

Section V-7: Whistleblower

Purpose

To provide that staff members and others are free to disclose information and/or ask questions in Good Faith without fear of Retaliation or adverse employment consequences regarding a reasonable belief that any of Texas Scottish Rite Hospital for Children's ("TSRHC" or the "Corporation") practices or policies are or appear to be dishonest, lacking integrity, jeopardizing patient safety or quality care, or in violation of laws or regulations. This policy is intended to encourage and outline a procedure for staff members to promptly raise any questions and concerns within TSRHC for investigation and resolution.

Policy

TSRHC strives to achieve the highest business and ethical standards and compliance with applicable laws, regulations, policies, and procedures ("Code of Conduct").

TSRHC requires trustees, officers, staff members, volunteers, contractors and agents to observe high standards of business and personal ethics in the conduct of their duties and responsibilities and business dealings with the Corporation. As staff members and representatives of TSRHC, we must practice honesty and integrity in fulfilling our mission and responsibilities and comply with all applicable laws and regulations.

Definitions

- a. **Good Faith** - A belief in the truth of the allegation based upon the facts. An allegation is not made in good faith if made with reckless disregard or willful ignorance of facts that would disprove the allegation.
- b. **Retaliation** - Any adverse action taken in response to a complainant's Good Faith allegation of misconduct. Retaliation does not include investigation into the complainant's participation in the identified misconduct.

No Retaliation

- a. This policy is intended to encourage and enable staff members or others to raise concerns regarding suspected misconduct within TSRHC so any such concerns may be thoroughly investigated and resolved.
- b. No staff member or other person who, in Good Faith, reports his/her reasonable belief that any of TSRHC practices or policies are or appear to be dishonest, lacking integrity, jeopardizing patient safety or quality care, or in violation of laws or regulations will be subject to disciplinary action or adverse consequences as a result of a report made in Good Faith. Additionally, no person who participates in an investigation will be retaliated against for statements made in Good Faith in the course of an investigation.

- c. A TSRHC staff member who retaliates against someone who has reported suspected misconduct in Good Faith or who has participated in an investigation in Good Faith is subject to corrective action up to and including termination of employment.
- d. Anyone filing a complaint must be acting in Good Faith and have reasonable grounds for believing the information disclosed indicates a violation of the Code of Conduct. Making allegations that prove not to be substantiated and that prove to have been made maliciously or knowingly to be false, or with willful or reckless disregard of facts that would disprove the allegations, will be viewed as a serious disciplinary offense.

Reporting Concerns and Suspected Misconduct

- a. It is the responsibility of all staff members to report violations or suspected violations of the Code of Conduct in accordance with this Whistleblower Policy.
- b. TSRHC instructs staff members to promptly discuss questions, concerns or complaints under this policy as follows:
 - Contact the Administrator of TSRHC;
 - Contact the President of TSRHC; or
 - If the staff member wishes to make his or her report telephonically or electronically, the staff member should contact the TSRHC Values Line at 1-866-327-7085 or go to the hospital's intranet site at tsrhkids under the People Department, Values link, or the hospital's website at www.tsrhc.org under Staff Links, Values link. The staff member may also go directly to the web portal at www.tsrhc.ethicspoint.com. The individual can choose whether to disclose his or her name or remain anonymous.
- c. The Administrator and President are required to report suspected and/or reported violations of the Code of Conduct to the TSRHC General Counsel.
- d. TSRHC General Counsel will investigate or refer to the appropriate individual or committee each complaint for investigation and review.
- e. Reports concerning suspected misconduct may be submitted anonymously or on a confidential basis. In conducting its investigation, TSRHC will strive to keep the report and the identity of the complainant as confidential as possible, consistent with the need to conduct an adequate investigation and to take appropriate remedial action.
- f. Reports of suspected and/or reported violations of the Code of Conduct will be reported to the Audit Committee of the Hospital Board of Trustees on a periodic basis.
- g. The Audit Committee of the Hospital Board of Trustees will address all reported concerns or complaints regarding corporate accounting practices, internal controls, or

auditing. The General Counsel shall immediately notify the Audit Committee of any such complaint and work with the committee until the matter is resolved.

- h.** Patient quality issues will be addressed in accordance with the Medical Staff Bylaws.

Note: Complaints under TSRHC's Equal Employment Policy and Anti-Harassment Policy must follow the complaint procedures set forth in those policies, as outlined in the Personnel Policies Handbook.