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Policy Number: **CC 16-1**

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03/12/13, 02/24/14

Reviewed: 6/13/08

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**Subject/Title: Compliance Reporting & Response System**

**Policy:**

As part of our Corporate Compliance Program, Oneida Healthcare (OHC) has developed and publicized a reporting system whereby employees, volunteers, physicians and other individuals affiliated with OHC can pose compliance-related questions and/or report potential non-compliance within the organization anonymously and/or confidentially without fear of retribution (intimidation). Non-compliance is defined as failure to comply with applicable Federal and State laws and requirements of Federal and state health programs, regulations from the fiscal intermediary, Medicare contractor, Office of Inspector General, Office of Inspector General Guidance and OHC's policies.

Reports can be made in person to the Compliance Officer or Compliance Director (CCD), via email, via phone, via the compliance hotline or report form. The CCD is responsible for responding to any report. Reports may also be made to the Compliance Liaison for OMP or WHA.

**Corporate Compliance Director:** Renee Olmsted, RHIA 315-361-2117

**Corporate Compliance Officer:** Dr Dana Vick, VP Medical Staff

**Corporate Compliance Liaison, OMP:** Michael Fifield / Maureen Mosack

**Corporate Compliance Liaison, WHA:** Michael Fifield / Maureen Mosack

This *Reporting and Response Policy* describes the process OHC will follow in responding to potential incidents of non-compliance identified through its reporting system.

**Purpose:**

Employees, volunteers and physicians should be knowledgeable about the procedures for reporting a potential non-compliant activity and feel comfortable to maintain an open line of communication to the Corporate Compliance Director, Corporate Compliance Officer and the Corporate Compliance Liaisons.

**Procedure: How to Report**

Since many of the laws and regulations that apply to OHC are complex, you may have questions or concerns. If you have a question, concern or want to report a potential circumstance of non-compliance, then you can:

- A. Discuss the question or concern with the Corporate Compliance Liaison or with your direct supervisor (who in turn can seek assistance from the Compliance Director, if necessary); or

If the concern deals with your direct supervisor or Department Director, if you feel uncomfortable going to your direct supervisor or if your past reports to your direct supervisor remain unresolved, then you can also:

- B. Call the CCD directly at extension 2117 or phone 361-2117; or
- C. Call the OHC Corporate Compliance Hotline at extension 2117 or phone 361-2117 (where you can leave details on the answering machine) that only the Compliance Director has access to. You are encouraged to leave your name and contact phone number, which could be your home or cell phone number, if you prefer; or
- D. Complete a \*Corporate Compliance report form and submit the completed form directly to the Compliance Director (by inter-office mail, regular mail or in person).
  1. \*The report form can be located outside of the ACF Human Resources office, the ECF hallway near the nursing offices, and on the OHC Intranet using the path: Corporate, Compliance, and click on the Corporate Compliance Report Form. In addition, the report form is located on Oneida Healthcare's external website to provide non-employees with greater accessibility to report potential compliance issues to the Corporate Compliance Director.

**\*Hyperlink for Compliance Reporting Form**

*Note: \*The Compliance Director will maintain this report in a confidential manner, which means that your identity will not be disclosed unless, absolutely necessary. It is helpful for you to allow this to be handled confidentially rather than anonymously, so that the Compliance Director can contact you with any questions and with the outcome of her investigation. If you choose to remain anonymous, the Compliance Director may not be able to further the investigation or notify you directly of the outcome of any investigation. However, you may contact the Compliance Director directly at extension 2117 or phone 361-2117 if you have any further information or questions.*

2. Once a report is made, the employee making the report can decide whether they want their name to be kept confidential, as the Compliance Director conducts the investigation. Alternatively, employees can also make a report anonymously if they wish.
3. The disadvantage of reporting anonymously is that the Compliance Director can't go back to the employee if she needs additional information and can't report back to the employee on the outcome.

**Note:** For employee related matters, such as performance evaluations, pay rate increases, time off, benefits, etc. please contact the Human Resource Department as you normally would.

**What to expect when you make a compliance report:**

1. When making a report to the Hotline or completing a report form, you have the option of remaining anonymous. However, it will help the CCD in responding if you identify yourself. The CCD will do his/her best to keep all questions and reports confidential to protect the individual making the report.

2. The CCD will initiate a response to all reports made within two business days. Reports will not be responded to on a first-come, first-serve basis, rather by the nature and extent of potential non-compliance. If necessary, the CCD will seek advice from external legal counsel based on the severity of allegations.
3. In cases where the reporter is known, he or she will be notified in writing of the outcome of their report, to the extent deemed appropriate, by the CCD.
4. If it is determined that **criminal** misconduct has occurred, the matter will immediately be referred to external legal counsel to initiate contact with the appropriate law enforcement agency. OHC is committed to returning any overpayment obtained in error from a Federal Health Care Program or other payer.
5. The CCD, along with relevant department managers and Members of the Corporate Compliance Committee, are responsible for evaluating OHC's training and education needs and ongoing monitoring activities to prevent the reoccurrence of any incidents of non-compliance.
6. The internal investigation may include interviews, review of relevant documents and consultation with external legal counsel. Records of the investigation shall include, but are not limited to, documentation of the alleged violation, key documents, findings and results of the investigation, corrective actions implemented and disciplinary actions taken. The results of the investigation may necessitate a referral to criminal and/or civil law enforcement agencies, including the New York State Department of Health or Office of the Medicaid Inspector General, and/or the development of a corrective action plan.
7. If the incident(s) requires disciplinary action, the disciplinary process will proceed per OHC policy as outlined in the *Human Resources Progressive Disciplinary Policy 2-11 as well as Compliance Policy 16-30 (previously 2-11B)*.
8. A\* "Compliance Report Follow up Form" will be initiated and completed by the CCD.  
\*[HYPERLINK FOR \(01364\) Compliance Director Report](#)

**References:**

**Standards:**

**Forms:** [HYPERLINK THESE TWO FORMS](#)  
**(01209) Compliance Reporting Form**  
**(01364) Compliance Report Follow Up Form**