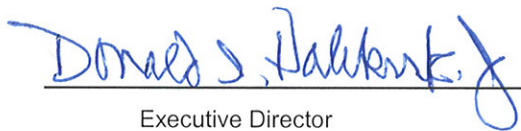


(was Administrative Policy 11-01-010)

Chapter: **DIRECTLY-OPERATED PROGRAM MANAGEMENT**
Title: **REPORTING COMPLAINTS / NON-RETALIATION**

Prior Approval Date: N/A
Current Approval Date: 12/6/07

Approved by:

 12/6/07
Executive Director Date

I. ABSTRACT

This policy establishes the standards and procedures for employees and individual contractors of the Macomb County Community Mental Health (MCCMH) Board to report violations or suspected violations of the law, the Board's Corporate Compliance Program, and the Code of Ethics.

II. APPLICATION

This policy shall apply to the MCCMH administrative offices and to all directly-operated network providers of the MCCMH Board.

III. POLICY

It is the policy of the MCCMH Board that:

- A. All employees/individual contractors of the Board have an affirmative duty and responsibility for reporting perceived misconduct, including actual or potential violations of the laws, regulations, policies, procedures, or the Board's Code of Ethics.
- B. An open door policy will be maintained at all levels of management to encourage employees/individual contractors to report problems and concerns.
- C. Employees/individual contractors are encouraged to utilize the Board's Compliance Reporting mechanisms. The reports can be completed anonymously.

- D. Any form of retaliation against an employee/individual contractor or party who reports concerns in good faith is strictly prohibited.
- E. Any employee/individual contractor who condones or commits any such form of retaliation will be subject to discipline, up to, and including, termination of employment/contract.
- F. Employees/individual contractors cannot exempt themselves from the consequences of their own misconduct by self-reporting, although such action may be taken into account by the Board in determining the appropriate course of action.

IV. DEFINITIONS

- A. None.

V. STANDARDS

- A. The MCCMH Board's supports its Corporate Compliance Program by establishing a culture that promotes prevention, detection, and resolution of instances of conduct that do not conform to federal, state, and payer health care program requirements, as well as the Board's Corporate Compliance Code of Ethics (see MCCMH MCO Policy 1-001, "Overview: Compliance Program / Code of Ethics.")
- B. The MCCMH Board problem resolution process and a strict non-retaliation policy shall protect employees/individual contractors and others who report problems and concerns in good faith from retaliation.
- C. Any form of retaliation or retribution can undermine the problem resolution process and result in a failure of communication channels in the Board.

VI. PROCEDURES

- A. All MCCMH employees and individual contractors who have knowledge of misconduct, including actual or potential violations of one of the compliance laws, regulations, policies, procedures, or the Board's Code of Ethics must immediately report that information to management or via one of the Compliance Reporting mechanisms (see MCCMH MCO Policy 10-515, "Internal Reporting Mechanisms").
- B. Management staff must take appropriate measures to ensure that all levels of management support this policy and encourage the reporting of problems and concerns.

- C. The Compliance Officer will be responsible for ensuring the investigation and follow-up of any reported retaliation against an employee/individual contractor or other reporting party.

VII. REFERENCES / LEGAL AUTHORITY

- A. Pub. L. 104-191
- B. MCCMH MCO Policy 1-001 "Overview: Compliance Program / Code of Ethics"

VIII. EXHIBITS

- A. None.