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TO: Los Angeles County Substance Use Disorder
Contracted Treatment Providers

FROM: Gary Tsai, M.D., Division Director *GT*
Substance Abuse Prevention and Control

SUBJECT: **STAFF CODE OF CONDUCT AND DESCRIPTION OF DUTIES**

The California Department of Health Care Services (DHCS) and the Los Angeles County Department of Public Health’s Division of Substance Abuse Prevention and Control (SAPC) have established baseline program components that must be included for all staff including: clinical standards, code of conduct, and description of duties for Medical Directors. SAPC is providing additional clarity and guidance so that SAPC treatment providers can successfully incorporate these requirements into their program.

Below are lists of the minimum requirements that must be incorporated into current and future personnel files. All staff must have a printed (full first and last name), signed, and dated code of conduct and job description(s) documents in their personnel file(s). SAPC Contract Program Auditors will be verifying compliance with these requirements during regular monitoring activities.

Medical Director Minimum Description of Duties

Job descriptions/responsibilities for Medical Directors working under a SAPC substance use disorder (SUD) treatment services contract must, at a minimum, include all the following:

- A. Ensure that medical care provided by physicians, registered nurse practitioners, and physician assistants meets the applicable standard of care.
- B. Ensure that physicians do not delegate their duties to non-physician personnel.
- C. Develop and implement written medical policies and standards for the agency.
- D. Ensure that physicians, registered nurse practitioners, and physician assistants follow the provider agency’s medical policies and standards.
- E. Ensure that the medical decisions made by physicians are not unduly influenced by fiscal considerations.

- F. Ensure that the provider agency's Licensed Practitioners of the Healing Arts (LPHAs), including physicians, are adequately trained to perform diagnosis of SUDs for clients and determine medical necessity for treatment.
- G. Ensure that the provider agency's physicians are adequately trained to perform other physician duties, as outlined in the most current version of SAPC's Substance Use Disorder Treatment Services Provider Manual and in accordance with all relevant State and federal regulations.
- H. The SUD Medical Director may delegate his/her responsibilities to a physician consistent with the provider's medical policies and standards; however the SUD Medical Director shall remain responsible for ensuring all delegated duties are properly performed.
- I. Ensure that treatment is conducted in accordance with the standards and policies listed in the most current version of SAPC's Substance Use Disorder Treatment Services Provider Manual.
- J. Initially review all provider agency treatment policies and procedures to confirm medical appropriateness and to address and prevent fraud, waste and abuse.
- K. Ensure LPHAs receive a minimum of five (5) hours of Continuing Education Units (CEU) related to addiction medicine each fiscal year.

Employee Code of Conduct

All treatment provider agencies must establish written code of conduct for employees, including clinical, medical, intern, and volunteer staff, and must include at a minimum the following:

- A. Prohibition of the use of drugs and/or alcohol during working hours.
- B. Prohibition of social/business relationship with clients or their family members for personal gain.
- C. Prohibition of sexual contact with clients.
- D. Avoidance of any conflict of interest.
- E. Prohibition on providing services beyond applicable scopes of practice.
- F. Prohibition on discrimination against clients and/or staff.
- G. Protection against sexual harassment and verbal and physical threats and abuse from clients, family members, and/or other staff.
- H. Protection of client confidentiality.
- I. Requirement to cooperate with complaint investigations.
- J. Requirement to cooperate with audits, evaluation, reviews, and all other compliance activities.
- K. Requirement to respond to requests and inquiries from the County properly and in a timely manner.
- L. Commitment to preventing fraud, waste and abuse.
- M. Assurance that services are provided as described in the most current version of SAPC's Substance Use Disorder Treatment Services Provider Manual.
- N. Required to inform all clients of their rights and privileges.

- O. Compliance with applicable legal and regulatory obligations, including but not limited to confidentiality requirements (e.g., HIPAA, 42 CFR Part 2).

Additionally, if volunteer and/or intern staff are utilized, providers must establish written policies and procedures that describe the following:

- Recruitment
- Screening and selection
- Training and orientation
- Duties and assignments
- Scope of practice
- Supervision (including how the provider agency will ensure that volunteers/interns are provided state required levels of weekly supervision)
- Evaluation
- Protection of client confidentiality

Please contact your assigned Contract Program Auditor for additional information.

GT:dd