

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

Administrative Policies & Procedures

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Document Owner: Donna Ciufu, DNP, RN

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Author: Corporate Compliance Officer

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General Description

Purpose: To establish standards for non-retaliation against any team member because that person reports any violations of applicable laws, regulations or the Meridian Health Code of Conduct or Organizational Code of Business Ethics Meridian Health [MHS-ADMIN-01-1006](#) 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.

Scope: All Meridian-affiliated facilities, 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.

Policy: In compliance with federal and state law, it is the policy of 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.

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.

- 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 Senior Vice President of Human Resources or designee.
 4. The Compliance Officer, Privacy Officer or their designees will investigate all alleged concerns of the Meridian Code of Conduct.
 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 Meridian Health member should be reported to the Compliance Officer or the Senior Vice President, Human Resources.

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 Meridian Health by written notice and given 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.

Special Notes / Appendix

References:

Meridian Code of Conduct, effective January 1, 2006;
Meridian COMPLYLINE Policy [MH-COMPLY-0003](#)
Meridian Policy on Business and Organizational Ethics [MHS-ADMIN-01-1006](#)
Meridian Team Member Handbook and Human Resource policies, including at [MHS-HR-01-2601](#)
N.J.S.A. 34:19-1 Title 34, Chapter 19 -Employment Protection - CEPA
Meridian Compliance with False Claims Act, Anti-Retaliation Protection and Detecting/Preventing Fraud Policy MH-Comply-0001

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Marc H. Lory
Executive Vice President, Hospital Operations
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Contributing Authors

The following are subject matter experts who contributed to this document:

Compliance Operations Group