



## System

## Policy and Procedure

<b>Title:</b>	Non-Retaliation for Reporting Compliance Violations	<b>Number:</b>	SY-CO-005
<b>Applies to:</b>	All Employees	<b>First Created:</b>	7/01
<b>Issuing Dept:</b>	Corporate Compliance	<b>Last Revised:</b>	5/18/10
<b>Approved by:</b>	April Peters, Director/Corporate Compliance Officer		

### I. POLICY

SIH encourages timely disclosure of compliance concerns by maintaining a strict non-retaliation policy for individuals who in good faith report compliance violations, including privacy violations under the Health Insurance Portability and Accountability Act (HIPAA) and false claims allegations under federal and state False Claims Act laws.

### II. DEFINITIONS

**Compliance Helpline** - A phone line and web page dedicated to receiving reports of potential compliance violations, including privacy policy violations under HIPAA, false claims and other fraud and abuse concerns

**Corporate Compliance Program** - An internally developed, self-governing program that outlines policies and standards to promote ethical and legal business practices

**False Claims** - Fraudulent or abusive claims, including but not limited to requests for payment for services not provided, coding irregularities or billing errors due to a failure to follow sound business practices

**Privacy Violations** - A violation of a patient's right to privacy under HIPAA or state law

**Retaliation** - Any negative action taken against an individual specifically for reporting a compliance violation. Actual harm to the reporting individual is not necessary for the action to be considered retaliation

**Violation of Corporate Compliance Program (noncompliance)** - An action, process, or behavior that results in a violation of or is contrary to federal law, rules, or regulations; state law, rules, or regulations; federal, state, and private payer healthcare program requirements; SIH's Corporate Compliance Program; SIH policy; or SIH's Code of Ethics

**Whistleblower** - An individual who possesses and comes forward with information regarding false claims

### III. RESPONSIBILITIES

#### 1.0 Corporate Compliance Officer

- 1.1. Maintains an "open door policy" and the Compliance Helpline to allow individuals to report actual or perceived violations of the Corporate Compliance Program
- 1.2. Acts upon Helpline reports, including reports of retaliation against individuals, promptly and in an appropriate manner
- 1.3. When an act of retaliation is confirmed, collaborates with Human Resources so that the individual can be disciplined accordingly

#### 2.0 Employees

- 2.1. Promptly report actual or perceived violations of the Corporate Compliance Program to management, the Corporate Compliance Officer, or Compliance Helpline
- 2.2. Promptly report acts of retaliation against an individual for reporting a compliance violation
- 3.0 Privacy Officer oversees investigations of retaliation that are related to privacy violations.
- 4.0 Managers/Supervisors
  - 4.1. Promptly report actual or alleged violations of the Corporate Compliance Program to the Corporate Compliance Officer
  - 4.2. Promptly report to the Corporate Compliance Officer acts of retaliation against an individual for reporting a compliance violation
  - 4.3. Maintain an “open-door policy” and take measures that educate staff and encourage the reporting of compliance violations

#### **IV. EQUIPMENT/MATERIALS**

N/A

#### **V. PROCEDURE**

- 1.0 Employees who report compliance violations to management, the Helpline, the Corporate Compliance Officer, or a government agency are not subject to retaliation.
- 2.0 Any retaliation against an individual for reporting a compliance violation is reported to the Compliance Department, either directly or through the Helpline, immediately.
- 3.0 The Compliance Department investigates all reported incidents of retaliation against individuals for reporting compliance violations.
- 4.0 The Compliance Department notifies the Privacy Officer when the retaliation was in response to a report of a privacy violation.
- 5.0 If retaliation against an individual for reporting a compliance violation is confirmed, the Compliance Department notifies Human Resources and the offending employee’s supervisor.
- 6.0 The Compliance Officer, the Human Resources representative, and the employee’s supervisor determine appropriate disciplinary action for the offending party. Depending upon the nature of the act, the disciplinary action can include termination. See policy SY-HR-401: Improvement Counseling.
- 7.0 Management makes efforts to rectify any adverse effects of retaliation against an individual (i.e., if an employee was inappropriately terminated, the employee is reinstated) in accordance with applicable federal and state whistleblower protection laws.
- 8.0 Any retaliation against an individual for reporting an actual or perceived compliance violation is a violation of the Corporate Compliance Program.

#### **VI. DOCUMENTATION**

N/A

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**VII. CHARGES**

N/A

<b>Additional Approvals and Review/Revision Dates</b>			
<b>Review Dates:</b>	9/20/12, 12/26/14, 12/29/15, 12/17, 10/18		
<b>Revision Dates:</b>	1/12/07, 7/07, 5/18/10		
<b>Replaces:</b>	N/A		
<b>Additional Approvals:</b>	<u>Name (print)</u> _____	<u>Title</u> _____	<u>Signature</u> _____