

OPERATING POLICY 50-99-1

TO: All Departments
Effective: Immediately
SUBJECT: CORPORATE COMPLIANCE PROGRAM REPORTING AND RESPONSE
DATE: March, 1999 (revised Nov. 2006; revised Jan. 2007)

1. Purpose
 - a) As part of its Corporate Compliance Program, Moses Taylor Hospital (MTH) has developed and publicized a reporting system whereby employees, physicians, contractors and agents can pose compliance-related questions and/or report perceived "non-compliance" by others within the organization anonymously and/or confidentially without fear of retribution or adverse consequences. Non-Compliance is defined as failure to comply with applicable federal and state laws, and requirements of federal and state health programs (including, but not limited to Medicare and Medical Assistance laws, regulations and various interpretations which apply to MTH).
 - b) There are laws in place that can be used to prevent false claims from being filed against the state and federal governments. The principal federal law is called the False Claims Act. In general, the False Claims Act applies to fraud involving any federally funded contract or program. Under this Act, anyone who knowingly submits or causes the submission of false claims to the government is liable for damages of up to three times the improper payment, plus civil penalties of \$5,500.00 to \$11,000.00 per false claim. This Act provides a remedy for whistleblowers who are fired, denied a promotion, suspended or in any other way harmed in their employment in retaliation for filing a false claims case. In addition, Pennsylvania state laws, including 62 P.S. 1407 (relating to provider prohibited acts, criminal penalties, and civil remedies) and 1408 (relating to other prohibited acts, criminal penalties and civil remedies), the Pennsylvania Whistleblower Law, 43 P.S. 1421-1428, may be applicable.
 - c) This Policy on Reporting and Response describes the process Moses Taylor Hospital will follow in responding to potential incidents of non-compliance detected through its report system.
2. Scope

This policy applies to all entities of Moses Taylor Hospital.
3. Responsibilities

It is the responsibility of every employee of Moses Taylor Hospital to be familiar with the contents of this policy. Department heads, managers and supervisors will ensure that copies of the policy are made available in an appropriate fashion to employees under their supervision.
4. General Instructions

All employees, physicians and agents are encouraged to promptly report all instances of perceived non-compliance and for those instances for which there is a reasonable indication that non-compliance has occurred. Consequently, Moses Taylor Hospital will promptly investigate reports received in a thorough manner. All records and any subsequent investigation of reported matters shall be retained by the Corporate Compliance Officer in confidence until such time that the investigation may require disclosure of the reporting person.

 - a) All employees, physicians and agents have available to them the following anonymous and/or confidential reporting options:
 - 1) Complete a written Report of Potential Non-Compliance (Part 1). This report form can be obtained from the Employee Handbook or from the Human Resources

Department (a copy is attached to this policy). Once the report form is completed it should be forwarded directly to the Corporate Compliance Officer; or

- 2) Call MTH's Compliance Hotline at **340-3100** to pose a compliance-related question and/or report any potential incident which will be followed up by the Corporate Compliance Officer and/or a member of the Corporate Compliance Committee. The Compliance Hotline rings only into voice mail and will not be answered live.

The Compliance Hotline is available to employees, physicians and agents 24 hours a day. Reports made to the Compliance Hotline are confidential. The Hotline also serves as a help-line for employees, physicians and agents to pose questions regarding billing and other compliance issues. The Corporate Compliance Officer will respond to caller questions/ reports within ten (10) business days or less, if the caller identifies him/ herself. Callers may remain anonymous if they so desire.

- 3) Contact the Corporate Compliance Officer, or a member of the Corporate Compliance Committee directly by phone or schedule an appointment to pose a compliance-related question and/or report any potential incident.
- c) Once a Report of Potential Non-Compliance has been received, the Corporate Compliance Officer, along with relevant department manager and/or member of the Compliance Committee will review the available evidence and undertake appropriate investigations.

If the incident requires disciplinary action, the discipline process will proceed per policy. The Corporate Compliance Officer, along with relevant department managers and/or members of the Compliance Committee, is responsible for evaluating Moses Taylor Hospital's training and educational needs and ongoing monitoring activities to prevent any reoccurrence.

In cases where the complainant is known, the complainant will be notified of the outcome of the investigation, to the extent deemed appropriate, by the Corporate Compliance Officer. In cases where the identity of the complainant is unknown, the organization will take reasonable steps to publicize the results, either through a newsletter or direct contact with the Corporate Compliance Officer.

- d) Certain departments within the Hospital which process patient information for third-party insurance claims have the responsibility to conduct quarterly training for departmental employees and the departments must document the substance of the training and list those in attendance for each session.
- e) The Finance Department will monitor selected clinical departments which process patient encounter information for third-party insurance billing. Protocols regarding the monitoring process are on file in the Finance Department.
- f) Information on the Corporate Compliance Program is part of the new employee orientation process and is included in the annual mandatory employee inservice.
- g) Any changes in this policy will be issued from the Executive Offices.

Harold E. Anderson
President & CEO

**Moses Taylor Hospital
Report of Potential Non-Compliance**

Please complete this form and forward it directly to the Corporate Compliance Officer for review.

Part I

Date and Time of Report: _____

Name and Department of individual originating report (unless you wish to remain anonymous):

Subject of Report: _____

Date(s) of Alleged Non-Compliance: _____

Department(s) Involved: _____

Witness name(s) and department(s) involved (unless witnesses wish to remain anonymous):

Summary of Report: _____

Part II (To be completed by the Corporate Compliance Officer)

Date and time report received: _____

Report Received By: ____Hotline ____Corporate Compliance Officer ____Supervisor

Note: *The Corporate Compliance Officer will maintain this report in a confidential manner. If you choose to remain anonymous, the Corporate Compliance Officer may not be able to notify you directly of the outcome of any investigations that are undertaken. However, you may contact the Compliance Hotline voice mail at 340-3100 if you have any further information or questions., and wish to remain anonymous or call 340-2021 if you wish to identify yourself.*