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Owner: April Peters: CORP DIR
Area: COMPLIANCE
References: Compliance
Applicability: Southern Illinois Healthcare
 Corporate System

Non-Retaliation for Reporting Compliance Violations, SY-CO-005

Applies to:

All Employees

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. Corporate Compliance Officer
 1. Maintains an "open door policy" and the Compliance Helpline to allow individuals to report actual or perceived violations of the Corporate Compliance Program
 2. Acts upon Helpline reports, including reports of retaliation against individuals, promptly and in an appropriate manner
 3. Collaborates with Human Resources during the investigation and works with Human Resources and the offending employee's manager so that the individual can be disciplined accordingly
2. Employees
 1. Promptly report actual or perceived violations of the Corporate Compliance Program to management, the Corporate Compliance Officer, or Compliance Helpline
 2. Promptly report acts of retaliation against an individual for reporting a compliance violation
3. Privacy Officer oversees investigations of retaliation that are related to privacy violations.
4. Managers/Supervisors
 1. Promptly report actual or alleged violations of the Corporate Compliance Program to the Corporate Compliance Officer
 2. Promptly report to the Corporate Compliance Officer acts of retaliation against an individual for reporting a compliance violation
 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. Employees who report compliance violations to management, the Helpline, the Corporate Compliance Officer, or a government agency are not subject to retaliation.
2. Any retaliation against an individual for reporting a compliance violation is reported to the Compliance Department, either directly or through the Helpline, immediately.
3. The Compliance Department investigates all reported incidents of retaliation against individuals for reporting compliance violations.
4. The Compliance Department notifies the Privacy Officer when the retaliation was in response to a report of a privacy violation.
5. The Compliance Department collaborates with Human Resources and the offending employee's supervisor.
6. 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. 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. 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

VII. CHARGES

N/A

Replaces:

N/A

Attachments

No Attachments

Approval Signatures

Approver	Date
Deborah Emery: CORP REGULATORY COOR	12/17/2019
April Peters: CORP DIR COMPLIANCE	12/16/2019

Applicability

Southern Illinois Healthcare Corporate System