



Administrative and Operational Policies and Procedures

Page 1 of 3

Policy Number:	1.04	Original Date Issued:	February 1, 1999
Section:	Operations	Date Reviewed:	October 1, 2021
Title:	Problem Reporting & Non-Retaliation	Date Revised:	August 14, 2015
Regulatory Agency:	OIG, CMS, ORS, TJC, HIPAA		

I. POLICY:

Children's Healthcare of Atlanta ("Children's") recognizes that a critical aspect of its compliance program is the establishment of a culture that promotes prevention, detection and resolution of instances of conduct that do not conform to federal, state and private payor healthcare program requirements, as well as the organization's ethical and business policies. To promote this culture, Children's established a problem resolution process and a strict non-retaliation policy to protect employees who report problems and concerns in good faith from retaliation. Any form of retaliation can undermine the problem resolution process and result in a failure of communication channels in the organization. Children's Healthcare of Atlanta strictly prohibits retaliation, in any form, against any individual making a report by internal or external mechanisms, in good faith.

The False Claims Act (FCA) and the State False Medicaid Claims Act (SFMCA) provides protection for whistleblowers. Anyone initiating a qui tam case may not be discriminated or retaliated against in any manner by their employer for filing the lawsuit. The employee is authorized under the FCA and SFMCA to initiate court proceedings to make themselves whole for any job-related losses resulting from any such discrimination or retaliation.

All employees are responsible for reporting misconduct, including actual or potential violations of law, regulation, policy, procedure, or the Standards of Conduct. An "open-door policy" will be maintained at all levels of management to encourage employees to report problems and concerns. Employees will be encouraged to proceed up the chain-of-command or communicate with the Compliance Office if their problem or concern is not resolved.

Employees may utilize the Compliance Hotline or on-line reporting if they wish to remain anonymous. (NOTE: Employees are encouraged to report problems and concerns via the chain-of-command before resorting to the Compliance Connection Telephone Line or reporting on-line. However, this communication channel is always available if special circumstances exist or their issue is not being properly addressed).

In the event that any Children's employee has concerns about patient care and/or safety in the organization, Children's encourages them to contact the Patient Representatives or Nursing Supervisor at their campus to request assistance. If the concerns in question

cannot be resolved at these levels or by other identified leaders, the individual may contact The Joint Commission (TJC) or the Georgia Department of Community Health, Healthcare Facility Regulation.

Any form of retaliation against any employee who reports a perceived problem or concern in good faith is strictly prohibited. Any employee who commits or condones any form of retaliation will be subject to discipline up to, and including, termination.

Employees cannot exempt themselves from the consequences of their own misconduct by reporting the issue, although self-reporting may be taken into account in determining the appropriate course of action.

II. PROCEDURES:

ALL EMPLOYEES

- A. Knowledge of misconduct, including actual or potential violations of law, regulation, policy, procedure, or the Standards of Conduct must be immediately reported to management, Human Resources, the Chief Compliance Officer (CCO), the Compliance Office, the Compliance Hotline (1-877-373-0126) or on-line at choa.ethicspoint.com.
- B. Knowledge of a violation or potential violation of this policy may be reported directly to the Compliance Office, the Compliance Hotline or on-line at choa.ethicspoint.com.
- C. Concerns regarding any issue should be addressed to management in the following order: (a) immediate supervisor, (b) department manager, (c) department head/director, and d) senior administrative officer of the organization.
- D. If issue is a human resources issue, the employee can address their issue to the Human Resources Site Director responsible for their location.
- E. If an employee's concern or problem cannot be satisfactorily resolved or special circumstances exist, the employee should report to the Compliance Office, the Chief Compliance Officer, the Compliance Hotline or by reporting on-line using choa.ethicspoint.com.
- F. Concerns about patient care and/or safety in the organization may be reported to the Patient Representatives or Nursing Supervisor to request assistance. If the concern(s) cannot be resolved at these levels or by other identified leaders, the individual may contact The Joint Commission (TJC) or the Georgia Department of H Georgia Department of Community Health, Healthcare Facility Regulation.



Administrative and Operational Policies and Procedures

Page 3 of 3

TJC Contact Information

Email: patientsafetyreport@jointcommission.org

Mail: Office of Quality and Patient Safety
The Joint Commission
One Renaissance Boulevard
Oakbrook Terrace, Illinois 60181

Fax: Office of Quality Monitoring (630) 792-5636

Questions: (630) 792-5800 (regarding how to file a complaint)

Georgia Department of Community Health, Healthcare Facility Regulation Contact Information

Two Peachtree Street, NW
Atlanta, Georgia 30303-3242

Phone: 404/657-5726, 404/657-5728, 404/657-9639
or 1-800-878-6442 (outside the Atlanta calling area.)

Website: <http://dch.georgia.gov/healthcare-facility-regulation-0>

G. Management must take appropriate measures to ensure that their personnel support this policy and encourage the reporting of problems and concerns. At a minimum, the following actions should be taken and become an ongoing aspect of the management process:

- Meet with employees and discuss the main points within this policy.
- Provide all employees with a copy of this policy.

MANAGEMENT (includes Senior Executives, VPs, Directors, Managers and Supervisors)

CHIEF COMPLIANCE OFFICER

H. The CCO will be responsible for the investigation and follow-up of any reported retaliation against an employee.

I. The CCO will report the results of an investigation into suspected retaliation to the CEO, CAO, General Counsel, the Compliance Committee and/or the Audit and Compliance Committee of the Board, whichever is deemed appropriate.