



REPORTING OF COMPLIANCE VIOLATIONS

Administrative Policy	
Approved: 12/2010	Next Review: 12/2013
Department: All departments	
Population Covered: All employees	

Purpose

To provide guidance in identifying and reporting actual or potential compliance violations including violations of law, regulation, standards or procedures. Swedish Medical Center (SMC) prohibits retaliation against employees, credentialed practitioners and other individuals for making a good faith report of their concerns.

Responsible Persons

All SMC employees, credentialed practitioners and other individuals.

Policy

REPORTING VIOLATIONS

All SMC employees, credentialed practitioners and other individuals are responsible for promptly reporting actual or potential compliance violations including violations of law, regulation, standards or procedures.

The SMC Corporate Compliance Program seeks to build on existing resources and processes. Employees, credentialed practitioners and other individuals are encouraged to use their regular channels of reporting when they are available and appropriate. These regular channels include the employee's supervisor, manager, Human Resources, Accreditation and Safety, Medical Staff Services, Corporate Compliance, or Risk Management.

The following are some examples of violations that must be reported as outlined above:

- Inaccurate, incomplete, misleading or fictitious billing for services
- Tampering with or altering SMC financial statements
- Inclusion of false or misleading information in documents SMC submits to government authorities
- Offering or accepting of kickbacks, bribes or other consideration for personal gain by SMC employees credentialed practitioners and other individuals
- Breach of patient confidentiality
- Concerns for safety and quality of care

FAILURE TO REPORT OR CONDONING A VIOLATION

Employees and other individuals who fail to report knowledge of violations of law, regulations, standards or procedures applicable to their jobs or department may be subject to disciplinary action up to and including dismissal.

Supervisors or managers who order, condone, or tolerate violations of law, regulations, standards or procedures may be subject to disciplinary action up to and including dismissal. Credentialed practitioners who fail to report knowledge of violations of law, regulations, standards or procedures applicable to their jobs or department or order, condone or tolerate violations of law, regulations, standards or procedures may be subject to disciplinary action administered through the medical staff office.

REPRISALS/RETALIATION

SMC recognizes and understands that employees, credentialed practitioners and other individuals may be reluctant to report known or suspected violations if they feel there will be reprisal, retaliation or harassment for reporting the violation.

In order to support employees, credentialed practitioners and other individuals in their obligation and responsibility to report violations, SMC will, to the greatest extent possible, maintain the confidentiality of reported violations and will not take disciplinary action nor allow anyone to engage in reprisal, retaliation, or any form of harassment directed against an employee credentialed practitioner or other individual who reports a violation or concern.

Anyone who violates a right to confidentiality and/or engages in reprisal, retaliation or harassment of the person reporting a violation will be subject to disciplinary action up to and including dismissal, if an employee.

Notwithstanding the above statements, this does not mean that an employee, credentialed practitioner and other individual can exempt him or herself from the consequences of wrongdoing by reporting the wrongdoing. However, it does mean that the potential consequences of wrongdoing may not be made more severe because of having made the report.

Definitions

Other individuals relates to vendors, students, contracted staff or volunteers.

Supplemental Information

All SMC employees serve the public purpose to which SMC is dedicated. Accordingly, all employees, credentialed practitioners and other individuals have a clear obligation and responsibility to conduct the affairs of SMC with honesty, integrity, reasonableness, and good faith.

This policy recognizes and affirms the expectation and requirement that all employees, credentialed practitioners and other individuals promptly report all known or suspected violations of law, regulation, policies or procedures and are not permitted to overlook such actual or suspected wrongdoing. All reports of violations will be taken in good faith.

This policy affirms that no retaliation or disciplinary action may be taken against any employee, credentialed practitioner or other individual for making a good faith report of a violation.

Swedish informs the public about how to contact Clinical Patient Relations, the Joint Commission and The Department of Health to report concerns about patient safety and quality of care related issues.

Regulatory Requirement

The Office of Inspector General's Compliance Program Guidance for Hospitals, February 1998, Supplemental January 2005

Federal law, including 45 C.F.R. § 164.530.

The Joint Commission (2010), APR 09.01.01 (public reporting), APR 09.02.01 (employee reporting)

WAC 246-320-146 (event and incident reporting), WAC 246-240-141 (patient complaints/grievances)
CMS 482.13(a)(2) Patient complaints/grievances.

References

[SMC Corporate Compliance Program](#)

[SMC Code of Conduct](#)

[Medical Staff Services Rules and Regulations](#)

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