

County Of San Diego
Health and Human Services Agency

Chapter: Compliance

Topic: Investigations

Key Words: Complaint, hotline, investigation

SUBJECT: Compliance Hotline

NO: HHSA-M-5.2

PAGE: 1 of 3

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 consistent and appropriate guidelines regarding the operation of the County of San Diego Health and Human Services Agency Compliance Program telephone hotline.

BACKGROUND:

On September 10, 2002, the San Diego County Health & Human Services Agency ("HHSA") established the Compliance Program. The Compliance Office 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. The Compliance Office will establish and maintain a compliance telephone hotline to provide a mechanism for employees to make inquiries and/or report suspected illegal, improper, or unethical conduct.

POLICY:

1. HHSA, through the Compliance Office, shall establish and maintain a confidential telephone hotline that employees may use to make inquiries or to report suspected violations of compliance guidelines, operational policies, law, regulation, or any other compliance issues or concerns. This confidential telephone hotline is in addition to other reporting mechanisms provided by HHSA, such as reporting to a superior or filing a written report.
2. HHSA employees shall have the option of reporting their concerns in an anonymous and confidential manner.
3. The Compliance Office is responsible for ensuring that hotline calls are processed as confidentially as possible, are addressed in an appropriate and timely manner, and are investigated and followed up as appropriate.
4. Employee use of the telephone hotline shall be promoted through use of various media .
5. Committing or condoning retaliation for good faith reporting of a perceived or suspected violation will not be tolerated by HHSA. Any employee who commits or condones any form of retaliation shall be subject to discipline up to, and including, termination in accordance with applicable civil service rules. (Refer to Policy HHSA-M-5.2).

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6. The Compliance Office shall not be required to disclose the identity of any employee reporting a perceived or suspected violation, when the employee reports in good faith.
7. The Compliance Office shall be responsible for ensuring that an appropriate level of hotline service and effectiveness is maintained.

PROCEDURE:

1. The hotline shall be staffed 24 hours a day, seven days a week. The toll-free hotline number is (866) 549-0004.
2. The following process will be used to handle incoming calls:
 - A. All calls shall be assigned a tracking number and shall be documented on a confidential hotline intake/report form, which shall be kept in a locked and secure file.
 - B. All callers to the hotline shall hear the same message explaining their rights and limitations, the non-retaliation policy, and other pertinent information.
 - C. No attempt shall be made to identify a caller who requests anonymity. Callers shall be provided with a private code or reference number to protect their identity and for use in follow-up communication. Whenever callers choose to disclose their identity, the identity shall be held in confidence to the fullest extent practical and/or allowed by law.
 - D. The Compliance Office shall review all call reports and shall maintain a file on all reports in a locked and secure file. Reports received by the Compliance Office may be handled internally by Compliance Office staff, or referred to the appropriate Regional Manager (or designee), Deputy Director (or designee), Human Resources personnel, Privacy Officer, Information Technology Security Manager, or Civil Rights Coordinator for investigation and follow-up. The Compliance Office may involve other Agency regions/divisions/programs, including legal counsel, for advice or further investigation of complaints as deemed appropriate by the Compliance Officer. The Compliance Officer shall be authorized to take compliance issues to other persons in positions of authority as he/she deems necessary.
 - E. The Compliance Office shall document the action taken in response to all hotline calls, including steps taken to address identified improper conduct.

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Documentation shall be maintained in accordance with record keeping requirements for the Compliance Office (see Policy HHSA-M-2.6).

- F. The Compliance Office shall make regular reports on hotline call volume and related activities to the HHSA Director and the Agency Compliance Program Oversight Committee.
- G. Unless an employee wishes to remain anonymous, or special circumstances exist, employees shall be encouraged to report compliance-related issues or concerns to their supervisor or manager, or another supervisor or manager within their chain-of-command.

QUESTIONS/INFORMATION:

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

ATTACHMENTS:

None

SUNSET DATE:

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

Approved:

Jean M. Shepard
Director