



## POLICIES & PROCEDURES

<b>Department:</b>	<b>Academic Affairs</b>
<b>Policy Number:</b>	<b>002</b>
<b>Effective Date:</b>	<b>12.6.2021</b>
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### LEARNER CODE OF CONDUCT

#### I. INTRODUCTION

LCMC HEALTH is committed to supporting a culture that values integrity, honesty, and fair dealing with each, and to promote a caring environment for patients, their families, physicians, nurses, other health care workers and employees.

LCMC HEALTH endeavors to create and promote an environment that is professional, collegial and exemplifies an outstanding educational experience, research opportunities and patient care.

Towards these goals, LCMC HEALTH strives to maintain a workplace that is free from harassment. This includes behavior that could be perceived as inappropriate, harassing, or that does not endeavor to meet the highest standards of professionalism.

#### II. SCOPE

This policy and the contents within shall apply to all learners while participating in any training, learning, observational or shadowing experience at LCMC HEALTH facilities

#### III. PURPOSE

The purposes of this Academic Code of Conduct are to:

1. clarify the expectations of all learners while participating in the LCMC HEALTH clinical learning environment.
2. encourage the prompt identification and resolution of alleged inappropriate conduct.
3. encourage identification of concerns about the well-being of a health care

- provider whose conduct is in question; and
4. acknowledge and authorize the sharing of information by and between LCMC HEALTH and the Learner's school or program, where needed.

Disruptive conduct and inappropriate workplace behavior may be grounds for suspension from access to LCMC HEALTH facilities, including, without limitation, badge access and access to medical records, pending resolution of an investigation by the learner's respective school or program and notification from that entity to LCMC HEALTH of the learner's fitness to return to duty. Nothing herein shall require LCMC HEALTH to allow the learner access to future work/rotations in the event of egregious activity, which shall be determined (a) in accordance with any contract then in place by and between LCMC HEALTH and the learner's school or program, or (b) if said contract is silent, solely in LCMC HEALTH's discretion.

#### IV. POLICY STATEMENT

Collaboration, communication, and collegiality are essential for the provision of safe and competent patient care. Thus, all health care providers practicing in at LCMC HEALTH must treat others with respect, courtesy, and dignity and conduct themselves in a professional and cooperative manner, in accordance with LCMC HEALTH and School policies and standards.

This Policy outlines efforts that can be used by LCMC HEALTH to address conduct that does not meet this standard. The goal of these efforts is to arrive at voluntary, responsive actions by the individual to resolve the concerns that have been raised and, where possible, return the learner to LCMC HEALTH for further education and training.

This policy also addresses sexual harassment of employees, patients, learners, members of the Medical Staff, and others, which will not be tolerated.

In dealing with all incidents of inappropriate conduct, the protection of patients, employees, and others in the hospital and the orderly operation of LCMC HEALTH are paramount concerns. Complying with the law and providing an environment free from sexual harassment are also critical.

#### V. DEFINITIONS

- A. **"Appropriate behavior"** includes any reasonable conduct (both spoken and unspoken) to advocate for patients, to recommend improvements in patient care, to participate in the operations, leadership, or activities of learners at LCMC HEALTH, or to engage in professional practice, including practice that may be in competition with LCMC HEALTH.

- B. “Inappropriate behavior”** means conduct that is unwarranted and is reasonably interpreted to be demeaning or offensive. Persistent, repeated inappropriate behavior is a form of harassment and thereby can become disruptive, and subject to treatment as “disruptive behavior.” Examples of inappropriate behavior are provided below.
- C. “Disruptive behavior”** means any behavior that causes unrest and/or disorder that interrupts and/or impedes patient care progress and safe operations in the workplace, including sexual or other forms of harassment, or other forms of verbal or non-verbal conduct that harms or intimidates others to the extent that quality of care or patient safety could be compromised.
- D. “Learners”** means residents, fellows, students, and all others receiving education, experience, training, and supervision on the LCMC HEALTH-affiliated campuses.
- E. “Harassment”** includes verbal conduct (such as making derogatory comments, slurs, jokes, banter, imitation, mockery, innuendos, invitations, inappropriate or intimidating comments); visual conduct (such as displaying or circulating derogatory posters, photographs, cartoons, or drawings); and physical conduct (such as impeding or blocking normal movement, unwanted attention, physical contact or proximity, staring at a person, or any surveillance tactics that may be considered “stalking;” and unwanted communication (such as unwelcomed visiting in person, calling, texting, recording, videoing, or other forms of communication that are not welcome or wanted) that interferes with a person’s work performance or creates an offensive, intimidating, or otherwise hostile environment.
- F. “Sexual harassment”** means unwelcome sexual advances, requests for sexual favors, and/or unwanted verbal or physical conduct of a sexual nature. Sexual harassment may include direct or indirect request or demands for sexual favors in exchange for job security, i.e., in which sexual contact is made an explicit or implicit condition of employment or future employment-related decisions; unwelcome conduct of a sexual nature (which may involve the telling of sexual jokes, stories, displaying of sexually suggestive materials, making suggestive remarks) which has the purpose or effect of unreasonably interfering with a person’s work performance or which creates an offensive, intimidating or otherwise hostile environment.
- G. “Medical staff member”** means physicians, allied health practitioners, and others granted membership on the medical staff and for purposes of this Code of Conduct, includes individuals with clinical privileges.
- H. “Retaliation”** occurs whenever a person or a group “gets back at” another person or holds it against that person when he/she exercises the right to refuse advances or file a complaint about inappropriate behavior or harassment of any kind. Retaliation may also occur if adverse action is taken against someone who cooperates in the investigation of a complaint. Retaliation of any type is

prohibited by LCMC HEALTH.

## **VI. TYPES OF CONDUCT**

### **A. Appropriate Behavior**

Learners cannot be subject to suspension from access to LCMC HEALTH and reported to his/her respective school for appropriate behavior. Examples of appropriate behavior include, but are not limited to, the following:

1. Criticism or expressions of concern communicated in a reasonable manner and offered in good faith with aim of improving patient care safety.
2. Encouraging clear communication.
3. Expressions of dissatisfaction with policies through appropriate grievance channels or other civil non-personal means of communication.
4. Use of cooperative approach to problem resolution.
5. Constructive criticism conveyed in a respectful and professional manner, without blame or shame for adverse outcomes.
6. Professional comments to any professional, managerial, supervisory, or administrative staff, or members of the Board of Directors about patient care or safety provided by others.
7. Active participation in hospital meetings; and
8. Seeking legal advice or the initiation of legal action for cause.

### **B. Inappropriate Behavior**

Inappropriate behavior by learners is discouraged. Persistent inappropriate behavior can become a form of harassment and thereby become disruptive and subject to treatment as "disruptive behavior." Examples of inappropriate behavior include, but are not limited to, the following:

1. Belittling or berating statements.
2. Name calling.
3. Use of profanity or disrespectful language.
4. Inappropriate comments written in the medical record
5. Blatant failure to respond to patient care needs or staff requests
6. Deliberate refusal to return phone calls, pages, or other messages concerning patient care or safety.
7. Inappropriate comments or behavior in meetings.
8. Intentional condescending language; and

Degrading or demeaning comments regarding patients, patient families, nurses,

physicians, allied health professionals, LCMC HEALTH personnel or contractors and/or LCMC HEALTH.

### **C. Disruptive Behavior**

Disruptive behavior by learners is prohibited. Examples of disruptive behavior include, but are not limited to, the following:

1. Physically threatening language directed at anyone at LCMC HEALTH including, physicians, nurses, other medical staff members, patients, their families, any hospital employee, administrator, or member of the Board of Directors.
2. Physical contact with another individual that is threatening or intimidating.
3. Throwing instruments, charts, or other items.
4. Threats of violence or retribution.
5. Sexual harassment.
6. Other forms of harassment including, but not limited to, persistent inappropriate behavior and repeated threats of litigation; and
7. Repetitive inappropriate comments or disruptions in meetings.

### **D. GENERAL GUIDELINES/PRINCIPLES**

1. Issues of employee conduct will be dealt with in accordance with LCMC HEALTH's Human Resources Policies. Issues of conduct by members of the Medical Staff will be addressed in accordance with the Code of Conduct applicable to the LCMC HEALTH Medical staff. Employees and providers are expected to adhere to the code of conduct applicable to them, which codes are substantially like this Code applicable to learners.
2. This Code of Conduct outlines the steps that can be taken to address concerns about inappropriate conduct by learners. However, a single incident of inappropriate conduct or a pattern of inappropriate conduct may be so unacceptable that immediate action is required. Therefore, nothing in this policy precludes an immediate suspension of a learner from access to LCMC HEALTH and immediate referral of a matter being addressed through this policy to the learner's school or program the elimination of any step in this Code of Conduct.
3. LCMC HEALTH Academic Affairs, or its designee, shall provide education to all learners regarding the Learner Code of Conduct, and appropriate professional behavior, at the time of onboarding and/or orientation. The Medical Staff leadership and Hospital Administration shall also make employees, members of the Medical Staff, and other personnel in the hospital aware of this policy and shall institute procedures to facilitate prompt reporting of inappropriate conduct and prompt action as appropriate under the circumstances.

## **VII. COMPLAINT CONTENT**

Every individual should feel free to lodge a complaint in good faith about unprofessional behavior without fear of reprisal or retaliation. Learners have an obligation to address and/or report incidents of inappropriate and disruptive behavior. Complaints regarding allegedly inappropriate or disruptive behavior should be reported to the appropriate LCMC Health hospital administrator or designee and can be submitted through RL Solutions (BSAFE), or other incident reporting system.

The complaint should include, to the extent feasible:

1. Name of individual exhibiting disruptive or inappropriate behavior, the date(s), time(s), and location of the behavior.
2. A factual description of the inappropriate or disruptive behavior.
3. The circumstances which precipitated the incident.
4. The name and medical record number of any patients or patients' family members who were involved in or witnessed the incident.
5. The names of other witnesses to the incident.
6. The consequences, if any, of the inappropriate or disruptive behavior as it relates to patient care or safety, or LCMC HEALTH personnel or operations; and
7. Any action taken to intervene in, or remedy, the incident, including the names of those intervening.

## **VIII. PROCEDURE – COMPLAINTS INVOLVING LEARNERS EXHIBITING INAPPROPRIATE OR DISRUPTIVE BEHAVIOR**

1. The appropriate LCMC Health hospital administrator or designee will screen all complaints to determine the authenticity and severity of the complaint. If the complaint is clearly invalid, it may be summarily dismissed. If it is determined that the complaint may have validity, the designee may, speak with the complainant, or others, for additional information.
2. All complaints that may have validity wherein the person complained about a learner may be forwarded to the learner's school or program for handling in accordance with that school's policies and procedures.
3. With evidence of a pattern and/or repeat complaints regarding a learner's conduct, the appropriate LCMC Health hospital administrator or designee may request that the learner be removed from the LCMC Health learning environment until which a time a performance improvement or corrective action plan is submitted to and approved by the LCMC Health hospital administrator or designee.

4. Any complaint that may be reflective of a potential underlying wellbeing issue for the learner will immediately be flagged for the learner's supervising school officials so that it can be reviewed for wellbeing/wellness issue.
5. The appropriate LCMC Health hospital administrator or designee will immediately notify LCMC HEALTH counsel of any complaint that poses an immediate threat to patient care or the safety of others or LCMC HEALTH personnel or operations or constitutes alleged harassment and/or sexual harassment by a learner. The appropriate LCMC Health hospital administrator or designee will inform others including LCMC HEALTH Public Safety or IT where necessary to prevent harm, suspend all badge access, parking access, email access, and medical record/EPIC access that has been assigned to the learner. The learner's school shall be immediately notified of said suspension.
6. Each hospital's leadership should be kept informed regarding the status of a complaint referred to the learner's school by the school. Upon resolution of the complaint, and after the school confirms the learner's fitness to return to duty, badge access, and medical record/ EPIC access can be restored. Access shall not be reinstated prior to this time.
7. Nothing herein shall require LCMC HEALTH to allow the learner access to future work/rotations in the event of egregious activity, which shall be determined (a) in accordance with any contract then in place by and between LCMC HEALTH and the learner's school or, (b) if said contract is silent, solely in LCMC HEALTH's discretion.

## **IX. CONFIDENTIALITY**

The complaint investigation procedure is intended to be a confidential procedure. All parties to the process are expected to respect and maintain the confidentiality of the process and not to divulge the details of the investigation to anyone. Where there is any risk to other learners, providers, employees or patients, disclosure will be made to the extent necessary to offer adequate protection.

## **X. PROCEDURE – COMPLAINTS REGARDING BEHAVIOR DIRECTED TOWARD A LEARNER BY ANYONE OTHER THAN ANOTHER LEARNER**

Inappropriate or disruptive behavior which is directed against a learner by a LCMC HEALTH employee, administrator, board member, contractor, or other member of the LCMC HEALTH community, including LCMC HEALTH Medical Staff, shall be reported by the learner to the appropriate LCMC Health hospital administrator or designee for referral to the appropriate person, department, or entity, including, without limitation, human resources, state or federal government, or relevant accrediting body for further

investigation and handling.

## **XI. AWARENESS OF LEARNERS CODE OF CONDUCT**

LCMC HEALTH shall promote continuing awareness of this Code of Conduct among learners by:

1. Sponsoring or supporting educational programs on disruptive behavior offered to learners, Medical Staff members and/or LCMC HEALTH employees.
2. Disseminating this Code of Conduct to all learners at orientation.
3. Educating learners, Medical Staff members and LCMC HEALTH employees regarding the procedures LCMC HEALTH has put into place for effective communication of any learner's concerns, complaints, and suggestions.
4. Obtaining acknowledgement statements from all learners, whenever reasonable and possible, either in a written or electronic, via LCMC HEALTH U. (See *Exhibit I*).



**EXHIBIT 1**  
**CODE OF CONDUCT**

**ACKNOWLEDGEMENT**

This is to acknowledge that I have read and understand the LCMC HEALTH Learner Code of Conduct. I hereby authorize LCMC HEALTH and my school to communicate with each other as outlined in the Code of Conduct where necessary.

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(Print Name)

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Signature

Date

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Summary of Changes/Updates:

Reviewed, revised and approved as of 5/11/23.

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