workplace Violence](#)
- [Management of Patient and Third-Party Incivility](#)

EMPLOYEE RIGHTS AND RESPONSIBILITIES

We Expect the Best from You

We expect everyone at MSK to behave in a professional and cooperative manner while at work or involved in MSK business. Holding everyone to this high standard helps us provide the best possible care to our patients. It also helps us protect the rights, health, and safety of fellow employees and visitors.

Speak Up: How to Report a Concern

If you have a good reason to believe that an activity is improper, it is your duty — and a condition of your employment — to report it as soon as possible. There are several ways that you can report a concern:

- Speak with your supervisor, your manager, or your Employee Relations Advisor.
- Contact the Corporate Compliance Department directly at 646-227-2622.
- Call the confidential MSK Compliance Hotline at 844-MSK-Line (844-675-5463).
- Submit a concern online at mskcc.alertline.com/gcs/welcome.

When reporting a concern, it is important that you provide us with as much information as possible, including:

- who is involved
- what the involved parties are doing
- when the improper acts occurred or are occurring
- where they occurred or are occurring
- why you think they occurred or are occurring
- how you have come to know about the problem

The Confidential MSK Compliance Hotline

If you are not comfortable raising an issue in your department, or if you have raised a concern and feel that it has not been addressed, you can call the confidential MSK Compliance Hotline. You can make a report anonymously — without identifying yourself — when you call the hotline. The confidential MSK Compliance Hotline is available 24 hours a day, every day of the year. It is managed by an outside company.



If you have a good reason to believe that an activity is improper, it is your duty — and a condition of your employment — to report it as soon as possible.

EMPLOYEE RIGHTS AND RESPONSIBILITIES CONTINUED

What happens after you file a report?

The Corporate Compliance Department takes all reports of possible noncompliance seriously. We investigate every report promptly and thoroughly. When conducting an investigation, all employees' rights and privacy, including the rights of those who are being investigated, are protected.

You are protected from retaliation.

If you report a problem or concern in good faith, you will be protected from retaliation, retribution, and harassment. MSK wants all staff to be able to speak openly about how work is conducted. Employees who are found to have engaged in retaliation will be subject to disciplinary action up to and including termination of employment.

We respect your confidentiality.

All reports are treated as confidential. If you report a concern, your identity will be revealed only if necessary to complete a review.

Q&A

QUESTION

I suspect that several people in my department are sharing their MSK network passwords, which is against MSK policy. I have mentioned this to my supervisor, who has told me not to worry about it. Should I report this, even though I am not certain that there is a problem?

ANSWER

Yes. You do not need to be certain that a problem exists to report a concern. In fact, you are obliged to report activities even if you only suspect they are improper, as long as you have a good reason for your suspicions. You should contact the confidential MSK Compliance Hotline or the Corporate Compliance Department.

RESOURCES

CONTACT THE CORPORATE COMPLIANCE DEPARTMENT:

- On [OneMSK](#)
- By phone at 646-227-2622
- Via email at compliance@mskcc.org

ANONYMOUS MSK COMPLIANCE HOTLINE:

- 844-MSK-Line (844-675-5463)

SUBMIT A CONCERN ONLINE:

www.mskcc.alertline.com/gcs/welcome

RELATED POLICIES AND PROCEDURES:

- [Reporting Compliance Concerns and Nonretaliation](#)

HOW WE CONDUCT BUSINESS

We conduct our business with all outside organizations ethically and legally. We comply with all federal and state regulations. We always conduct our business in support of our mission. We regularly monitor and audit our business practices to ensure compliance with both internal and external standards and best practices.

Our Marketing and Advertising Are Truthful and Accurate

Our marketing practices are conducted with truth, accuracy, fairness, and a commitment to safeguarding the privacy of our patients and the integrity of MSK. Our marketing activities are designed to:

- educate the public
- provide information to the community
- increase awareness of our services
- recruit doctors, researchers, and employees

We are honest and truthful about our services, capabilities, and treatment outcomes in our marketing and advertising activities and materials. We do not make guarantees or promises about treatments or results.

MSK Does Not Make Endorsements

MSK and our employees do not express support for or endorse products or commercial ventures. This includes vendors with whom we do business. Requests or proposals to use MSK's name, logo, or likeness for an endorsement must be reviewed and approved by the Senior Vice President and Chief Communications Officer or another designee. Vendor requests to include comments, quotes, or referrals from MSK staff or an MSK case study in any publication must also be reviewed and approved by the Senior Vice President and Chief Communications Officer or another designee. This includes press releases, marketing materials, websites, and other materials that reference MSK.

We Are Accurate, Truthful, and Candid in Our Development and Fundraising Activities

We are grateful for the generous donations from our many benefactors. We are also committed to following all rules and regulations governing charitable fundraising. Inquiries about making a donation to MSK should be referred to the Development Office.





HOW WE CONDUCT BUSINESS CONTINUED

Our Financial Reporting Is Accurate and Complete

We are accurate and complete when documenting and reporting our financial records. Our financial information conforms to generally accepted accounting principles. We manage outside vendors and contractors to protect our financial integrity. We are careful to ensure that all transactions are correctly authorized and properly recorded. These activities help maintain the accountability of MSK's assets.

We Make Contracting and Purchasing Decisions Fairly

We are committed to fair competition among prospective suppliers. We choose our vendors, contractors, and suppliers based on objective criteria. These criteria include:

- quality
- technical standards
- price
- ability to meet schedules
- the quality of service and support

Employees who make purchasing decisions maintain the highest ethical standards when they negotiate, award contracts, and administer purchasing activities. All such decisions are made in ways that best serve our mission. MSK will not knowingly enter into contracts with vendors, suppliers, or subcontractors who have been excluded from participation in any government programs.

Q&A

QUESTION

I am working with the Marketing Department on an ad promoting a new treatment approach used at MSK, and I want to say that this approach is the most successful in the country. Is this okay?

ANSWER

You may make this claim only if we have impartial and authoritative sources to validate it, including a clear definition of what “successful” means and of the patients it was tested on.

QUESTION

A vendor I have worked with for years, and whose product I am very pleased with, has asked me to participate in a videotaped case study about my experience. It will be posted on the vendor's website. The vendor will pay for my travel expenses and time to be videotaped. Is this okay?

ANSWER

No. An MSK employee cannot receive payment from a vendor to endorse a product. If that issue were resolved, the substance of the request must be reviewed by the Department of Communications to ensure that it is appropriate under MSK policy because we must always consider how materials could be used to market a company's products or services. All final materials are subject to review and approval because endorsements are against MSK policy.

HOW WE CONDUCT BUSINESS CONTINUED

QUESTION

I am a doctor at MSK. A grateful patient handed me a card upon being discharged from care. I opened the card and discovered a generous check, along with a note stating that the money should be used to support my research. What should I do?

ANSWER

You should contact Gift Administration in the Development Office at 646-227-3549 or take it to the MSK cashier for appropriate handling as soon as possible. All gifts to support research or hospital operations must come through the Development Office and should be processed in a timely manner. Also see the Development home page on OneMSK for more information on fundraising at MSK. Remember: MSK staff, including doctors, are not allowed to accept personal gifts. If you have any questions regarding personal gifts, contact the Corporate Compliance Department.

QUESTION

I need to hire an outside contractor to perform some specialized work in my department. I can call someone I have worked with in the past because I know that the quality of their work is very high, and I can get them started immediately. Is this okay?

ANSWER

No. You should contact Supply Chain to make these arrangements. Supply Chain will ensure that there is no intended or unintended bias in your vendor selection. Working with Supply Chain also helps protect you, the employee.

RESOURCES

CONTACT THE FINANCE DEPARTMENT:

- On [OneMSK](#)

CONTACT THE FINANCIAL REPORTING OFFICE:

- By email at zzPDL_FIN_Analytics

CONTACT SUPPLY CHAIN:

- On [OneMSK](#)
- By phone at 646-888-0500
- Via email at procurement@mskcc.org

FOR QUESTIONS ABOUT ENDORSEMENTS:

- Via email at marketingcomm@mskcc.org

CONTACT THE OFFICE OF DEVELOPMENT:

- On [OneMSK](#)
- By phone at 646-227-3549
- Via email at devservices@mskcc.org

RELATED POLICIES AND PROCEDURES:

- [Communications and Marketing](#)
- [Endorsements](#)
- [Contributions to the Center and Fundraising Inquiries](#)



FOR MORE INFORMATION OR TO REPORT A SUSPECTED VIOLATION

You are expected to comply with the Code of Conduct. To report a suspected violation of the code, an applicable law, or regulation, or to simply to learn more, use the resources below.

- Visit the [Corporate Compliance](#) page on OneMSK.
- Talk to your supervisor, administrator, division or department chair, or appropriate physician leader.
- Contact HR at hrrc@mskcc.org.
- Call the confidential MSK Compliance Hotline at 844-MSK-Line (844-675-5463).
- Use the online Compliance Hotline at mskcc.alertline.com/gcs/welcome.
- Contact the Corporate Compliance Department at 646-227-2622 or compliance@mskcc.org.
- Contact the Office of the General Counsel at 646-227-2100 or mskogc@mskcc.org.



Memorial Sloan Kettering
Cancer Center