



Electronic Forum Code of Conduct, Legal Rules, Etiquette, Disclaimers

OACHC Peer Communication Networks (such as User Groups) are private and participation is limited to subscribers and approved members. To ensure the best possible experience for all participants, and to protect OACHC from potential antitrust violation, OACHC has established a Code of Conduct for participating in OACHC electronic forums (e.g. listservs, peer forums, education module). OACHC accepts no responsibility for the breach of antitrust laws and discussions that breach these laws are absolutely discouraged and will be halted should they arise. The purpose of antitrust laws is the preservation of competition. Both the Department of Justice and the Federal Trade Commission have regarded exchanges of certain types of information as tending to threaten or eliminate competition. Specifically, we cannot pose questions or participate in discussions relating to salaries, charge, payment rates, prices, pricing strategies, restrictions on advertising, maintaining the profitability of a profession, or industry, terms or conditions of sale, minimizing discounts, gifts or promotions, profits, profit margins, cost data, market share, sales territories, customers or selection, rejection, or termination of customers or suppliers. Examples include discussions about managed care payment rates, provider compensation, provider benefits, vendor fees/rates, and vendor contract terms.

By communicating via an OACHC electronic forum, you agree that you have read and will follow the code of conduct/legal rules and participation guidelines listed below. OACHC does not actively monitor its electronic forums for inappropriate postings. However, in the event an inappropriate posting is brought to OACHC attention (by OACHC staff or otherwise), OACHC reserves the right to take all appropriate action in response. OACHC reserves the right to terminate access to any user who does not abide by the code of conduct, legal rules, or participation guidelines.

Code of Conduct/Legal Rules

OACHC electronic forums are for communicating about topics related to Health Centers, the delivery of primary and preventive care, and overall health issues; any other use of OACHC electronic forums is prohibited.

Interact with Peer Communication Network members in a respectful, professional, and ethical manner.

Remember your audience and be mindful of the appropriateness of your posts. Limit messages to those that add value to the discussion.

Do not make derogatory comments, ridicule, challenge, or attack others. Discussions on the electronic forums are meant to stimulate conversation, not create contention.

All defamatory, abusive, profane, threatening, offensive, or illegal materials or language are strictly prohibited.

Remember that information shared via electronic forums is available for all to see and that comments are subject to libel, slander, and antitrust laws. Do not post anything in an electronic message/electronic forum that you would not want the world to see or that you would not want anyone to know came from you.

Do not pose questions or participate in discussions relating to salaries, charge, payment rates, prices, pricing strategies, restrictions on advertising, maintaining the profitability of a profession, or industry, terms or conditions of sale, minimizing discounts, gifts or promotions, profits, profit margins, cost data, market share, sales territories, customers or selection, rejection, or termination of customers or suppliers. Examples include discussions about managed care payment rates, provider compensation, provider benefits, vendor fees/rates, vendor contract terms.

Use caution when discussing products or services, and the companies providing such products and services. Information posted on OACHC electronic forums is available for all to see, and comments are subject to libel, slander, and antitrust laws. However, you may explain your situation regarding products, services and companies while avoiding unflattering labels.

If you endorse a company, service, or product and have a financial arrangement with the company, you must disclose that financial arrangement as part of your endorsement.

Messages should not be posted if they encourage or facilitate members to arrive at any agreement that either expressly or impliedly leads to price fixing, a boycott of another's business (e.g. managed care organization), or other conduct intended to illegally restrict free trade. Messages that encourage or facilitate an agreement about the following subjects are inappropriate: charges, reimbursement rates, prices, discounts, or terms or conditions of sale; salaries; profits, profit margins, or cost data; market shares, sales territories, or markets; allocation of customers (e.g. patients) or territories (e.g. service areas); or selection, rejection, or termination of customers or suppliers.

OACHC prohibits any individual or organization from promoting a specific product or service for proprietary purposes on an OACHC electronic forum.

Do not post any information or other material protected by copyright without the permission of the copyright owner. By posting material, the posting party warrants and represents that he or she owns the copyright with respect to such material or has received permission from the copyright owner. In addition, the posting party grants OACHC and users of OACHC electronic forums the nonexclusive right and license to display, copy, publish, distribute, transmit, print, and use such information or other material.

Do not share documents that you do not have authorization to share. It is best to only share documents from your current organization that you have permission to share. You may also consider removing your organization's identifying information from the document prior to sharing it.

When asking for assistance and presenting specifics of a situation, do not include information protected under HIPAA.

Do not use OACHC electronic forums for any communication that could be construed in any way as support for or opposition to any candidate for a federal, state, or local public office. Federal law providing for OACHC tax-exempt status absolutely forbids the use of resources or facilities, including

listservs forums/electronic forums, in any way that would even appear to support or oppose such a political candidate.

Disclaimers

OACHC accepts no responsibility for the opinions and information posted in the listservs/electronic forums by others. OACHC disclaims all warranties with regard to information posted on the listservs/electronic forums, whether posted by OACHC or any third party; this disclaimer includes all implied warranties of merchantability and fitness. In no event shall OACHC be liable for any special, indirect, or consequential damages or any damages whatsoever resulting from loss of use, data, or profits, arising out of or in connection with the use or performance of any information posted on the listservs/electronic forums.

To the extent permitted by law, OACHC disclaims any and all liability with respect to accuracy, completeness, or reliability of any information and/or opinions supplied to or by the listservs/electronic forums and accepts no responsibility for the completeness and/or suitability for use.

By using OACHC listservs/electronic forums, subscribers agree to indemnify defend and hold harmless OACHC, its committees and sections, its subsidiaries, affiliates, officers and agents from and against all losses, claims, demands, causes of action, liabilities, expenses, including reasonable attorney's fees and costs arising from any claims arising out of or resulting from any breach of these guidelines by the user or any omission or act taken by the user.

Listserv Etiquette

- ❖ Include a signature tag at the end of each message listing your name, title, organization, email address, and phone number.
- ❖ Clearly and concisely type the topic of your comments in the subject field. This allows others to respond more appropriately to your posting. This is particularly important when replying to a listserv posting or when changing the subject.
- ❖ When responding to a specific post, put your response before the original post and include enough text from the original message to make clear exactly what post it is you are commenting on.
- ❖ When responding, only 'reply all' (send a message to the entire list) when you are sharing information that benefits everyone. Otherwise hit 'reply' to send your response only to the individual who sent the original message (such as when you want to thank him/her or express agreement).
- ❖ Do not forward messages or even segments of messages from the listserv to persons not on the listserv without the explicit permission of the person you are "quoting".
- ❖ Do not send administrative messages to the list such as "Please remove me."