

## Valleywise Health Administrative Policy & Procedure

**Effective Date:** 05/04

**Reviewed Dates:** 11/11, 02/17, 09/18

**Revision Dates:** 08/05, 2/08, 01/10, 02/17, 12/19

**Policy #:** 01105 S

**Policy Title:** Compliance: Non-Retaliation

**Scope:** [ ] District Governance (G)  
[X] System-Wide (S)  
[ ] Division (D)  
[ ] Multi-Division (MD)  
[ ] Department (T)  
[ ] Multi-Department (MT)

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### **Purpose:**

Valleywise Health recognizes that a critical aspect of its compliance program is the establishment of a culture that promotes prevention, detection, and resolution of instances where conduct does not conform to federal and state, and private payer healthcare program requirements—as well as the organization’s ethical and business policies. To promote this culture, Valleywise Health has established a problem resolution process and a strict non-retaliation policy to protect employees from retaliation when they report problems and concerns in good faith. Any form of retaliation can undermine the problem resolution process, which can result in a failure of communication channels in the organization.

### **Policy:**

1. All employees have an affirmative duty and responsibility for reporting perceived misconduct, including actual or potential violations of laws, regulations, policies, procedures or the Code of Conduct and Ethics.
2. An “open-door policy” will be maintained at all levels of management to encourage employees to report problems and concerns.
3. Employees, if their problem or concern is not resolved, will be encouraged to proceed up the chain-of command or to communicate with the Chief Compliance Officer (CCO) or the Human Resources Department.
4. Employees, if they wish to remain anonymous, may also use the Valleywise Health Compliance Hotline. (NOTE: Employees are strongly encouraged to report problems and concerns via the chain-of-command or human resources before

resorting to the Valleywise Health Compliance Hotline. However, this communication channel is always available if special circumstances exist or if the issue is not being properly addressed.)

5. Any form of retaliation against any employee who reports a perceived problem or concern, in good faith, is strictly prohibited.
6. Any employee who commits or condones any form of retaliation will be subject to discipline up to, and including, termination.
7. Employees cannot exempt themselves from the consequences of their own misconduct by reporting the issue, although self-reporting may be taken into account in determining the appropriate course of action.

**Procedure:**

**ALL EMPLOYEES**

1. Knowledge of misconduct, including actual or potential violations of law, regulations, policies, procedures or the Code of Conduct and Ethics must be reported immediately to your supervisor, a member of management, the CCO, or the Compliance Hotline.
2. Knowledge of a violation or potential violation of the non-retaliation policy must be reported directly to the CCO or the Valleywise Health Compliance Hotline.
3. Concerns regarding any issue should be addressed to facility management in the following order: (a) immediate supervisor, (b) department manager, (c) director, and d) executive management.
4. Employees may also report problems or concerns to the Human Resources Department.
5. If an employee's concern or problem cannot be satisfactorily resolved or if special circumstances exist, the employee should report to the CCO or the Valleywise Health Compliance Hotline.

**MANAGEMENT (includes Executives, VPs, Directors, Managers, and Supervisors)**

1. Management must take appropriate measures to ensure that their subordinate management personnel support this policy and encourage the reporting of problems and concerns. At a minimum, the following actions will be taken and become an ongoing aspect of the management process:
  - Meet with subordinates and discuss the main points within this policy.
  - Provide all subordinates with a copy of this policy.
  - Post a copy of this policy on employee bulletin boards.

CHIEF COMPLIANCE OFFICER

1. The CCO will be responsible for the investigation and follow-up of any reported retaliation against an employee.
2. The CCO will report the results of investigations of suspected retaliation to the Finance, Audit and Compliance Committee (FACC) or the Board of Directors, whichever is deemed appropriate.

**References:**

01100 S Compliance: Valleywise Health Compliance Program

01103 S Compliance: Code of Conduct and Ethics

**Valleywise Health Policy & Procedure - Approval Sheet**  
**(Before submitting, fill out COMPLETELY.)**

**POLICY RESPONSIBLE PARTY: Chief Compliance Officer**

**DEVELOPMENT TEAM(S):**

**Policy #: 01105 S**

**Policy Title: Non-Retaliation**

**e-Signers: L.T. Slaughter, Jr., Chief Compliance Officer**

**Place an X on the right side of applicable description:**

**New -**

**Retire -**

**Reviewed -**

**Revised with Minor Changes - 12/19**

**Revised with Major Changes -**

**Please list revisions made below:** (Other than grammatical changes or name and date changes)

Added references to CCO.

**Reviewed and Approved by in Addition to Responsible Party and E-Signer(s):**

<b>Committee:</b> System-wide P&P	<b>12/19</b>
<b>Committee:</b>	<b>00/00</b>
<b>Committee:</b>	<b>00/00</b>
<b>Reviewed for EPIC:</b>	<b>N/A</b>
<b>Other:</b>	<b>00/00</b>
<b>Other:</b>	<b>00/00</b>
<b>Other:</b>	<b>00/00</b>