

**The Rogosin Institute Compliance Manual  
Corporate Compliance Plan Policies and Procedures**

**Policy: Reporting Potential Issues of Non-Compliance**

**Policy No. CCP-107**

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**PURPOSE**

The Rogosin Institute 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 Institute's ethical and business policies. To promote this culture, The Institute has established a problem resolution process and a strict non-retaliation policy to protect employees and others who report problems and concerns in good faith. Any form of retaliation or retribution can undermine the problem resolution process and result in a failure of communication channels in the organization.

The Rogosin Institute is committed to the timely identification and resolution of all issues that may adversely affect employees, patients or the organization. Therefore, The Institute has established communication channels to report problems and concerns, including a telephone HelpLine (1-888-308-4435). Employees are encouraged to report problems or concerns directly to their department or division head, the Corporate Compliance Officer or the Director of Human Resources. If the employee is not comfortable speaking to his or her department or division head, he or she should report his or her concerns to any department or division head or any member of senior management. Department or division heads are responsible for immediately reporting any employee concerns to the Corporate Compliance Officer or the Director of Human Resources.

In the event these resolution channels are ineffective or the employee wishes to remain anonymous, he or she may, either anonymously or in confidence, report the matter via the HelpLine. The HelpLine establishes an avenue for employees or interested parties to report suspected wrongdoing, such as criminal activity and illegal or unethical conduct occurring within The Institute, in the event other resolution channels are ineffective or the caller wishes to remain anonymous. The HelpLine is available 24 hours a day/7 days a week.

**POLICY**

1. All employees have an affirmative duty and responsibility for reporting perceived misconduct, including actual or potential violations of laws, regulations, policies, procedures, or The Institute's Code of Conduct.
2. An "open-door policy" will be maintained at all levels of management to encourage employees to report problems and concerns.

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3. Employees are encouraged to utilize the employee HelpLine. In furtherance of their protection against retaliation, callers may remain anonymous or may seek confidentiality.
4. Employees may also proceed up the chain-of-command or communicate with the Director of Human Resources if their problem or concern is not resolved.
5. Any form of retaliation against any employee who reports a perceived problem or concern in good faith is strictly prohibited.
6. Any employee who commits or condones any form of retaliation will be subject to disciplinary action up to and including termination.
7. 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.
8. The Rogosin Institute has contracted with New York-Presbyterian Hospital in order to provide a telephone HelpLine that its employees may use to report problems and concerns either anonymously or in confidence.
9. Employees who report problems and concerns in good faith via the HelpLine will be protected from any form of retaliation or retribution.
10. The HelpLine is an outside organization with which the New York-Presbyterian Hospital has contracted to provide HelpLine services to New York-Presbyterian Hospital and its sponsored affiliates, including The Rogosin Institute. All those who are employed in the HelpLine operation are expected to act with utmost discretion and integrity in assuring that information received is acted upon in a reasonable and proper manner. Everyone who receives or is assigned responsibilities for HelpLine calls from employees shall agree to the terms of confidentiality and will comply with the terms of The Institute's Confidentiality Agreement (copy attached), which is executed as a requirement of employment.
11. The Corporate Compliance Officer or his or her designee is responsible for ensuring that The Institute responds promptly to any HelpLine calls directed to it.

**PROCEDURES**

*Procedures that apply to all employees:*

1. Knowledge of misconduct, including actual or potential violations of laws, regulations, policies, procedures, or The Institute's Code of Conduct must be immediately reported to the employees' supervisor, department head, the Corporate Compliance Officer, the Director of Human Resources or the employee compliance HelpLine.
2. Knowledge of a violation or potential violation of this policy must be reported directly to the Corporate Compliance Officer, the Director of Human Resources or the employee compliance HelpLine.
3. Employees may also report problems or concerns directly to the Director of Human Resources or to any department or division head, or to the Corporate Compliance Officer.
4. If an employee's concern or problem is not satisfactorily resolved or special circumstances exist, the employee should report such concern or problem to the Corporate Compliance Officer, the Director of Human Resources or the employee compliance HelpLine.

*Procedures that apply to management (which includes supervisors, managers, directors, executives and vice presidents.*

1. Senior management must take appropriate measures to ensure that all levels of management 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:
  - a) provide all new employees with a copy of this policy during their orientation process.
  - b) provide all employees with a copy of this policy during their annual in-service training; and
  - c) post pertinent information about this policy on all employee bulletin boards.
  - d) include pertinent and updated information related to this policy in the annual compliance training of all employees.

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*Procedures that apply to the Corporate Compliance Officer or his or her designee:*

1. The Corporate Compliance Officer, or his or her designee, will be responsible for the investigation and follow-up of any reported retaliation against an employee.
2. The Corporate Compliance Officer, or his or her designee, will report the results of an investigation into suspected retaliation to the Corporate Compliance Committee.
3. The Corporate Compliance Officer's, or his or her designee's, general responsibilities related to the HelpLine operation include ensuring that all HelpLine calls are addressed in an appropriate and timely manner, as well as in accordance with these and all related policies and procedures. Other responsibilities include the following:
  - a) establishing reporting and records maintenance procedures;
  - b) conducting appropriate investigations and follow-up;
  - c) referring calls when appropriate;
  - d) providing feedback to callers when necessary;
  - e) reporting HelpLine activity to the corporate compliance committee;  
and
  - f) maintaining security for all calls and related documents.
4. New York-Presbyterian Hospital will ensure that the HelpLine is staffed with qualified and properly trained personnel during its operation and that all callers will be given the opportunity to speak with a live operator.
5. All callers to the HelpLine will hear the same prerecorded message explaining their rights, any limitations, the non-retaliation policy and other pertinent information.
6. No attempt will be made to identify a caller who requests anonymity.
7. Whenever callers disclose their identity, it will be held in confidence to the fullest extent practical or allowed by law.

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8. The Corporate Compliance Officer, or his or her designee, will communicate any matter deemed potentially unlawful to legal compliance counsel.
9. Calls will be documented on the confidential HelpLine intake form, "Confidential HelpLine Report" (copy attached). All call records will be logged and sequentially numbered upon receipt on this form and placed in the care and custody of the Corporate Compliance Officer or his or her designee, in accordance with The Institute's Compliance Records Management Policy. A log of all HelpLine calls will be kept by the Corporate Compliance Officer or his or her designee.
10. Since a HelpLine call cannot be resolved while the caller is on the line, a follow-up review or investigative action will be taken. The caller may be asked to call back at an agreed date and time in case additional information is needed. The caller will be provided with an identification number to protect his or her identity.
11. The HelpLine operation will involve other departments, as appropriate, for advice or further investigation. In the event that the Corporate Compliance Officer, or his or her designee, is not, in good faith, satisfied that a matter brought before the aforesaid department was appropriately addressed and resolved, the Corporate Compliance Officer, or his or her designee, will be responsible for and is authorized to take the matter to other persons in positions of authority.
12. The Corporate Compliance Officer, or his or her designee, will report periodically to the Compliance Committee and the Board of Directors of The Rogosin Institute regarding HelpLine activity. This report will include the total number of calls received, acted upon, and general results from the HelpLine operation. In addition, the report will include any recommendations for Institute-wide improvements or corrective actions arising from the results of the operation and related investigations.