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Policy Statement:

Fairview's commitment to ethical and legal conduct creates a responsibility for all workforce members to promptly report any good faith belief of any violation of Fairview's Code of Conduct; federal or state law; other legal obligation; or any other organizational policy or procedure. Fairview maintains a confidential reporting Hotline that workforce members may use to report problems and concerns. Those who report problems and concerns in good faith via the Fairview Hotline will be protected from any form of retaliation or retribution by Fairview. Reporters to the Fairview Hotline may choose to provide personal identification, remain anonymous, or instruct that their identity not be disclosed. Workforce members who receive or are assigned responsibilities related to the investigation or response to a concern reported through the Fairview Hotline shall comply with all Fairview policies related to the protection of confidential information. The Fairview Corporate Compliance Department is responsible for the daily operation of the Fairview Hotline.

Fairview Health Services Corporate Compliance has oversight responsibility of Fairview Physician Associates Network within the Direct Contracting program.

Purpose:

This policy governs the operation of the Fairview Hotline. In accordance with the Office of Inspector General (OIG) guidance for an effective compliance program, Fairview administers an external Hotline process. The purpose of the compliance Hotline is to allow workforce members to report instances of suspected noncompliance outside the normal chain of command. The Hotline also allows for anonymous reporting, helps promote confidentiality, and provides safeguards against non-retaliation.

Definitions:

Workforce Members: For the purpose of this policy, this includes Fairview employees, affiliated Board of Directors, Physicians (including residents and fellows), allied health professionals, contractors, temporary employees, students, trainees, vendors, suppliers, volunteers and any others providing healthcare items/services with whom Fairview Health Services does business with.

Compliance Concern: An action that is a known or suspected violation or contradiction of any law or regulation relating to healthcare, a Compliance or related Policy or standard set forth in Fairview's Code of Conduct. Appendix A outlines examples of potential Reportable Compliance Concerns.

Good Faith: The individual making the report reasonably believes the information reported to be true.

Procedure:

I. Reporting Concerns

- A. All workforce members are required to promptly report any suspected or good faith belief of compliance concerns. Fairview encourages workforce members to communicate

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concerns directly to their manager or leader. If you do not feel comfortable speaking with your manager or leader, you are encouraged to contact any of the following resources for assistance:

- i. The Chief Compliance Officer
 - ii. The Compliance Department at DEPT-CORP-COMPLIANCEINQUIRY@Fairview.org or at 612-672-6473.
 - iii. The Privacy department at PRIVACY1@Fairview.org or at 612-672-5647.
 - iv. Human Resources Representative
- B. Compliance Hotline: If workforce members are uncomfortable with any of the above options, they may also contact Fairview's Hotline 24-hours a day, 7 days a week, at 1-800-530-4694, through an online report at <http://fairviewhealth.ethicspoint.com> or the Compliance Hotline link located on the top toolbar on [Fairview Intranet](#) page. The Fairview Hotline is designed to allow workforce members to report, in a confidential and anonymous manner.
- C. The compliance Hotline may be used to report any instance of noncompliance with a federal, state, or local law; other legal obligation; or any institutional policy, procedure or concern. Appendix A outlines examples of compliance concerns that may be reported through the compliance Hotline. This list is illustrative, not exhaustive. Any question regarding the identification of a compliance concern should be directed to the Corporate Compliance Officer or designee.

II. Confidentiality

- A. All reporters to the compliance Hotline will have the option of remaining anonymous, however callers may furnish their names, as doing so enables Fairview to investigate the issue more thoroughly. Upon submission of a Hotline report, reporters are provided with a code or login information that will allow the reporter to check on the status of the report and to communicate with Hotline investigator.
- B. If a reporter reveals their identity, the reporter will be afforded as much anonymity and confidentiality as possible under the circumstances. Such protections will be consistent with Fairview's obligations to investigate and take corrective action. Calls to the Hotline are not recorded. If a reporter's identity is discovered during the course of investigation, Fairview will make every effort to keep their identity confidential.

III. Non-Retaliation

All workforce members have the right to report compliance concerns and shall not face retribution or retaliation for reporting. See [Non-Retaliation, Whistleblower Protections](#) policy.

IV. Hotline Management and Investigations

The Fairview Hotline is managed by an outside vendor specializing in the operation of Hotlines for the healthcare industry. The Corporate Compliance Department will provide specific instructions and guidance for the operation of the Hotline. When a Fairview Hotline report is received, the report will be logged and routed by the Fairview Corporate Compliance Department.

Upon receipt of a report of a compliance concern, the Corporate Compliance department shall:

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- A. Make a preliminary, good faith inquiry into the allegations to ensure all of the information necessary is available to determine whether an investigation should commence; and
- B. Should it be determined that an investigation commence, conduct a preliminary assessment of the nature of the allegations and information available to determine the most suitable Lead Investigator. The Lead Investigator is responsible for ensuring that the compliance concern is fully investigated and documented in accordance with the [Compliance Incident Reporting, Investigation and Response](#) policy.
- C. Access to Fairview Hotline records is limited to authorized users with responsibility for investigation, response, and management of the reported concerns.
- D. If a refund or overpayment is identified during a Hotline investigation, refunding of overpayments shall occur in accordance with [Payment Adjustments and Corrections of Errors \(PACE\)](#) policy.

V. Conflicts of Interest

If the Hotline report or information learned in investigating the Hotline report includes a specific allegation of noncompliance by any employee or officer (including any member of the Compliance Department or Lead Investigator), then that person will be excluded from access to the Hotline record for that report and from any responsibility for investigating or making determinations or decisions based on that report. If the report or information learned includes a specific allegation of noncompliance by a member of the organization's executive team, the Compliance Officer will determine if an external independent investigator should be retained. In addition, the Compliance Officer will determine which reports will be shared with the Audit and Compliance Committee of the Board or Directors.

VI. False Reports / False Information

The Fairview compliance Hotline is not meant to shield, or provide a forum for, those who, in connection with a compliance Hotline report, knowingly provide false information, recklessly misrepresent facts, or intentionally withhold pertinent information in an attempt to mislead. Workforce members who engage in such activities may be subject to disciplinary action by their Institution, including the possibility of suspension or termination. Nonetheless, those who, in good faith, report instances of noncompliance will not be subject to disciplinary action or retaliation for such reporting.

VI. Retention

Information reported via the Compliance Hotline will be retained as long as necessary to fulfil the purpose for which it was collected, including any related legal or disciplinary procedures. Report retention periods will comply with applicable record retention and data privacy laws and Fairview Retention Policy.

Resources:
None

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References:

[Code of Conduct](#)

[False Claims Act](#)

[Non-Retaliation, Whistleblower Protections](#)

[Compliance Incident Reporting, Investigation and Response](#)

Applies to but is not limited to:

Administration
Ambulatory free-standing clinics
Ambulatory hospital-based clinics
Ambulatory Surgery Center - Maple Grove
Ambulatory Surgery Center - Minneapolis
Bethesda Hospital
Community- Based Services
Ebenezer
Grand Itasca Clinic & Hospital
Home Care Services
Home Hospice
Inpatient Hospice (Pillars)
IntegraDose
Lakes Medical Center
Medical Transport
Northland Medical Center
Pharmacy Acute Care
Pharmacy Ambulatory
Post-Acute
Range Medical Center
Ridges Hospital
Southdale Hospital
St John's Hospital
St Joseph's Hospital
University of Minnesota Masonic Children's Hospital
University of Minnesota Medical Center
Woodwinds Health Campus

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Appendix A:

Examples of potential reportable compliance concerns (not an all-inclusive list):

- Inappropriate coding
- Inappropriate claims submission
- False or fraudulent documentation matters
- Inappropriate charging/billing
- Inappropriate charge code selection/chargemaster
- Concerns raised by Medicare Administrative Contractor (MAC)
- Accreditation matters
- Provider Based status
- HIPAA or Patient Privacy matters
- EMTALA matters
- Overpayments
- Cost reporting matters
- Physician Arrangement matters, such as potential violations of the Stark law or Anti-kickback statute
- Potential failure to meet Business Operations standards (Accounting, etc.)
- Patient Inducement
- Medical necessity matters
- Correct level of care
- Staff licensure
- Scope of practice
- Quality of care matters
- Drug diversion
- Non-compliance with Health and Safety rules
- Use, distribution, sale, possession, or being under the influence of illegal Drugs and/or Alcohol during working hours
- Violations of Software compliance laws, including unauthorized reproduction or use of
- Manuals or other copyrighted and trademarked materials
- Unauthorized disclosure of Confidential Information
- Unauthorized Use of Company Resources
- Compromising the Integrity of Company Records and Information
- Relations with Government and Political Activity that violate federal, state, or local laws and regulations or could give rise to a conflict of interest
- Violations of other policies, procedures, regulations or laws
- Human Resources concerns such as discrimination, harassment, and employee relations
- Any other ethical concerns