

**County Of San Diego
Health and Human Services Agency**

Chapter: Compliance

Topic: Personnel and Training

Key Words: Complaint, employee, misconduct, reporting

**SUBJECT: Responsibility for Reporting
Compliance Issues**

NO: HHSA-M-3.2

PAGE: 1 of 4

DATE: September 1, 2004 (Revised)

**REFERENCE: 63 FR 8987 (February 23, 1998)
63 FR 70138 (December 18, 1998)
65 FR 59434 (October 5, 2000)**

SUPERSEDES: N/A

PURPOSE:

To establish a process to encourage reporting by County of San Diego Health and Human Services Agency employees of compliance concerns and issues.

BACKGROUND:

On September 10, 2002, the County of San Diego Health & Human Services Agency ("HHSA") established the Compliance Program. The Compliance Program is structured on the guidance provided by the United States Department of Health and Human Services, Office of Inspector General in 63 FR 8987 (February 23, 1998), 63 FR 70138 (December 18, 1998), and 65 FR 59434 (October 5, 2000), et al., and is responsible for implementing a Compliance Program to ensure that HHSA services are provided in accordance with all applicable federal, state, and local laws and regulations. Employees or other individuals acting on behalf of HHSA must know the proper steps to take in the event they should need to report a perceived or suspected violation of applicable federal, state, and local laws and regulations. Failure on the part of HHSA or any employee or individual acting on behalf of HHSA to comply with all statutes, regulations, and guidelines applicable to federal programs or to report suspected non-compliance could result in civil and criminal liability, sanctions, and penalties.

POLICY:

As County employees, HHSA employees are obligated to report in good faith any suspected actual or potential violations of law, regulations, HHSA policy and procedure, or HHSA Code of Conduct and Statement of Incompatible Activities.

PROCEDURE:

Employee Responsibilities (including management):

1. Immediately report knowledge of suspected actual or potential violations of law, regulation, HHSA policy and procedure, or HHSA Code of Conduct and Statement of Incompatible Activities to:
 - a. A supervisor, manager, or other management staff within the employee's specific chain-of-command. If employees are uncomfortable about raising concerns directly to a supervisor or if a concern has already been raised and not addressed, employees should report their concerns using one of the following options:

County Of San Diego
Health and Human Services Agency

Chapter: Compliance

Topic: Personnel and Training

Key Words: Complaint, employee, misconduct, reporting

**SUBJECT: Responsibility for Reporting
Compliance Issues**

NO: HHSA-M-3.2

PAGE: 2 of 4

DATE: September 1, 2004 (Revised)

- i. By telephone to the Compliance Office at (619) 515-4244;
 - ii. By telephone to the toll-free Compliance Hotline (24 hours a day/7days a week) at (866) 549-0004;
 - iii. By e-mail to Compliance.HHSA@sdcounty.ca.gov;
 - iv. By completing the "Compliance Concern" reporting form available on the HHSA Intranet site and mailing to the Compliance Office at Mail Stop P501.
- b. Any HHSA employee who wishes to remain anonymous may report compliance-related issues or concerns using the confidential Compliance Hotline to. Reports made using any of the above options shall be handled as confidentially as practical and/or as allowed by law.
- c. No employee will be subject to retaliation, retribution, or harassment for reports of a suspected violation made in good faith.

Management Responsibilities (HHSA executives, managers and supervisors):

1. Take appropriate measures to ensure support of employee reporting of actual or potential compliance issues. To this end, management will ensure that employees understand that they:
 - a. have an obligation to raise compliance concerns and issues to the appropriate parties;
 - b. may seek clarification and guidance on compliance related issues from management and/or the Compliance Office; and
 - c. may report compliance related issues without fear of retaliation.
2. Maintain an "open door" policy to support and encourage employee reporting of compliance-related issues or concerns.
3. Ensure that reports of actual or potential violations are handled as confidentially as possible.
4. Take issues that cannot be resolved to a higher level of management.

County Of San Diego
Health and Human Services Agency

Chapter: Compliance

Topic: Personnel and Training

Key Words: Complaint, employee, misconduct, reporting

**SUBJECT: Responsibility for Reporting
Compliance Issues**

NO: HHSA-M-3.2

PAGE: 3 of 4

DATE: September 1, 2004 (Revised)

5. Place a high priority on Compliance Office referred issues.

Compliance Office Responsibilities:

1. Implement and publicize a reporting process that encourages employees to report compliance-related concerns to:
 - a. A supervisor, manager, or other management staff within their chain-of-command;
 - b. The Compliance Office;
 - c. The confidential, toll-free Compliance Telephone Hotline;
 - d. The Compliance e-mail box;
 - e. The Compliance Office via "Compliance Concern" form submitted through County or U.S. mail.
2. Maintain a system to document and track reported compliance issues;
3. Coordinate prompt review and investigation of all reported known or potential violations;
4. Ensure follow-up on resolution of compliance issues and concerns.
5. Document all actions taken in response to a compliance issue report, including any steps taken to address identified improper conduct, if any.
6. Report to the Agency Compliance Program Oversight Committee, the County Auditor and Controller, and the HHSA Director on a regular basis regarding compliance issue-reporting activities.

QUESTIONS/INFORMATION:

Contact the Compliance Office at (619) 515-4244.

ATTACHMENTS:

None

County Of San Diego
Health and Human Services Agency

Chapter: Compliance

Topic: Personnel and Training

Key Words: Complaint, employee, misconduct, reporting

SUBJECT: Responsibility for Reporting
Compliance Issues

NO: HHSA-M-3.2

PAGE: 4 of 4

DATE: September 1, 2004 (Revised)

SUNSET DATE:

This policy will be reviewed for continuance by September 1, 2006.

Approved:

Jean M. Shepard
Director