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Sponsor:	Brian Kozik: SVP, COMPLIANCE & PRIVACY
Section:	GA-Corporate Compliance
Manuals:	Compliance

## GA-004-234 Open Lines Of Communication

### I. Purpose

Broward Health is committed to ensuring open lines of communication between all Broward Health Workforce Members and the Corporate Compliance Department which, through the Disclosure Program, will include several independent reporting paths for Broward Health Workforce Members, patients, and their families to report compliance issues and/or concerns.

This policy establishes a policy and procedure for ensuring open lines of communication between Broward Health Workforce Members and the Corporate Compliance Department, including the reporting of compliance issues and concerns.

### II. Key Terms

**Chief Compliance Officer (CCO):** The individual is responsible for overseeing, implementing, and monitoring the compliance requirements of the Broward Health Corporate Compliance and Ethics Program. In addition, this individual also holds the title of Chief Privacy Officer.

**Confidentiality:** Refers to those who contact a hotline and request that information provided through the Compliance or Workforce Diversity, Inclusion and Advocacy hotline be kept confidential. Such information must be kept confidential and be divulged only to those who have a need to know, such as those performing an investigation into the concerns disclosed by the caller. Investigators should work to protect the source of their information, including a caller's name and contact information if these details are provided by the caller.

**Hotline:** A confidential and anonymous communication channel for use by all Workforce Members, patients, and patient families to report suspected or potential violations of law, regulations, standards, Code of Conduct, policies, or other wrongdoing, via a phone line answered by live operators or web-based reporting.

**Workforce Member:** Any employee, independent contractor, agent, trainee, or other person who performs work for or on behalf of Broward Health. This includes full-time, part-time, and pool employees; associates; directors; officers; managers; supervisors; members of the Board and members of standing

committees; medical staff employed by or otherwise affiliated with Broward Health; and all others receiving training at any Broward Health facility; and others who provide goods or services to Broward Health.

**Wrongdoing:** Conduct that does not comply with federal, state, and/or local laws, the Code of Conduct Code, or Broward Health policies and procedures.

### III. Policy

Broward Health is committed to the timely identification and resolution of all issues that may adversely affect employees, patients of Broward Health, and the community that Broward Health services. To demonstrate this commitment, Broward Health has established and published multiple open lines of communication between Broward Health Workforce Members, patients, their families, and third parties to report compliance and/or concerns. It is Broward Health's policy to offer multiple avenues of compliance communication for Broward Health Workforce members, patients, or third parties to report suspected violations of law(s), regulation(s), Code of Conduct, policy(ies), as well as any unethical or wrongful conduct of which they may encounter, including the maintenance of a confidential reporting mechanism. All Workforce Members, patients, and third parties who report issues and concerns via any reporting mechanism in good faith will be protected from any form of retaliation or retribution in accordance with Broward Health's policies and procedures.

### IV. Procedures

1. Broward Health has established and publicized multiple avenues to report issues and concerns for Broward Health Workforce Members, patients, and third parties. Any suspected conduct of wrongdoing can be reported via any of the following mechanisms:
  - a. An immediate supervisor or department director;
  - b. Chief Compliance Officer (CCO);
  - c. Any member of the Corporate Compliance and Ethics Department Staff;
  - d. General Counsel;
  - e. Any member of the Office of the General Counsel's office staff;
  - f. Broward Health Hotline;
  - g. Sending an email to [compliance@browardhealth.org](mailto:compliance@browardhealth.org)
2. Broward Health has contracted a third party hotline vendor so that reports may be made anonymously and in confidence if desired. Corporate Compliance Department employees handling any reported issue or concern are expected to act with utmost discretion and integrity in assuring that information received is acted upon in a reasonable, confidential and proper manner.
3. The Chief Compliance Officer is responsible for overseeing and monitoring the operation of the various reporting mechanisms, which includes ensuring that all reported issues and concerns are addressed in an appropriate and timely manner, as well as in accordance with these and all related policies and procedures.
4. The Chief Compliance Officer shall deliver periodic reports on all reported issues and concerns to executive leadership and the Board of Commissioners.

5. The Chief Compliance Officer is responsible for arranging an annual assessment of the process surrounding the review of reported issues and concerns to ensure adherence with this and all related policies and procedures.
6. The Board of Commissioners will ensure that the annual assessment is conducted in an objective manner and shall receive the independent review report of the reporting mechanisms.
7. The Chief Compliance Officer will take necessary steps to ensure all review findings and recommendations are approved by the Board and subsequently implemented.

**Direct access to the Chief Compliance Officer:**

In the event of any questions or concerns regarding Broward Health compliance policies, practices, or procedures, Workforce Members can seek clarification from the Chief Compliance Officer, Corporate Compliance Department employees, or the General Counsel by contacting them directly via any of the available reporting mechanisms. Questions and responses should be documented within the Corporate Compliance Disclosure Log and, if appropriate, shared with other staff so that standards, policies, practices, and procedures can be updated and improved to reflect any necessary changes or clarifications.

All Workforce Members have the right to report a compliance issue or concern and will not face retribution or retaliation for reporting in accordance with Broward Health's Non-Retaliation Policy. Any Workforce Member who engages in retaliation will be disciplined, including termination if appropriate. In addition, to the extent possible and allowed by law, the anonymity of the Workforce Member reporting the compliance issue or ethics issue will be protected.

If a Workforce Member reports any compliance issue or concern to a supervisor, department director, manager, or other supervisory employee that Workforce Member is expected to immediately forward the report to the Corporate Compliance Department. Reports of compliance issues or concerns should be handled in accordance with the Disclosure Program Policy.

**V. Related Policy and Compliance Documents**

- Compliance Investigations, Policy No. GA-004-008
- Duty to Report, Policy No. GA-004-004
- Hotline, Policy No. GA-004-005
- Non-Retaliation and Retribution, Policy No. GA-004-305

**VI. References**

DHHS. OIG Supplemental Compliance Guidance for Hospitals. 70 Fed. Reg. 4858, 4865 (Jan. 31, 2005). <https://oig.hhs.gov/fraud/docs/complianceguidance/012705HospSupplementalGuidance.pdf>

DHHS OIG. Publication of the OIG Compliance Program Guidance for Hospitals. 63 Fed. Reg. 35, 8987 (Feb. 23, 1998). <https://oig.hhs.gov/authorities/docs/cpghosp.pdf>

United States Sentencing Commission. Guidelines Manual. United States Sentencing Commission. Guidelines Manual. <https://www.ussc.gov/guidelines/2018-guidelines-manual>

US Code of Federal Regulations § 483.85 - Compliance and ethics program. [https://www.govregs.com/regulations/title42\\_chapterIV\\_part483\\_subpartB\\_section483.85](https://www.govregs.com/regulations/title42_chapterIV_part483_subpartB_section483.85)

Broward Health Corporate Integrity Agreement with the DHHS Office of Inspector General, dated August 20, 2015

## Attachments

No Attachments

## Approval Signatures

Step Description	Approver	Date
Final Approver	Brian Kozik: SVP, COMPLIANCE & PRIVACY	07/2020
	Jennifer Mosley: EXEC SECRETARY/ANALYST	07/2020