



# AT YOUR HOME FAMILYCARE<sup>SM</sup>

*A Quality HomeCare Aide Organization*

*Caring For Your Family Throughout Life*



## NAHC CODE OF ETHICS

At Your Home Familycare, as a long-held member of NAHC and its affiliate organizations, Private Duty Home Care Association (Chair, Standards/Certifications) and the Home Care Aide Association of America (Advisory Board Member) and subscribes to NAHC's Code of Ethics.



### **Preamble**

The National Association for Home Care and Hospice (NAHC) was founded with the intention of encouraging the development and the delivery of the highest quality of medical, social, and supportive services to the aged, infirm, and disabled.

In the process of bringing these essential services to the needy, the Association and its members seek to establish and retain the highest possible level of public confidence.

This Code of Ethics, adopted by the NAHC Board of Directors in September 1982, serves as a statement to the general public that the Association and its individual members stand for integrity and the highest ethical standards.

This Code of Ethics serves to inform members and the general public as to what are acceptable guidelines for ethical conduct for home care agencies and their employees.

It is inherent in the promulgation of this Code of Ethics that the Association and its members covenant to protect and preserve the basic rights of their patients and to deal with them in an honest and ethical manner.

Finally, the Code of Ethics serves as notice to government officials that the Association expects its members to abide by all applicable laws and regulations. It is a precondition of membership in the Association that they do so and that failure to comply will result in expulsion from membership in the Association in addition to other penalties prescribed by law.

The Code of Ethics is intended to serve as a guideline to agencies in the following areas:

- A. Patient Rights and Responsibilities
- B. Relationships to Other Provider Agencies
- C. Responsibility to the National Association for Home Care
- D. Fiscal Responsibilities
- E. Marketing and Public Relations
- F. Personnel
- G. Legislative
- H. Hearing Process

### **A. Patient Rights and Responsibilities**

It is anticipated that observance of these rights and responsibilities will contribute to more effective patient care and greater satisfaction for the patient as well as the agency. The rights will be respected by all Agency personnel and integrated into all home care agency programs. A copy of these rights will be prominently displayed within the agency and made available to patients upon request.

- The patient is fully informed of all patient rights and responsibilities.
- The patient has the right to appropriate and professional care relating to physician orders.
- The patient has the right of choice of care providers.
- The patient has the right to receive information necessary to give informed consent prior to the start of any procedure or treatment.

- The patient has the right to refuse treatment within the confines of the law and to be informed of the consequences of his action.
- The patient has the right to privacy.
- The patient has the right to receive a timely response from the agency to his request for service.
- A patient will be admitted for service only if the agency has the ability to provide safe professional care at the level of intensity needed. The patient has the right to reasonable continuity of care.
- The patient has the right to be informed within reasonable time of anticipated termination of service or plans for transfer to another agency.
- The patient has the right to voice grievances and suggest changes in service or staff without fear of restraint or discrimination.  
A fair hearing shall be available to any individual to whom service has been denied, reduced, terminated or who is otherwise aggrieved by agency action. The fair hearing procedure shall be set forth by each agency as appropriate to the unique patient situation (e.g., funding source, level of care, diagnosis).
- The patient has the right to be fully informed of agency policies and charges for services, including eligibility for third-party reimbursements.
- The patient denied service solely on his inability to pay shall have the right of referral.
- The patient and the public have the right to honest, accurate, and forthright information regarding the home care industry in general and his chosen agency in particular, (e.g., cost per visit, employee qualifications, etc.).

#### **B. Relationship to Other Provider Agencies**

1. The principle objective of home care and hospice agencies is to provide the best possible service to patients. Agencies shall honestly and conscientiously cooperate in providing information about referrals and shall work together to assure comprehensive services to patients and their families.
2. Members shall engage in ethical conduct of their affairs so that maximum fair trade occurs.

#### **C. Responsibility to NAHC**

1. The bylaws and policies of NAHC reflect mutual cooperation among members in attaining goals that assure quality care for the patient and family. The members of NAHC shall abide by those bylaws and policies. Adjudication or arbitration procedures of the Association shall be used to resolve ethical complaints between members as provided in Section H of this document.
2. Members shall promptly pay all dues owed for membership, and shall participate and contribute talent to foster a dynamic, progressive organization from which all members can benefit professionally.

#### **D. Fiscal Responsibilities**

1. The amount of service billed is consistent with amount and type of service provided.
2. The cost per visit includes only legitimate expenses.
3. The medical equipment sold or rented to a patient is provided at the lowest possible cost consistent with quality, quantity, and timeliness.
4. The salaries and benefits of the provider and administrative staff shall be consistent with the size, responsibility, and geographical location of the agency.
5. The provider shall not engage in “kick-backs” and “pay-offs.”
6. The provider shall submit dues to NAHC based on the actual revenues received from all home care activities for the previous year.

#### **E. Marketing and Public Relations**

1. Oral and written statements will fairly represent service, benefits, cost, and agency capability.

2. Agencies that promote their service to the public through the media shall include information descriptive of home care and hospice in general, as well as agency specific information.

## **F. Personnel**

1. The agency shall be an equal opportunity employer and comply with all applicable laws, rules, and regulations.
2. The agency shall have written personnel policies available to all employees and uniformly applied to all employees.
3. The agency shall provide an ongoing evaluation process for all employees.
4. The agency shall hire qualified employees and use them at the level of their competency.
5. The agency shall provide supervision to all employees.
6. The agency shall provide continuing education and in-service training for all employees to update knowledge and skills needed to give competent patient care.
7. The agency shall hire adequate staffing to meet the needs of the patients to whom they render care.
8. The agency shall have a pay scale that is consistent with the area and pay only for those expenses for travel and business that are within a reasonable norm.

## **G. Violations**

Members who have been determined under the provisions of Section H to have violated this code shall be subject to disciplinary action, suspension and/or expulsion from the National Association for Home Care and Hospice.

## **H. Hearing Process**

In the event of an apparent breach of conduct reflected in this code or any dispute arising out of allegations of misconduct, redress will be provided in the form of a hearing before an Ethics Committee composed of at least three disinterested parties.

The committee shall be appointed by the chair of the board and approved by the Board of Directors to hear specific disputes. The committee shall be noncontinuous, dissolving at the conclusion of its appointed task. Service on the committee shall be restricted to representatives of agency members of NAHC in good standing.

The committee by majority vote may suspend or expel a member from the National Association for Home Care and Hospice or fashion other forms of disciplinary action that are less severe if justified by the committee's finding of fact.

Judgments of the committee shall be final and binding with respect to the provisions of this code. The committee shall be bound by all the common requirements of due process including but not limited to giving the accused a statement of the charges against him or her, an opportunity to appear on his/her own behalf, proper notice of the time and place for any hearing to be conducted by the committee, the right to suggest witnesses to be heard by the committee, and the right to representation by counsel with the understanding that counsel may appear to advise his/her client but may not actually testify on behalf of his/her client.

The committee may require the testimony of individuals under oath administered by a duly qualified notary public. However, if the Committee elects to proceed in this manner, the entire proceeding must be transcribed and retained in the files of the association.

An accused faced with disciplinary action may appeal the committee's ruling to the full NAHC Board of Directors. The committee's decision will be sustained unless two-thirds of the members of the board, a quorum being present, vote to overturn the decision.