



<b>Policy Name:</b> Non-Retaliation - Good Faith Reports of Suspected Misconduct	
<b>Policy Owner:</b> Texas Health Chief Compliance Officer	<b>Effective Date:</b> 03/09/2022
<b>Approved By:</b> Audit and Compliance Committee	<b>Last Reviewed Date:</b> 03/29/2023
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**1.0 Scope:**

**1.1 Applicable Entities**

This policy applies to:

- Texas Health Resources (Texas Health) and its member entities
- Texas Health Behavioral Health Virtual Visit
- Excludes the Texas Health joint venture entities (except those listed in the Formulation and Adoption of System-Wide Policies and Procedures in Section 4.1.6 or in Section 4.1.7)

**2.0 Purpose:**

- 2.1 To provide that employees and others are free to disclose information and/or ask questions in Good Faith without fear of Retaliation or adverse employment consequences regarding a reasonable belief of misconduct involving the Texas Health Code of Business Ethics (CODE), Texas Health policies, laws regulations, or actions that jeopardize patient safety or quality of care. This policy is intended to encourage employees to promptly raise any question or concern for investigation and resolution.

**3.0 Policy Statement(s):**

- 3.1 No employee or other person who, in Good Faith, reports suspected misconduct involving the Code of Business Ethics, Texas Health policies, laws, regulations, patient safety or quality care will suffer harassment, retaliation or adverse employment consequences for having raised the Good Faith question or concern. A Texas Health employee who retaliates against someone who has reported suspected misconduct in Good Faith is subject to progressive corrective action up to and including involuntary separation consistent with the Texas Health Progressive Corrective Action policy.

**4.0 Policy Guidance:**

- 4.1 This policy is intended to encourage and enable employees or others to raise concerns regarding suspected misconduct within Texas Health so any such concern may be thoroughly investigated and resolved.
- 4.2 Texas Health's Code of Business Ethics instructs employees to promptly discuss questions, concerns or complaints with someone who can address the issue properly. In most cases, the employee's supervisor is in the best position to address a concern; however, this may not always be the case. Consistent with

the CODE, an employee should follow the following steps to resolve questions or concerns:

- Discuss the question or concern with his or her supervisor (or other member of management) and give the supervisor a chance to resolve the concern or problem.
- If the supervisor is unable to find the answer, or if the employee is uncomfortable discussing the issue with his or her supervisor, the employee may contact his or her Entity Compliance Officer or the Texas Health Chief Compliance Officer directly, concerns may also be reported through email or online by going to the System Compliance website, or
- If the employee wishes to remain anonymous, the employee should contact the Texas Health Compliance Hotline at 1-800-381-4728.
- After considering all of the above options, if an employee has an unresolved concern about safety or quality care, the employee may contact The Joint Commission at <https://www.jointcommission.org>.

4.3 Reports concerning suspected misconduct may be submitted on a confidential basis by the complainant or may be submitted anonymously. Reports will be kept confidential to the extent possible, consistent with the need to conduct an adequate and thorough investigation.

4.4 Reports concerning suspected or actual misconduct shall be made at the direction of the Chief Compliance Officer to the applicable regulatory body or bodies, and to the applicable Medicare Advantage Contractor, when warranted.

## **5.0 Definitions:**

5.1 Good Faith - A belief in the truth of the allegation based upon the facts. An allegation is not made in good faith if made with reckless disregard or willful ignorance of facts that would disprove the allegation.

5.2 Retaliation - Any adverse action taken in response to a complainant's Good Faith allegation of misconduct. Retaliation does not include investigation into the complainant's participation in the identified misconduct.

## **6.0 Responsible Parties:**

6.1 Texas Health Chief Compliance Officer

6.1.1 Responsible for oversight and implementation of this policy consistent with the Texas Health Business Ethics and Compliance Program and Code of Business Ethics.

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6.2 Texas Health Chief People Officer

6.2.1 Responsible for oversight and implementation of consistent progressive corrective action steps for policy violations.

**7.0 External References:**

- 7.1 Comprehensive Accreditation Manual for Hospitals: The Official Handbook. APR
- 7.2 Office of Inspector General Hospital Compliance Guidance
- 7.3 U.S. Federal Sentencing Guidelines

**8.0 Related Documentation and/or Attachments:**

- 8.1 [Business Ethics and Compliance Program - THR System Policy](#)
- 8.2 Code of Business Ethics
- 8.3 [Internal Reporting and Investigation - THR System Policy](#)
- 8.4 [Personal Conduct - THR System Policy](#)
- 8.5 [Performance Management \(formerly Progressive Corrective Action\) - THR System Policy](#)

**9.0 Required Statements:**

Not Applicable