

LSU HEALTH CARE SERVICES DIVISION
BATON ROUGE, LOUISIANA

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CATEGORY: Compliance

CONTENT: Whistle Blower/Non-Retaliation

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LOUISIANA STATE UNIVERSITY
Health Care Services Division
Whistleblower/Non-Retaliation Policy

I. PURPOSE

The LSU Health Care Services Division (HCSO) holds its employees responsible for reporting any activities to management or authorities as appropriate when, in good faith, they believe that the HCSO, any of its facilities, or any of its employees, contract employees or vendors have engaged in conduct that violates criminal or civil law, professional or clinical standards, or internal policies and procedures, or the HCSO Code of Conduct. HCSO will not take any retaliatory action against any employee for reporting violations or the exercise of any right under or for participation in any process established applicable to laws (Federal False Claims Act or other), regulations, policies and procedures, or the HCSO Code of Conduct.

II. SCOPE

This policy shall apply to each officer, director, employee, leased employee, contractor, vendor, or student, herein referred to as "employees" of the HCSO.

III. POLICY

It is the Health Care Services Division's position that positive employee relations and morale can be best achieved and maintained in a working environment that promotes ongoing open communication between supervisors and their employees. This includes open and candid discussions of employee problems and concerns. The HCSO recognizes each employee as an individual with the knowledge, skills, abilities, and maturity to perform the job assigned to enable the provision of quality patient care at any of our facilities, and the support positions that allow this function to occur. The HCSO has created and supports an "Open Door Policy". HCSO encourages its employees to express their problems, concerns, and opinions on any issue. Toward that end, it is our policy to provide a procedure through which employees can express problems, concerns, and opinions and report any actual or suspected unethical or fraudulent behavior, without fear of retaliation, retribution, or harassment.

IV. PROCEDURES

1. All HCSO employees have the responsibility to report perceived misconduct, including actual or potential violations of state and federal laws and regulations, internal policies and procedures and the HCSO Code of Conduct.

2. The HCSD will maintain an "open-door policy" at all levels of management to encourage employees to report problems and concerns.
3. The HCSD will maintain a toll free Compliance Access Line (1-800-735-1185) where anyone can, in good faith, make reports of problems, concerns, or suspected fraudulent conduct, anonymously and confidentially, as allowed by law.
4. Employees who, in good faith report a possible violation of law, regulation, policy, procedure or HCSD Code of Conduct will not be subject to retaliation, retribution, or harassment.
5. No supervisor, manager, or employee is permitted to engage in retaliation, retribution, or any form of harassment against an employee for reporting compliance related concerns. Any HCSD employee, including any supervisor or manager, who commits or condones any form of retaliation will be subject to the HCSD Human Resources' policies on discipline up to, and including, termination.
6. Employees cannot exempt themselves from the consequences of wrongdoing by reporting their own wrongdoing, although self-reporting may be taken into account in determining the appropriate course of action.
7. Knowledge of actual or potential wrongdoing, misconduct, or violations of laws, regulations, policies, or the HCSD Code of Conduct must be immediately reported to management, Human Resources, the Compliance Office, or the Compliance Access Line.
8. HCSD will follow all necessary procedures to protect against any retaliation toward any employee, faculty, staff, or other individual, including a patient of its facilities, for exercising their rights to report wrongdoing or participating in any process pursuant to internal policies, applicable law, or regulation.

V. RESPONSIBILITIES

1. The HCSD will not retaliate against employees for:
 - a) Exercising any right under, or participating in any process established by federal, state, or local, law, regulations, policy, or the HCSD Code of Conduct;
 - b) Reporting, in good faith, perceived misconduct, including actual or potential violations of laws, regulations, policies, or the HCSD Code of Conduct;
 - c) Filing a complaint with HCSD or the agencies of the Department of Health and Human Services or any other regulatory agency or legal

authority;

- d) Testifying, assisting, or participating in an investigation, compliance review, proceeding, or hearing; or
 - e) Opposing in good faith any act or practice made unlawful by federal, state, or local law, regulation, or policy, provided that the manner of the opposition is reasonable and does not itself violate law.
2. Employees should address concerns regarding any issue to HCSD management in the following order:

Hospital Employees

- a. Immediate supervisor
- b. Department manager
- c. Hospital Administrator

Headquarters Employees

- a. Immediate supervisor
- b. Department director
- c. Chief Executive Officer or Deputy Chief Executive Officer

If for any reason, employees feel constrained or uncomfortable following the order set forth above, the employee should address such concerns to the LSU HCSD or Lallie Kemp Human Resources Department or by contacting the LSU HCSD or Lallie Kemp Compliance Department (if the concerns involve infractions of compliance rules, procedures, or ethical conduct).

In addition, employees have the right to pursue unresolved issues beyond the HCSD and its offices directly to:

- LSU Ethics and Integrity Hotline – Provides a communication tool for reporting known or suspect ethical concerns or improper conduct involving the 10 LSU campuses. 1-855-561-4099
 - Louisiana Legislative Auditor Hotline – Provides a communication tool for reporting theft, fraud, waste, or abuse of public funds. 1-844-503-7283
 - U.S. Department of Health and Human Services, or other regulatory agencies or legal authorities.
3. Supervisors and managers or directors are expected to take steps to encourage the reporting of problems as follows:
- a) Promote an "Open Door" attitude about employee problems and

concerns at all times.

- b) Receive all employee concerns, problems and opinions and explore with the employee suggestions for resolving the issues.
 - c) Provide appropriate feedback to the reporting individuals so that they will know the issue was addressed.
 - d) Inform Human Resources or the Compliance Department of concerns applicable to those departments.
 - e) Maintain the confidentiality of employee concerns and problems at all times, insofar as legal and practical, informing only those personnel with a need to know.
4. The Compliance/Privacy Officer will investigate, or cause to be investigated, all allegations of non-compliance with laws and regulations, HCSD's policies and procedures or the HCSD Code of Conduct.

VI. CONSEQUENCES

It is critical that all employees of the HCSD understand that any incident where retaliation, retribution or harassment can be related to an employee raising/reporting an issue, either at the hospital/organization level or through the compliance program, will not be tolerated. Reports of this nature shall be investigated thoroughly and expeditiously, with appropriate disciplinary actions taken, up to and including termination of employment.

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