Baptist Health South Florida

POLICY NO.: BHSF-822

☑ Administrative
☐ Departmental

SUBMITTED BY:

Beth Gillis
Title: Corporate Assistant Vice President, Compliance

APPROVED BY:

Wendy Kemp
Title: Corporate Assistant Vice President, Audit

Responsible Department: Audit and Compliance

APPROVED BY:

Karen Brady
Title: Corporate Vice President and Chief Compliance Officer

Creation Date: 12/05
Review Date: 03/07, 09/11
Revision Date: 11/11

POLICY TITLE:
Non-Retaliation for Reporting of Potential or Actual Violations of the Code of Ethics

SUMMARY & PURPOSE:
To state the organization's philosophy regarding non-retaliation for reporting potential or actual violations of the Code of Ethics.

POLICY:
Baptist Health South Florida encourages employees to discuss legal and ethical issues that arise while performing their job functions and will not tolerate retaliation or retribution against any person, employee or other, who reports in good faith a potential or actual violation of our Code of Ethics.

SCOPE/APPLICABILITY:
This policy applies to all Baptist Health South Florida employees.

PROCEDURES TO ENSURE COMPLIANCE:
Employees are bound under our Code of Ethics to report suspected violations of our Code to their supervisor, management, Audit and Compliance, Legal Department, Human Resources or the Compliance Hotline.

Employees who receive such reports are required to listen to the concern and take the appropriate action to resolve the concern and the problem. Such action could include escalating the concern to a higher level of management or to one of the departments designated above to

receive such concerns. In all cases where the report involves a suspected violation of a law, the concern must be communicated to the Audit and Compliance Department.

In accordance with federal and state law, any employee who, in good faith, reports suspected violations of the False Claims Act or related laws cannot be discharged, demoted, suspended, threatened, harassed or discriminated against by his or her employer. For more information regarding the False Claims Act, see *BHSF Policy 841 Submission of Accurate Information to Government Payers – False Claims Act.*

No retaliation or retribution may be taken against an employee who in good faith reports a potential or actual violation of the Code.

No action may be taken to identify an employee who makes an anonymous report of a potential or actual violation in good faith.

The Compliance Hotline offers employees the opportunity to make an anonymous report, should the employee feel uncomfortable reporting the concern directly to management or one of the designated departments.

Failure to report an actual violation of the Code may result in disciplinary action, up to and including termination.

SUPPORTING/REFERENCE DOCUMENTATION:

- United States Federal Sentencing Guidelines
- Office of the Inspector General Compliance Program Guidance for Hospitals
- Office of the Inspector General Supplemental Compliance Program Guidance for Hospitals
- 31 U.S.C. § 3729-3799; 31 U.S.C. § 38; 42 U.S.C. § 1395A(A); Public Law 109-171 § 6032 (Feb. 8, 2006); Fla. Stat. §§ 68.801, Et Seq.; Fla. Stat. § 112. 3187; Fla. Stat. §§ 409.920, 409.9201, 409.913, 775.082 and Fla. Admin. Code Ann R. 59G-9.070; and Fla. Stat. §§ 414.39, 817.155 and 837.06

RELATED POLICIES, PROCEDURES, AND ASSOCIATED FORMS:

- BHSF Departmental: 819 Code of Ethics – Audit and Compliance
- BHSF Departmental: 823 Compliance Hotline – Audit and Compliance
- BHSF Administrative: 841 Submission of Accurate Information to Government Payers – False Claims Act – Audit and Compliance

ENFORCEMENT & SANCTIONS:

Violations are assessed by the Corporate Vice President and Chief Compliance Officer who in collaboration with Human Resources recommends the appropriate discipline to senior management or the Board of Trustees if the person subject to discipline is at an executive level.