

LEE MEMORIAL HEALTH SYSTEM BOARD OF DIRECTORS

POLICY MANUAL

no. 40.06B

category: Employee Relations
title: Reporting of Unlawful Acts

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revision date: 07/31/98
07/26/02 supersedes no. 40.06A

PURPOSE:

To establish a policy that all officers and employees of the Lee Memorial Health System are required to report known or apparent violations of law.

POLICY:

All officers and employees of Lee Memorial Health System shall report any and all known or apparent violations of law, administrative rules, ordinances, or regulatory requirements, presumed to have been committed by any officer, employee, or contractor of the Lee Memorial Health System, in the course of employment or performance under a contract.

PROCEDURE:

1. Any officer or employee of Lee Memorial Health System who becomes aware of facts indicating that there has been a violation of any federal, state, or local law, ordinance, administrative rule, or other regulatory requirement imposed by governmental authority, shall report, in the order shown, the same to:
 - a. The System Compliance Officer;
 - b. Any of the System's in-house attorneys; or in a case where the individual reporting has a reasonable belief that all of the System's in-house attorneys are involved in such violation, to
 - c. The System President; or if inappropriate for reasons similar to those stated in 1.a., to
 - d. The Chairman of the Board of Directors.

Such report shall be made as soon as the person reporting becomes aware of the facts reported, no more than five (5) working days thereafter.

2. The person to whom such violation is reported shall immediately investigate the allegations of the report so as to:
 - a. Stop any unlawful activity from continuing or being repeated;
 - b. Corroborate and document the facts of the situation;
 - c. Take appropriate remedial or corrective action to prevent the System or uninvolved individuals from being implicated in a known violation;
 - d. Make known any violations to law enforcement agencies or regulatory authorities.
3. Unless the allegations of wrongdoing involve the System President, the person receiving the report shall advise the President of the report and keep the President advised of the progress of the investigation and the outcome. If the President is involved, such information shall be communicated to the Chairman of the Board. Once the investigation is concluded, the person investigating the matter shall make a written report to the Board, unless such report would interfere with or compromise any continuing investigation or prosecution; or if said report would require the disclosure of information deemed confidential by law.
4. The results of said investigation shall be reported in writing to the person reporting the alleged violation, and if no violation is found following investigation, an explanation of the reasons for that finding.
5. Reports hereunder may be received in confidence and investigation performed confidentially, but no unlimited promise of confidentiality may be given, nor shall a person reporting an alleged violation be promised immunity from prosecution by the Lee Memorial Health System officer, agent, or employee receiving such report.
6. Any person making a report hereunder shall not be subject to discipline by Lee Memorial Health System for having made such report in good faith and without malicious intent.