

Compliance Program Policy and Procedure Manual

13. Use of Confidential Information

- a. Personnel and Board Members, after separation from EHS, are prohibited from disclosing or using for personal advantage any Confidential Information gained from EHS employment, affiliation, or contract, which is not otherwise made available to the public.

Example: A physician, who is leaving, is not permitted to maintain a record of patient contact information to be used for soliciting patients for their private practice.

- b. Personnel and Board Members are prohibited from using or disclosing (including, without limitation, revealing, posting, disseminating, circulating, uploading or similar) any Confidential Information to any Vendor or Business who currently does or seeks to do business with EHS, or the general public, unless there is (i) a business necessity to do such, (ii) a confidentiality or similar agreement is in place (where applicable) and/or (iii) with the approval of the Compliance and Privacy Department, or, where applicable for media related purposes, External Affairs.

Example: A lab technician who is involved in a follow up meeting after an issue occurs may not disclose the results of a State agency review, to the public.

14. Use of Internal Resources

- a. Personnel are prohibited from using internal EHS resources (e.g., electronic systems or devices, e-mail, paper, equipment) for their own personal needs or benefit, in a manner that can reasonably considered as excessive or otherwise inappropriate.

Example: A laboratory manager uses a photocopier to make 100 copies of flyers for their personal business.

RELEVANT REFERENCES:

1. 42 U.S.C. § 1320a–7h and 7b.
2. 42 U.S.C. § 1395nn.
3. 45 CFR §46.102.
4. Pub. Law §§ 111–148, § 6002 of the Affordable Care Act.
5. U.S. Sentencing Commission Guidelines §18(2)(C).
6. 18 NYCRR §§ 521.1, 521.3,521.4
7. N.Y. Labor Law §§ 740 and 741.
8. N.Y. Not-For-Profit Corporation Law § 715-a.
9. NYS Office of the Attorney General, Charities Bureau, “Conflicts of Interest Policies Under the Not-for-Profit Corporation Law Charities Bureau Guidance Document, Issue date: September 2018”, available at https://www.charitiesnys.com/pdfs/Charities_Conflict_of_Interest.pdf, accessed January 1, 2022.
10. Chapter 68 of the New York City Charter, § 2604.



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RELATED POLICIES:

None

LIST OF REVISIONS:

Revision No.	Date of Change	Additions/Amendments
1	08/01/2015	Updated to change Board of Managers to Board of Trustees.
2	11/30/2016	Updated format.
3	12/01/2017	Updated content & format.
4	02/01/2021	Updated content, requirements, format and merged related policies within.
5	01/01/2022	Reviewed. Updated Relevant References.
6	04/01/2023	Revised to add prohibition of providing gifts.
7	01/01/2024	Revised to add vendor provided meals/perishable items prohibition and approval requirement.
8	03/28/2024	Updated to new EHS Logo
9	05/01/2024	Annual review – policy standardization

TITLE, POLICY OWNER:

Assistant Director, Compliance

RECOMMENDED/APPROVED BY:

Chief Compliance & Privacy Officer

DISTRIBUTION:

- Nursing Staff
- Medical Staff
- Department Heads
- All Employees
- Other: Board Members and Contractors