ATTACHMENT 2

POLICY ON SANCTIONS FOR PLAN VIOLATIONS

It is the policy of UMMC to provide for disciplinary actions to be taken against UMMC employees who violate the provisions of the Compliance Plan. The following list of employee infractions and violations apply to the UMMC Compliance Program. These are supplemental to existing employee disciplinary guidelines.

I.

Employee Action | Disciplinary Action
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Employees willfully providing materially false information to UMMC, or a government agency, patient, insurer, or the like. | Disciplinary action shall be termination of employment.

Employees willfully disclosing Protected Health Information (PHI) to unauthorized individuals or entities.  

Employees intentionally misusing the Compliance Hotline or other reporting mechanism by knowingly and willfully providing false information to the Office of Integrity and Compliance or the Compliance Committee.  

Employees willfully viewing Protected Health Information for reasons other than treatment, payment, health care operations, approved Research or those required by law.  

First Offense: Disciplinary Action shall range from 10 working days or 80 working hours without pay up to and including termination.

Second Offense: Termination

Employees negligently providing incorrect information to UMMC, or a government agency, patient, insurer, or the like.  

Employees violating any relevant State
or Federal Law, Rule, or Regulation. Subsequent or repeat violation shall result in a progressive application of disciplinary sanctions.

Employees failing to report another employee's violations of duty pursuant to this Compliance Plan.

Employees failing to detect and/or report conduct by an employee that a reasonable person should know is criminal and could reasonably be expected to be detected.

Employees failing to take action as prescribed under this Compliance Plan or to comply with duties expressed or implied as set forth in this Compliance Plan.

Employees engaging in any conduct prohibited by the terms of this Compliance Plan.

Employees unintentionally or carelessly revealing patient information to oneself or others for reasons other than treatment, payment, health care operations, approved research or those required by law.

11.

In the event that periodic audits reveal any noncompliant behavior or improper or mistaken billing incidents, all mistaken payments shall be returned to the appropriate payer(s) and a report shall be made to the appropriate subcommittee. Depending on the nature and severity of the conduct revealed through the audit procedure, the disciplinary action as listed above may be instituted. Appropriate reports mandated by Federal or State law shall be made as required.

Certain factors as listed below may be considered as mitigation in any proposed disciplinary action: (a) whether the employee promptly reported his/her own violation, (b) whether the report constitutes UMMC's first awareness of the violation and the employee's involvement, and (c) whether the employee cooperated fully in investigating and/or correcting the violation.

Any employee disciplinary action resulting from a violation of this Compliance Plan should be coordinated through the Office of Integrity and Compliance and the Department of Human Resources. Any such disciplinary action must be reviewed by the Compliance Committee to determine if the Compliance Program needs to be revised.

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