

1.04 HOTLINE OPERATIONS POLICY

Prepared By: James DeGloria
CHIEF COMPLIANCE OFFICER

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Approved By:

Executive Compliance Committee

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1.04 Hotline Operations Policy

BACKGROUND

The U.S. Sentencing Commission and the Department of Health and Human Services (“DHHS”) Office of Inspector General (“OIG”) call for healthcare organizations to maintain such a process to receive complaints, and call for the adoption of certain procedures to govern the process.

The primary process for such communication is a toll-free compliance telephone line (hotline) to enable individuals to disclose to the Chief Compliance Officer, or some other person who is not in the disclosing individual’s chain of command, any identified issues or questions associated with the Downtown Hospital’s policies, conduct, practices, or procedures with respect to a Federal health care program believed by the individual to be a potential violation of criminal, civil or administrative law.

PURPOSE

New York Downtown Hospital has established a variety of communication channels, including a confidential telephone hotline, for the purpose of reporting problems and concerns. This policy and attendant procedures are to ensure that this all important feedback process is operating as intended.

POLICY

1. It is our policy that the hotline shall serve as a communication channel for employees or other interested parties to report concerns or known/suspected misconduct, including actual or potential violations of applicable laws, rules, regulations, contract provisions, policies, procedures or our Code of Conduct.
2. We will establish and maintain a telephone hotline that employees, or other interested parties, may use to report problems and concerns, either anonymously and/or in confidence.

3. Employees are encouraged to use the hotline to report problems or concerns in the event other resolution channels are ineffective or the individual wishes to remain anonymous. We are committed to the timely identification and resolution of all issues that may adversely affect employees, members or the organization.
4. New York Downtown Hospital shall appropriately publicize the existence of the hotline and other disclosure processes to employees.
5. It will be one of the primary responsibilities of the New York Downtown Hospital's Chief Compliance Officer ("CCO") to ensure that the hotline operates in conformance with this policy.

PROCEDURES

1. The CCO shall have the responsibility to maintain the operation and integrity of the Hotline. Primary responsibilities include:
 - Addressing all hotline calls in an appropriate and timely manner
 - Establishing reporting and records maintenance procedures
 - Conducting appropriate inquiries, investigations and follow-up
 - Referring calls to HR, other management staff, as appropriate
 - Providing feedback to callers when necessary
 - Keeping the Executive and Board level compliance committees informed of hotline program activity
 - Maintaining security for all calls and related documents
 - Publishing the toll free hotline number and posting it prominently in employee work areas
 - Communicating the existence of the hotline with staff through various channels including the Code of Conduct
 - Encouraging employees to use the hotline anytime they feel it is appropriate
2. The CCO is also charged with the responsibility for ensuring that the hotline service vendor fulfills its contractual obligations and maintains an appropriate level of service and effectiveness including:
 - Callers hear the same pre-recorded message explaining their rights, any limitations, non-retaliation policy and other pertinent information
 - Calls are documented on an intake form and forwarded to the CCO
 - Callers will be provided an identification number to protect their identity
 - Caller identity is held in confidence
 - No attempt will be made to identify a caller who requests anonymity
 - The Hotline shall undergo an independent annual review to ensure this policy is being followed

3. All employees who handle hotline reports are expected to act with utmost confidentiality, discretion and integrity in assuring that hotline information received is acted upon in a reasonable and proper manner.
4. Employees who report problems and concerns via the hotline in good faith will be protected from any form of retaliation or retribution.
5. Once a report is received, an appropriate inquiry shall be made involving other departments, as appropriate.
6. All allegations and complaints shall be monitored to final resolution and closure.

REFERENCES/CITATIONS

Compliance Program Guidance for Hospitals, Published by the DHHS OIG on February 23, 1998, can be found at:

<http://oig.hhs.gov/fraud/complianceguidance.html>

Federal Sentencing Guidelines Manual can be found at:

<http://www.ussc.gov/2003guid/TABCON03.htm>

Compliance Program Guidance of NYS Office of Medicaid Inspector General, (OMIG) can be found at:

http://www.omig.state.ny.us/data/images/stories/provider_compliance/adopted_regulations_521.pdf