

Policy #: 1008	Policy Title: Duty to Report Wrong Doing: Whistleblower Protection
Department: Leadership	Author/Editor: Steven Malchman Revision date(s): 3/08; 8/08; 8/09, 1/12/2017; 1/20/2018
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Reference(s): (optional - if included, listed at end document)	Accreditation Standard(s:)
Approvals: Louis Brady 	

POLICYSTATEMENT

The provision of high quality primary care services to underserved populations is the mission of the Family Health Center of Worcester, Inc. (FHCW). FHCW is committed to providing high-quality, integrated care to all patients through the Patient Centered Medical Home Model. FHCW Policies and Procedures will be consistent with the goals, mission and clinical guidelines of the organization.

PURPOSE

Any person who has knowledge of or, in good faith, suspects any wrongdoing in the documenting, coding, or billing for services, equipment, or supplies, in the Family Health Center's financial practices, or violation of the Family Health Center's Personal Conduct or Policies should report it internally so that an investigation can be conducted and appropriate action taken. Retaliation or reprisal against anyone for such a report is strictly prohibited

The purpose of this policy is to advise employees , contractors, and volunteers when and how to report wrongdoing and of their protection against reprisal or retaliation for reporting.

PROCEDURE

Definition: **Wrongdoing**

In addition to a violation of Federal or state law, wrongdoing includes violation of Family Health Center's Personal Conduct or Policies and the impermissible billing practices in Policy No. 1029 (billing for services not performed at all or not performed as described; submission of claims for unnecessary or undocumented services, equipment, or supplies; double billing; upcoding; unbundling; misuse of coding modifiers; false cost reports; billing for services by an unlicensed or excluded provider; paying or accepting money, gifts, or favors in return for referrals).

1. Anyone who becomes aware of or in good faith suspects wrongdoing by another employee, a board member, a vendor, a contractor, or a volunteer should report it to his or her supervisor or to the Compliance Officer.
2. The individual making the report may do so by reporting the concern in writing or by using the Employee Suggestion Box, Incident Reports, Patient Comment Cards, e-mail,

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voicemail, or other forms of communication. An individual may make the report anonymously. Anyone making an anonymous report must realize that the Compliance Officer will not be able to ask additional questions of the person reporting nor advise the person of the outcome. Family Health Center's Compliance Officer will attempt to maintain the confidentiality of the person reporting the concern.

3. Self-reporting is also encouraged. Anyone who self-reports wrongdoing or a violation of law will be given due consideration in mitigation of any disciplinary action that may be taken.
4. Upon a report of wrongdoing, the Compliance Officer will notify the President/CEO and then conduct an investigation into the allegations to determine the nature, scope, and duration of wrongdoing, if any, and shall follow the steps set forth in Policy No. 1009 (Responding to Detected Offenses and Developing Appropriate Corrective Action).
5. If the charges are substantiated, then the Compliance Officer will develop a plan for corrective action with the President/CEO and will notify the Compliance Committee pursuant to Policy No. 1009 (Responding to Detected Offenses and Developing Appropriate Corrective Action).
6. If it is determined that a violation has occurred that involves a member of the Board of Directors, consultants or vendors, then appropriate sanctions are taken. If it is determined that an employee is in violation of upholding the standards of compliance, then appropriate disciplinary action is taken, up to and including termination of employment from FHCW.
7. Retaliation or reprisal in any form against anyone who makes a report of wrongdoing, cooperates in an investigation, or participates in the compliance program is strictly prohibited. If an employee or a contractor believes that an adverse action in the form of reprisal or retaliation has been taken against him or her as the result of making a report or cooperating in an investigation pursuant to this or any other compliance policy, he or she should report it to the Compliance Officer or President/CEO.
8. The Compliance Officer shall maintain a confidential log in a secure place of all reports of compliance concerns and shall update the Board of Directors bi-annually.
9. Any employee who makes a report of wrongdoing maliciously, frivolously, or in bad faith will be subject to disciplinary action up to and including termination of employment with Family Health Center.
10. Family Health Center seeks to investigate all nonfrivolous claims of wrongdoing internally so that corrective action can be instituted. Family Health Center encourages the reporting to the Compliance Officer so that appropriate corrective action can be instituted. However, any person who discovers wrongdoing that is a false claim or statement may report that information to the Department of Justice or the U.S. Attorney by filing a complaint under seal in the court pursuant to the False Claims Act (described in the Appendix in Policy No. 1012). In addition, a report may be made to the Joint Commission for Accreditation of Healthcare Organizations (Joint Commission).