



**Hackensack
Meridian Health**

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Owner: *Nancy Corcoran-Davidoff: EVP
CXO CHRO*
Policy Area: *Compliance*
Applies To: *Hackensack Meridian Health
Network*
Applicability: *Hackensack Meridian Health
Network*

Non-Retaliation/Retribution for Reporting; Conscientious Employee Protection Act (CEPA)

Purpose

To establish standards for non-retaliation against any team member because that person reports any violations of applicable laws, regulations or the Hackensack Meridian Health Code of Conduct or Organizational Code of Business Ethics Policy strives to deal directly with all team members on all issues and at all levels and has a strict policy of non-retaliation or retribution for any report made in good faith.

Administration

The Executive Vice President, Chief Human Resources Officer is responsible for the administration and subsequent revisions to this policy.

Scope

This policy applies to all workforce members, including team members, independent contractors, agents, volunteers, trainees, or other persons who perform work for or on behalf of Hackensack Meridian Health (HMH) (or its affiliates), including but not limited to, hospitals, ambulatory surgery centers, outpatient imaging centers, home health agencies, long term care facilities, physician practices, service centers, imaging services and all Corporate and affiliated Departments. This includes full-time, part-time, and pool employees; associates; directors; officers; managers; supervisors; senior management; volunteers; members of the Board and members of standing committees; medical and dental staff employed by or otherwise affiliated with Hackensack Meridian Health; medical students and all other affiliated students or others receiving training at any Hackensack Meridian Health Network facility; and others who provide goods or services to Hackensack Meridian Health.

Policy

Hackensack Meridian Health places an affirmative duty on each of its workforce members to report any

violations of applicable laws, regulations, Hackensack Meridian Health Code of Conduct, or other compliance issues or ethics issues. A workforce member's failure to comply with this policy will subject the workforce member to appropriate remedial and/or disciplinary action, up to and including termination of any employment or other relationship.

In compliance with federal and state law, it is the policy of Hackensack Meridian Health not to take retaliatory action against any team member because the team member does any of the following:

1. Discloses, or threatens to disclose to a team leader or to a public agency any activity, policy or practice of the employer or another employer, with whom there is a business relationship that the team members reasonably believe is in violation of a law, or a rule or regulation issued under the law, or in the case of team member who is a licensed or certified health care professional, reasonably believes constitutes improper quality of care;
2. Provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into any violation of law, or a rule or regulation issued under the law by Meridian Health or another employer, with whom there is a business relationship, or, in the case of a team member who is a licensed or certified health care professional, provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into quality of patient care; or
3. Objects to, or refuses to participate in, any activity, policy or practice which the team member reasonably believes:
 - a. is in violation of a law, or a rule or regulation issued under the law or, if the team member is a licensed or certified health care professional, constitutes improper quality of patient care;
 - b. is fraudulent or criminal; or
 - c. is incompatible with a clear mandate of public policy concerning the public health, safety or welfare or protection of the environment. N.J.S.A. 34:19-3.

Hackensack Meridian Health will also prevent, detect, and address retaliation in the event that a Hackensack Meridian Health workforce member reports a compliance issue or ethics issue in good faith. "Good faith" means that the Hackensack Meridian Health workforce member has reasonable cause to make such report.

Retaliatory action means the separation, suspension or demotion of a team member, or other adverse employment action taken against a team member in the terms and conditions of employment.

Please note that Hackensack Meridian Health also complies with the Conscientious Employee Protection Act (CEPA), which is addressed in Conscientious Employee Protection Act (CEPA).

Procedure

1. Concerns regarding any and all issues should be first addressed with the team member's immediate team leader, followed by the department manager/director and if necessary the site administrator/vice president.
2. If the team member is unable to resolve the issue or his/her concerns or is uncomfortable bringing the issue to the above individuals, the team member should discuss their concerns with a representative of Human Resources.
3. The team member can also voice serious concerns with the Compliance Officer or designee, or the Executive Vice President of Human Resources or designee.
4. The Chief Compliance Officer or his/her designees will investigate any alleged concerns relative to

this subject, if the concerns cannot be resolved by the process outlined above in #4 and #5.

5. Team members may also utilize the ComplyLine to report compliance-related violations. The ComplyLine is a mechanism for confidential and anonymous reporting when the usual methods of reporting have failed or are inappropriate.
6. The confidentiality of reported concerns will be maintained unless prohibited by legal or practical considerations.
7. Any violations of this policy, such as retaliation or retribution from any Hackensack Meridian Health team member should be reported to the Executive Vice President, Human Resources or the Senior Vice President, Chief Compliance Officer.

The protection against retaliation, when a disclosure is made to a public body, does not apply unless the team member has brought the activity, policy or practice to the attention of a team leader of Hackensack Meridian Health by written notice and given Hackensack Meridian Health a reasonable opportunity to correct the activity, policy or practice. However, disclosure to a team leader is not required where the team member reasonably believes that the activity, policy or practice is known to one or more supervisors of the employer or where the team member fears physical harm as a result of the disclosure, provided that the situation is emergent in nature.

References

- Conscientious Employee Protection Act (CEPA)
- Hackensack Meridian Health Code of Conduct
- Organizational Code of Business Ethics Policy
- N.J.S.A. 34:19-3.

Attachments

No Attachments

Approval Signatures

| Step Description | Approver | Date |
|------------------|--|---------|
| | Nancy Corcoran-Davidoff: EVP, Chief Human Resources Officer [MC] | 02/2019 |

Applicability

Bayshore Medical Center, Carrier Clinic, HMM Nursing & Rehabilitation, Hackensack Meridian Health Inc., Hackensack University Medical Center, Home Health and Hospice, JFK Medical Center, JFK Medical Center EMS, Jersey Shore University Medical Center, Legacy Meridian Health, Ocean University Medical Center, Old Bridge Medical Center, Palisades Medical Center, Physician Services Division, Raritan Bay Medical Center, Riverview Medical Center, Southern Ocean Medical Center, System Search Engine (All Sites)