



WHISTLEBLOWER PROCEDURE

Spectrum Health and Human Services is committed to the **highest standards of integrity** in all areas of the organization, including service documentation and billing and all business activities in accordance with all applicable state and federal laws including the Deficit Reduction Act of 2005, the NYS Social Services Law Section 363-d and 18 NYCRR Part 521. **Spectrum Health and Human Services** is committed to preventing, detecting, and correcting all fraud, waste, abuse or improper conduct in Medicare, Medicaid and other health care programs.

Spectrum Health relies on YOU to maintain those high standards by your own actions and by supporting other staff in performance excellence. You could become aware of documentation, billing or other business activity you consider a violation of the compliance standards or a threat to the agency's or our clients' interests. **If so, you are obligated to act!**

It is your responsibility under the **Code of Ethics** and **The Compliance Plan** to make that information known. It is the agency's responsibility under law and the Code of Ethics to investigate and to ensure that you are protected from any retaliation for any reports made in good faith. It is your obligation to cooperate with any investigation that ensues. You have the legal option to report your concerns directly to the payor. However, we encourage you to report first through the Spectrum Health Compliance Office, using Spectrum Health's reporting options and employee protections. This allows for the quickest resolution to any problems.

You can make a report to your Supervisor, Director or Vice President,

or

ANYONE CAN MAKE A REPORT AT ANY TIME TO SPECTRUM HEALTH'S COMPLIANCE OFFICER:

Deanne Rothenberg
Corporate Compliance Officer
Phone: (716) 420-4000
Email: rothenbergd@shswny.org

OR TO REPORT ANONYMOUSLY



Website: www.lighthouse-services.com/shswny

Toll-Free Telephone:

English speaking USA and Canada: 877-790-0009

Spanish speaking USA and Canada: 800-216-1288

Email: reports@lighthouse-services.com (must include company name with report)

Fax: (215) 689-3885 (must include company name with report)

Spectrum Health's major payors and their fraud/false claims hotlines

Medicaid

Phone: 877-87FRAUD (877-873-7283)

Website: www.nysomig.org

Medicare

Phone: 1-800-HHS-TIPS (1-800-44 7-8477)

Website: <http://oig.hhs.gov/hotline.html>

Fax: 1-800-223-8164;

Email: HHSTips@oig.hhs.gov

TTY: 1-800-377-4950

HealthNow (Blue Cross Blue Shield):

Hotline: 800-333-8451 or

Email: reportfraud@bcbswny.com

Independent Health

Hotline: 800-665-1182 or

Website: www.independenthealth.com

Univera

Hotline: 877-800-0910

Optum

Network Management Line: 877-499-4237

MVP

Hotline: 888-357-2687

LAWS REGARDING THE PREVENTION OF FRAUD, WASTE AND ABUSE

A. Federal Laws.

Federal False Claims Act. Any person who submits a claim to the federal government that he/she knows (or should know) is false is subject to civil penalties of \$5,500-\$11,000 per false claim and treble damages. Individuals may be entitled to bring an action under this Act and share in a percentage of any recovery. However, if the action has no merit and/or is for the purpose of harassing Spectrum Health, the individual may have to pay Spectrum Health for its legal fees and costs.

Administrative Remedies for False Claims and Statements. If a person submits a claim that the person knows is false or contains false information or omits material information, such person may be subject to a \$5,000 penalty per claim and double damages. Individuals are not entitled to share in any recovery.

Federal Anti-Kickback Law: Individuals/entities may not knowingly offer, pay, solicit, or receive remuneration in exchange for referring, furnishing, purchasing, leasing or ordering a service or item paid for by Medicare, Medicaid, or other federal health care program. Criminal or civil penalties include repayment of damages, fines, imprisonment, and exclusion from participation in federal programs.

B. State Laws.

New York has laws that are similar to the federal laws listed above. These include the New York False Claims Act, False Statements Law, Anti-Kickback Law, Self Referral Prohibition Law, Health Care and Insurance Fraud Penal Law. Individuals may be entitled to bring an action under the False Claims Act and share in a percentage of any recovery. However, if the action has no merit and/or is for the purpose of harassing Spectrum Health, the individual may have to pay Spectrum Health for its legal fees and costs.

C. Whistleblower Protections.

Federal Whistleblower Protection: An employee who is discharged, demoted, suspended, threatened, harassed, or discriminated against because of his/her lawful acts conducted in furtherance of a False Claims Act action may bring an action against the employer. However, if the employee's action has no basis in law or fact or is primarily for harassment, the employee may have to pay the employer its fees and costs.

New York State Whistleblower Protection: Employees who, in good faith, report a false claim are protected against discharge, demotion, suspension, threats, harassment, and other discrimination by their employer. Remedies include reinstatement, two times back pay plus interest, and litigation costs and attorneys' fees.