

## NORTHCARE NETWORK

**POLICY TITLE:** Anti-Retaliation Policy  
(Compliance Program)  
**POLICY EFFECTIVE DATE:** May 1, 2007  
**BOARD ADOPTED:** 5/2/07  
**BOARD ADOPTED REVISION:**

**REVIEWED:**  
4/23/07; 7/1/08, 7/9/09

**TEXT REVISIONS:**

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### **PURPOSE**

To establish a system of “no reprisal” for employees, agents, volunteers, contractors and sub-contractors reporting waste, fraud, abuse of funds and other wrongdoings.

### **APPLICATION**

This policy applies to all employees, agents, volunteers, contractors and representatives of a contract agency of NorthCare Network, hereinafter, referred to as “covered party” for the purpose of this policy.

### **POLICY**

It is the policy of NorthCare Network that no covered party shall be disciplined or sanctioned solely on the basis that covered party reported what was reasonably believed to be an act of wrongdoing or a violation of the Code of Compliance Ethics. However, covered party will be subject to disciplinary action or sanctions if NorthCare reasonably concludes that the report of wrongdoing was knowingly fabricated by the covered party or distorted, exaggerated or minimized to either injure someone else or to protect the reporting party or others. A covered party whose report of misconduct contains admissions of personal wrongdoing will not, however, be guaranteed protection from disciplinary action/sanction. The weight to be given the self-confession will depend on all the facts known to NorthCare at the time it makes its disciplinary/sanctioning decisions. In determining what, if any disciplinary action/sanction may be taken against a covered party, NorthCare will take into account their own admission of wrongdoing; provided, however, that the reporting covered party’s conduct was not previously known to NorthCare or its discovery was not imminent, and that the admission was complete and truthful.

No retaliation or retribution of any kind will be tolerated against any covered party who make a good faith report of suspected wrongdoing, and any such retaliation or retribution will be grounds for discipline/sanction.

NorthCare will make every attempt to protect the confidentiality of covered parties who submit reports of wrongdoing or suspected wrongdoing; however, complete protection will not always be possible.

### **PROCEDURES**

Any covered party reporting suspected fraud, waste, or abuse is protected under the Whistleblowers’ Protection Act 469 of 1980.

NorthCare promotes voluntary disclosure or reporting of violations of civil, criminal, or administrative law to appropriate third-party law enforcement or regulatory agencies. Self-Disclosure must follow the Office of Inspector General’s Provider Self-Disclosure

Protocol (42 USC 1320a-7b(f)) and the requirements of the Federal False Claims Act, (31 USC 3729-3733)

**REFERENCES**

- ✓ Medicaid False Claim Act – Act 72 of 1977
- ✓ State of Michigan Enacted Medicaid False Claim Act 272 of 1977
- ✓ Whistleblowers' Protection Act – Act 469 of 1980