



## RUTGERS POLICY

**Section:** 100.2.10

**Section Title:** Healthcare Compliance Policies

**Policy Name:** Reporting Compliance and Ethics Concerns

**Formerly Book:** 00-01-15-55:00

**Approval Authority:** RBHS Chancellor

**Responsible Executive:** Chief Healthcare Compliance Officer

**Responsible Office:** RBHS Office of Ethics Compliance and Corporate Integrity

**Originally Issued:** 1/16/2007

**Revisions:** 3/15/2011, 7/1/2013

**Errors or changes?** Contact: RBHS Office of Ethics Compliance and Corporate Integrity: 973-902-0893

### 1. **Policy Statement**

It is the policy of the schools, departments and units that are a part of Rutgers Biomedical and Health Sciences and other University schools, departments and units that bill federal or state programs for the provision of healthcare-related goods and services ("Related Healthcare Entity" or "Related Healthcare Entities") that employees and independent contractors have a duty to report suspected wrongful conduct and that they should be able to meet this duty without the fear of reprisal.

### 2. **Reason for Policy**

Rutgers Biomedical and Health Sciences and other University schools, departments and units that bill federal or state programs for the provision of healthcare-related goods and services ("Related Healthcare Entity" or "Related Healthcare Entities") are committed to the highest possible standards of ethical business conduct and to the proposition that, not only that employees have a responsibility and an affirmative duty to report actual or suspected wrongful conduct, but also that they should be able to do so without fear of reprisal. Such reports shall be accepted willingly, kept confidential to the extent possible in conformance with applicable laws, regulations and other procedures, and addressed promptly and appropriately. All employees and faculty of the Related Healthcare Entities are responsible to ensure that their activities on behalf of the Related Healthcare Entity, and those of their colleagues, comply with all applicable federal and state laws, University policies and RBHS policies.

### 3. **Who Should Read This Policy**

This policy applies to and should be read by all employees, contractors or agents of the schools, departments and units that are a part of Rutgers Biomedical and Health Sciences and other University schools, units and departments that bill federal or state programs for healthcare-related goods or services ("Related Healthcare Entity" or "Related Healthcare Entities") as to their duty to

report suspected wrongdoing, the methods they may use to meet their reporting requirements and the protections in place for individuals who may reports of suspected wrongdoing in good faith. Other employees of University departments that support the Related Healthcare Entities in their operations, including but not limited to University Procurement Services, The Office of the Senior Vice President and General Counsel and University Finance should also read this policy.

**4. Related Documents**

- A. Corporate Integrity Agreement Between the Office of Inspector General of the Department of Health and Human Services and the University of Medicine and Dentistry of New Jersey, September 25, 2009, as amended by a Letter Agreement, UMDNJ-Rutgers University dated 5/1/2013.
- B. The Medicare and Medicaid Patient Protection Act of 1987, as amended, 42 U.S.C. §1320a-7b (the "Anti-kickback Statute"),
- C. Stark Law, 42 CFR §§ 411.350 – 411.389

**5. Contacts**

RBHS Office of Ethics, Compliance and Corporate Integrity: 973-972-8093

**6. The Policy**

**100.2.10 REPORTING COMPLIANCE AND ETHICS CONCERNS**

The schools, departments and units that are a part of Rutgers Biomedical and Health Sciences and other University schools, departments and units that bill federal or state programs for the provision of healthcare-related goods or services ("Related Healthcare Entity" or "Related Healthcare Entities") have established, and shall continue to maintain, effective and confidential means for individuals to report allegations or concerns that include actual or suspected violations of law, violations of University or RBHS policies or procedures, or any other type of wrongful conduct. Individuals will be permitted to make such reports anonymously if they so desire, and their anonymity will be protected to the extent possible and as permitted by law.

To make a report, individuals may contact their direct manager or other members of their management team. In addition, individuals may call the RBHS Office of Ethics, Compliance and Corporate Integrity at 973 972-8093, communicate directly with the Chief Healthcare Compliance Officer; General Counsel; Ethics Liaison Officers; Compliance Officers for the school, department or unit or they may call the Rutgers Compliance Hotline 1 800 215-9664.

The Rutgers Compliance Hotline is available 24 hours a day/7days a week, via a toll free phone number, 800-215-9664. The Rutgers Compliance Hotline accommodates 150 languages and includes special handling for challenged callers.

Rutgers policy prohibits retaliation, harassment, intimidation or discrimination against individuals who make reports of suspected wrongdoing in good faith. Any employee found to have retaliated against another employee who reported actual or suspected wrongful conduct shall be subject to appropriate disciplinary action up to and including termination. The making of false, frivolous, or bad faith reports by an employee is contrary to the intent and spirit of this policy, and may subject the reporter to disciplinary action.

To make reports of immediate threats or danger, call 911. The Rutgers Compliance Hotline should not be used for emergencies. There are other reporting methods for concerns which are summarized in Appendix A.

## **Retaliation**

### Reporting and Investigating Retaliation Allegations:

1. Reporting: Anyone who has provided information who believes he or she is the subject of retaliation should report the facts supporting the allegations of retaliation to the Chief Healthcare Compliance Officer; General Counsel; Ethics Liaison Officers; Compliance Officer for the school, department or unit.
2. All investigations of alleged retaliation will be conducted as sensitively and expeditiously as possible. Due consideration will be given to existing grievance procedures under applicable collective bargaining agreements.
  - a. Should an investigation lead the appropriate Rutgers or RBHS authority to conclude that retaliation has been substantiated; the individual(s) responsible for committing the retaliation, in addition to any civil or criminal proceedings, shall be subject to disciplinary action up to and including termination.

## **Sanctions**

Failure to comply with this policy may result in sanctions up to, and including, termination of employment or termination of a contractor's agreement.

## Appendix A

Type of Issue	Where to go for support/direction and how to report an issue
Abuse/neglect of minors	<ul style="list-style-type: none"> <li>• Anyone who suspects that a minor has been subject to abuse or neglect must immediately notify the Rutgers University Police Department (RUPD) at 732-932-7211.</li> <li>• New Jersey law (NJSA 9:6-8.10) requires all persons who have reasonable cause to believe that a minor has been subject to abuse or neglect to report it to the New Jersey Division of Child Protection and Permanency, formerly the Division of Youth and Family Services (DYFS) at 1-877-NJABUSE (1-877-652- 2873).</li> <li>• Website Page (under development)</li> <li>• Protection of Minors Policy (Draft) (<a href="http://senate.rutgers.edu/MinorsOnCampusTaskForceReport.pdf">http://senate.rutgers.edu/MinorsOnCampusTaskForceReport.pdf</a> )</li> </ul>
Accident/Injury	<ul style="list-style-type: none"> <li>• In an Emergency, call 911</li> <li>• Job-related injury reporting <a href="http://myrehs.rutgers.edu/">http://myrehs.rutgers.edu/</a></li> <li>• Injury Reporting Form for Student or the Public <a href="http://riskmanagement.rutgers.edu/PDFForms/Inj_Stu_Pub.pdf">http://riskmanagement.rutgers.edu/PDFForms/Inj_Stu_Pub.pdf</a></li> </ul>
Alcohol and Drug Use; Alcohol on Campus	<ul style="list-style-type: none"> <li>• The resources available to employees and supervisors relating to alcohol and drug use/abuse may be accessed in University Policy 60.1.11. <a href="http://policies.rutgers.edu/60.1.11-current.pdf">http://policies.rutgers.edu/60.1.11-current.pdf</a>. Employees are encouraged to seek assistance through the Faculty and Staff Assistance Program if they believe they may have an alcohol or other drug abuse problem. <a href="http://uhr.rutgers.edu/policies-resources/faqs/faculty-and-staff-assistance-program-fsap">http://uhr.rutgers.edu/policies-resources/faqs/faculty-and-staff-assistance-program-fsap</a>)</li> </ul>
Animal Research Violations of NIH, USDA, AAALAC Regulations	<ul style="list-style-type: none"> <li>• The Office of Research and Sponsored Programs provides information relating to the use of animal in research. <a href="http://orsp.rutgers.edu/index.php?q=content/animal-care-and-facilities-committee-acfc">http://orsp.rutgers.edu/index.php?q=content/animal-care-and-facilities-committee-acfc</a> To contact the Office of Research and Sponsored Programs staff, please follow this link: <a href="http://orsp.rutgers.edu/index.php?q=content/contact-us">http://orsp.rutgers.edu/index.php?q=content/contact-us</a>)</li> </ul>
Athletics Programs	<ul style="list-style-type: none"> <li>• Rutgers Athletics Office of Compliance <a href="http://scarletknights.com/ncaa/ncaa.asp#info">http://scarletknights.com/ncaa/ncaa.asp#info</a></li> </ul>
Confidential Information (including records) being accessed or disclosed without proper authority or authorization	<ul style="list-style-type: none"> <li>• Depending on the information being disclosed, you may contact the following offices:             <ul style="list-style-type: none"> <li>• Rutgers Business or Financial Information: Office of the Secretary of the University, Custodian of Records <a href="mailto:secretary@oldqueens.rutgers.edu">secretary@oldqueens.rutgers.edu</a></li> <li>• Student Information: The Office of Student Affairs Compliance <a href="mailto:rucomply@rutgers.edu">rucomply@rutgers.edu</a></li> <li>• Patient Information RBHS Director of Privacy (800-215-9664)</li> <li>• Non-public personal information of any individual, including credit card information, social security numbers, driver's license numbers, etc. Director of Information Protection and Security <a href="mailto:abuse@rutgers.edu">abuse@rutgers.edu</a> or go to the Information Protection and Security website <a href="https://rusecure.rutgers.edu/content/information-protection-evaluation-team-ipet-procedures-0">https://rusecure.rutgers.edu/content/information-protection-evaluation-team-ipet-procedures-0</a>)</li> </ul> </li> </ul>
Conflict of Interest violation of DHHS, FDA, NSF or other Federal Agency Regulations	<ul style="list-style-type: none"> <li>• Contact the Office of the Vice President of Research and Economic Development <a href="mailto:promote-obj@vpr.rutgers.edu">promote-obj@vpr.rutgers.edu</a></li> </ul>

Critical information system being hacked or compromised (Oracle, PeopleSoft, Banner, e-mail)	<ul style="list-style-type: none"> <li>• Director of Information Protection and Security <a href="mailto:abuse@rutgers.edu">abuse@rutgers.edu</a> or go to the Information Protection and Security website <a href="https://rusecure.rutgers.edu/content/information-protection-evaluation-team-ipet-procedures-0">https://rusecure.rutgers.edu/content/information-protection-evaluation-team-ipet-procedures-0</a></li> </ul>
Disability: Americans with Disabilities Act (faculty-related)	<ul style="list-style-type: none"> <li>• Academic Labor Relations <a href="mailto:bonick@oldqueens.edu">bonick@oldqueens.edu</a></li> </ul>
Disability: Americans with Disabilities Act (staff-related)	<ul style="list-style-type: none"> <li>• Office of Employment Equity <a href="http://uhr.rutgers.edu/policies-resources/policies-procedures/policy-and-compliance-guidelines/disability-accommodations">http://uhr.rutgers.edu/policies-resources/policies-procedures/policy-and-compliance-guidelines/disability-accommodations</a></li> </ul>
Disability: Americans with Disabilities Act (student-related)	<ul style="list-style-type: none"> <li>• Office of Disability Services for Students <a href="http://disabilityservices-uw.rutgers.edu/">http://disabilityservices-uw.rutgers.edu/</a></li> <li>• The Office of Student Affairs Compliance <a href="http://compliance.rutgers.edu/ada">http://compliance.rutgers.edu/ada</a></li> </ul>
Discrimination	<ul style="list-style-type: none"> <li>• Policy Prohibiting Discrimination and Harassment <a href="http://policies.rutgers.edu/60.1.12-current.pdf">http://policies.rutgers.edu/60.1.12-current.pdf</a></li> <li>• Office of Employment Equity: <a href="http://uhr.rutgers.edu/equity">http://uhr.rutgers.edu/equity</a></li> <li>• Code of Student Conduct (also see school-specific Codes of Student Conduct on the school's website) <a href="http://studentconduct.rutgers.edu/university-code-of-student-conduct">http://studentconduct.rutgers.edu/university-code-of-student-conduct</a></li> <li>• Office of Student Conduct <a href="mailto:conduct@rci.rutgers.edu">conduct@rci.rutgers.edu</a> handles complaints against students arising out of their conduct as students.</li> </ul>
Export Controls (Research)	<ul style="list-style-type: none"> <li>• Rutgers Export Control Officer <a href="mailto:robert.phillips@rutgers.edu">robert.phillips@rutgers.edu</a></li> <li>• The Office of the Vice President of Research and Economic Development Export Control Guidelines <a href="http://vpr.rutgers.edu/export.php">http://vpr.rutgers.edu/export.php</a></li> </ul>
Fair Labor Standards Act and Overtime Provisions	<ul style="list-style-type: none"> <li>• UHR Policies and Resources <a href="http://uhr.rutgers.edu/policies-resources/policies-procedures/policy-and-compliance-guidelines/overtime-provisions-and-flsa">http://uhr.rutgers.edu/policies-resources/policies-procedures/policy-and-compliance-guidelines/overtime-provisions-and-flsa</a></li> <li>• Office of Labor Relations <a href="http://uhr.rutgers.edu/uhr-units-offices/office-labor-relations">http://uhr.rutgers.edu/uhr-units-offices/office-labor-relations</a></li> <li>• UHR Compensation <a href="http://uhr.rutgers.edu/uhr-units-offices/consulting-staffing-compensation/compensation-information">http://uhr.rutgers.edu/uhr-units-offices/consulting-staffing-compensation/compensation-information</a></li> </ul>
Fraud (Financial)	<ul style="list-style-type: none"> <li>• Internal Audit Department <a href="mailto:kpaulino@rutgers.edu">kpaulino@rutgers.edu</a></li> </ul>
Harassment	<ul style="list-style-type: none"> <li>• Policy Prohibiting Discrimination and Harassment <a href="http://policies.rutgers.edu/60.1.12-current.pdf">http://policies.rutgers.edu/60.1.12-current.pdf</a></li> <li>• Office of Employment Equity: <a href="http://uhr.rutgers.edu/equity">http://uhr.rutgers.edu/equity</a> <ul style="list-style-type: none"> <li>○ <a href="#">Harassment: A Guide for Faculty</a></li> <li>○ <a href="#">Harassment: A Guide for Staff</a></li> <li>○ <a href="#">Harassment: A Guide for Students</a></li> </ul> </li> <li>• Code of Student Conduct (also see school-specific Codes of Student Conduct on the school's website) <a href="http://studentconduct.rutgers.edu/university-code-of-student-conduct">http://studentconduct.rutgers.edu/university-code-of-student-conduct</a></li> <li>• Office of Student Conduct <a href="mailto:conduct@rci.rutgers.edu">conduct@rci.rutgers.edu</a> handles complaints against students arising out of their conduct as students.</li> </ul>
Healthcare Compliance	<ul style="list-style-type: none"> <li>• The RBHS Office of Ethics, Compliance and Corporate Integrity <a href="mailto:ethics.rbhs.rutgers.edu">ethics.rbhs.rutgers.edu</a> or call (973) 972-8093</li> </ul>

Human Subject Research Violations of DHHS/OHRP, FDA and other Federal Regulations pertaining to human subject research	<ul style="list-style-type: none"> <li>The Office of the Vice President of Research and Economic Development IRB and Compliance Administrator <a href="mailto:zizza@grants.rutgers.edu">zizza@grants.rutgers.edu</a></li> </ul>
Improper accounting and costing on sponsored projects	<ul style="list-style-type: none"> <li>Division of Grant and Contract Accounting <a href="http://postaward.rutgers.edu/">http://postaward.rutgers.edu/</a></li> <li>Internal Audit Department <a href="mailto:kpaulino@rutgers.edu">kpaulino@rutgers.edu</a></li> </ul>
Improper document of or billing for healthcare goods or services	<ul style="list-style-type: none"> <li>RBHS Office of Ethics, Compliance and Corporate Integrity (973-972-8093)</li> </ul>
Laboratory Safety Violations	<ul style="list-style-type: none"> <li>Rutgers Environment Health and Safety <a href="http://rehs.rutgers.edu/">http://rehs.rutgers.edu/</a></li> </ul>
Misconduct in Research including Falsification of Documents/Records	<ul style="list-style-type: none"> <li>University Policy for Dealing with Allegations of Misconduct in Research <a href="http://orsp.rutgers.edu/index.php?q=content/university-policy-dealing-allegations-misconduct-research">http://orsp.rutgers.edu/index.php?q=content/university-policy-dealing-allegations-misconduct-research</a></li> </ul>
NCAA or Big 10 Rules	<ul style="list-style-type: none"> <li>Rutgers Athletics Office of Compliance <a href="http://scarletknights.com/ncaa/ncaa.asp#info">http://scarletknights.com/ncaa/ncaa.asp#info</a></li> </ul>
Open Public Meetings Act	<ul style="list-style-type: none"> <li>Office of the Secretary of the University <a href="mailto:secretary@oldqueens.rutgers.edu">secretary@oldqueens.rutgers.edu</a></li> </ul>
Open Public Records Act	<ul style="list-style-type: none"> <li>Office of the Secretary of the University <a href="mailto:secretary@oldqueens.rutgers.edu">secretary@oldqueens.rutgers.edu</a></li> </ul>
Radiation Safety Violation of NRC or DCRA Regulations	<ul style="list-style-type: none"> <li>Laboratory Safety and Environmental Programs Radiation Safety Group <a href="http://rehs.rutgers.edu/lrad.html">http://rehs.rutgers.edu/lrad.html</a></li> </ul>
Records Management (e.g. document retention schedules, archiving documents)	<ul style="list-style-type: none"> <li>Division of Administration and Public Safety <a href="http://recordsmanagement.rutgers.edu">http://recordsmanagement.rutgers.edu</a></li> </ul>
Records: Loss of records; inability to find records; improper release, disclosure or access to records	<ul style="list-style-type: none"> <li>Depending on the type of records, you may contact the following offices:</li> <li>Rutgers Business or Financial Information: Office of the Secretary of the University, Custodian of Records <a href="mailto:secretary@oldqueens.rutgers.edu">secretary@oldqueens.rutgers.edu</a></li> <li>Student Information: The Office of Student Affairs Compliance <a href="mailto:rucomply@rutgers.edu">rucomply@rutgers.edu</a></li> <li>Patient Information RBHS Director of Privacy (800-215-9664) or Rutgers Privacy Officer <a href="http://compliance.rutgers.edu/hipaa">http://compliance.rutgers.edu/hipaa</a></li> <li>Non-public personal information of any individual, including credit card information, social security numbers, driver's license numbers, etc. Director of Information Protection and Security <a href="mailto:abuse@rutgers.edu">abuse@rutgers.edu</a> or go to the Information Protection and Security website <a href="https://rusecure.rutgers.edu/content/information-protection-evaluation-team-ipet-procedures-0">https://rusecure.rutgers.edu/content/information-protection-evaluation-team-ipet-procedures-0</a></li> </ul>
Research Compliance	<ul style="list-style-type: none"> <li>Office of the Vice President of Research and Economic Development Director of Regulatory Affairs (<a href="mailto:laszlo.szabo@rutgers.edu">laszlo.szabo@rutgers.edu</a>)</li> </ul>
Research: Sponsored Project Billing and Reporting	<ul style="list-style-type: none"> <li>Division of Grant and Contract Accounting (<a href="http://postaward.rutgers.edu/">http://postaward.rutgers.edu/</a>)</li> <li>Internal Audit Department(<a href="mailto:kpaulino@rutgers.edu">kpaulino@rutgers.edu</a>)</li> </ul>

Rutgers Biomedical and Health Sciences Compliance Issues	<ul style="list-style-type: none"> <li>The RBHS Office of Ethics, Compliance and Corporate Integrity <a href="http://ethics.rbhs.rutgers.edu">ethics.rbhs.rutgers.edu</a> or call (973) 972-8093</li> </ul>
Sexual Harassment	<ul style="list-style-type: none"> <li>Policy Prohibiting Discrimination and Harassment <a href="http://policies.rutgers.edu/60.1.12-current.pdf">http://policies.rutgers.edu/60.1.12-current.pdf</a></li> <li>Office of Employment Equity: <a href="http://uhr.rutgers.edu/equity">http://uhr.rutgers.edu/equity</a> <ul style="list-style-type: none"> <li><a href="#">Harassment: A Guide for Faculty</a></li> <li><a href="#">Harassment: A Guide for Staff</a></li> <li><a href="#">Harassment: A Guide for Students</a></li> </ul> </li> <li>Code of Student Conduct (also see school-specific Codes of Student Conduct on the school's website) <a href="http://studentconduct.rutgers.edu/university-code-of-student-conduct">http://studentconduct.rutgers.edu/university-code-of-student-conduct</a></li> <li>Office of Student Conduct (<a href="mailto:conduct@rci.rutgers.edu">conduct@rci.rutgers.edu</a>) handles complaints against students arising out of their conduct as students.</li> </ul>
Student Billings	<ul style="list-style-type: none"> <li>Rutgers Office of Student Accounting, Billing and Cashiering <a href="http://www.studentabc.rutgers.edu/">http://www.studentabc.rutgers.edu/</a></li> </ul>
Student Loan Abuses	<ul style="list-style-type: none"> <li>Rutgers Office of Financial Aid <a href="https://studentaid.rutgers.edu/">https://studentaid.rutgers.edu/</a></li> </ul>
University Property: Loss or Theft	<ul style="list-style-type: none"> <li>If the loss or theft involves the loss of records or information, see Records (link to the Records, Loss of Records below.)</li> <li>Office of Risk Management and Insurance <a href="http://riskmanagement.rutgers.edu/about%20us.html">http://riskmanagement.rutgers.edu/about%20us.html</a></li> <li>Office of Risk Management and Insurance Loss Theft Reporting Form <a href="http://riskmanagement.rutgers.edu/PDFForms/Theft_PD.pdf">http://riskmanagement.rutgers.edu/PDFForms/Theft_PD.pdf</a></li> </ul>
Victim Assistance (and violence prevention)	<ul style="list-style-type: none"> <li>In an emergency, dial 911.</li> <li>Violence Prevention and Victim Assistance <a href="http://vpva.rutgers.edu/">http://vpva.rutgers.edu/</a></li> </ul>
Violation of OSHA, HFPA, BOCA, NRC, and FDA regulations	<ul style="list-style-type: none"> <li>Rutgers Environment Health and Safety <a href="http://rehs.rutgers.edu/">http://rehs.rutgers.edu/</a></li> </ul>
Violation of System Security	<ul style="list-style-type: none"> <li>Director of Information Protection and Security (<a href="mailto:abuse@rutgers.edu">abuse@rutgers.edu</a>) or go to the Information Protection and Security website (<a href="https://rusecure.rutgers.edu/content/information-protection-evaluation-team-ipet-procedures-0">https://rusecure.rutgers.edu/content/information-protection-evaluation-team-ipet-procedures-0</a>)</li> </ul>
Violations of EPA regulations and Hazardous material releases	<ul style="list-style-type: none"> <li>Emergency call 911</li> <li>Rutgers Environment Health and Safety <a href="http://rehs.rutgers.edu/">http://rehs.rutgers.edu/</a></li> </ul>
Worker's Compensation Laws	<ul style="list-style-type: none"> <li>New Jersey Department of Labor <a href="http://lwd.dol.state.nj.us/labor/wc/wc_index.html">http://lwd.dol.state.nj.us/labor/wc/wc_index.html</a></li> </ul>
Workplace Violence	<ul style="list-style-type: none"> <li>In an emergency, or if you experience or witness imminent or actual violence involving weapons or potential injuries, call 911.</li> <li>Any person who is the subject of, or witness to, a suspected violation of this policy should report the incident to his or her supervisor or, in lieu thereof, to the appropriate Designated University Representative listed below: <ul style="list-style-type: none"> <li>Camden: Associate Chancellor for Administration and Finance</li> <li>Newark: Associate Chancellor</li> <li>New Brunswick: Office of Labor Relations</li> </ul> </li> <li>Rutgers Workplace Violence Policy <a href="http://policies.rutgers.edu/60.1.13-current.pdf">http://policies.rutgers.edu/60.1.13-current.pdf</a></li> </ul>

