



## Policy: Scripps Health Compliance Program

Effective: 12/10/24

Identifier: S-FW-LD-1003

Acute Care: ENC ☒ GR ☒ LJ ☒ MER ☒ Ambulatory ☒ SHAS ☒

**PURPOSE:** To communicate Scripps commitment to compliance with laws and regulations and to an ongoing Corporate Compliance Program. This policy also provides awareness of the Scripps Compliance and Patient Safety Alertline that is available for reporting concerns.

This policy communicates that each Scripps employee, physician, volunteer, and vendor is responsible for promptly reporting compliance questions or concerns, violations of Scripps policy, or any conduct believed to be inappropriate, improper, or that violates any laws or regulations.

This policy also communicates that neither Scripps, nor any of its employees, may retaliate against any employee or other individual for disclosing information as part of the Scripps Health Corporate Compliance Program or to any government or law enforcement agency where the employee or individual has reasonable cause to believe that the information discloses a violation of, or noncompliance with, a federal, state, or local law or regulation.

### I. POLICY

#### A. Scripps Health Corporate Compliance Program

The Scripps Health Corporate Compliance Program (Compliance Program) was established by senior management and the Board of Trustees to guide and assist them in effective implementation of policies and procedures, oversight and monitoring processes, and effective communication mechanisms to ensure ethical business practices and incorporate principles of integrity within Scripps Health's culture and way of conducting business. The Compliance Program and related activities are designed and communicated in a manner consistent with and to support the *Values* and *Mission* of Scripps Health.

A Board of Trustees Resolution established the requirement for a Corporate Compliance Program in February 1998 and a revised Board resolution was approved in December 2002. The resolution states that: "Management of Scripps Health is directed to dedicate the necessary resources toward development of an effective Corporate Compliance Program (the "Program") designed to prevent and detect violations of federal or state law in the conduct of Scripps Health's operations and activities. Management of Scripps Health is directed to dedicate the necessary resources toward implementation of the Program."

#### B. Scripps Standards of Conduct and Compliance Guidance

1. The Standards of Conduct reflect the clear commitment by Scripps Board of Trustees, leadership, physicians, and employees to foster an atmosphere of integrity, honesty and compliance with all applicable laws and regulations. These Standards of Conduct serve as a primary education and communication tool for employees and volunteers that demonstrate how Scripps mission and values influence the way we provide patient care, conduct daily business, interact with each other, and make everyday decisions. Every individual at Scripps is responsible for upholding these guiding principles and for providing care and conducting business in a manner consistent with these standards.

Corporate Compliance will periodically update the *Standards of Conduct* and compliance guidance documents to ensure they are up to date with relevant laws, regulations, accreditation standards and Scripps policies. Such revisions to guidance are approved by the Corporate Compliance Committee.

2. While *Scripps Standards of Conduct* do not specifically apply to non-employees, the Corporate Compliance Program includes relevant compliance guidance for:
  - a. Physicians and advance practice clinicians: Compliance guidance documents have been developed as a primary education and awareness tool in order to communicate key aspects of the Scripps Corporate Compliance Program, and to recognize the key role and responsibilities that all physicians and allied health practitioners have in the overall effectiveness of the Scripps Compliance Program.
  - b. Vendors and third parties: Specific policies and processes have been implemented for those doing business on behalf of or contracting with Scripps for supplies and Services, and business conduct guidelines that Scripps expects all vendors to follow when interacting with or on behalf of Scripps. Information for vendors is conveniently located via Scripps.org [Vendor Information](#).

## **II. ACCOUNTABILITY, AUTHORITY AND ASSIGNED RESPONSIBILITIES**

Compliance with Scripps Policies and applicable federal and state laws and regulations is the responsibility of every Scripps employee and volunteer, as well as all physicians that use our facilities and vendors that provide services or materials.

The Audit & Compliance Committee of the Board of Trustees includes in its charter the oversight responsibility for the Corporate Compliance Program. The Scripps Corporate Compliance Committee is comprised of Scripps senior leadership including business unit chief executives, and others involved in key compliance related roles. Members are determined by the President/CEO and Chief Compliance Officer. The Committee structure is intended to provide comprehensive oversight, appropriate prioritization, and allocation of resources for compliance initiatives, and implementation guidance for the Scripps Corporate Compliance Program and its related activities.

**Corporate Compliance – Role and Responsibilities** Under the direction of the Corporate Senior Vice President, Audit, Compliance, & Risk Executive (CACRE) and Corporate Compliance & Privacy Officer, the Corporate Compliance function has been established as an organizationally independent function. The CACRE serves as the Chief Compliance Officer and reports functionally to the Audit & Compliance Committee of the Scripps Health Board of Trustees and administratively to the Chief Executive Officer (CEO). The CACRE is responsible for the leadership, direction, and oversight of the Corporate Compliance Program, as well as the Internal Audit function, Privacy Program, Information Security Program, Clinical Risk Program, and the system-wide corporate policies and procedures development, approval, and dissemination process.

The Corporate Compliance Program & Privacy Officer, under the general direction of the Chief Compliance Officer, directly manages the Corporate Compliance and Privacy Program for all Scripps Health Business Units in accordance with applicable policies and procedures and assists responsible Scripps Health managers in their development of appropriate policies, control procedures, information systems, training programs, ongoing communications mechanisms, and monitoring activities to promote adherence to all applicable state and federal laws and regulations.

## **III. SCOPE AND PROGRAM DESCRIPTION**

The Scripps Corporate Compliance Program is the umbrella program that covers all business and patient care activities of Scripps Health. Key components of the Compliance Program are outlined in the following chart, and described in detail in the Corporate Compliance Plan which is updated every Fiscal Year, and approved by the Corporate Compliance Committee.



#### **IV. PROTECTION AGAINST RETALIATION**

- A. Federal and State Law:** Both federal and California law provide protection against retaliation for an individual's exercise of their rights under the law.
- 1. Federal Law:** The Deficit Reduction Act provides whistleblower protections with respect to preventing and detecting fraud, waste, and abuse in federal health care programs. The False Claims Act (31 U.S.C. section 3730(h)) is the federal whistleblower statute that prohibits retaliation against individuals who exercise their rights or obligations under the law. It provides: Any employee who is discharged, demoted, suspended, threatened, harassed, or in any other manner discriminated against in the terms and conditions of employment by his or her employer because of lawful acts done by the employee on behalf of the employee or others in furtherance of an action under this section, including investigation for, initiation of,

testimony for, or assistance in an action filed or to be filed under this section, shall be entitled to all relief necessary to make the employee whole.

2. **California Law:** California Labor Code section 1102.5 prohibits retaliation against individuals who exercise their rights or obligations under the law; specifically, an employer may not retaliate against an employee for disclosing information to a government or law enforcement agency, where the employee has reasonable cause to believe that the information discloses a violation of state or federal statute, or a violation or noncompliance with a state or federal rule or regulation.

- B. **Scripps Health Policy:** Scripps policies prohibit any retaliation against any employee or other individual for the conduct noted above in compliance with federal and state law.

## **V. PROCEDURES**

- A. **Education and Awareness:** Compliance education and awareness is a cornerstone of the Scripps Compliance Program. Educational needs are assessed annually and outlined in the Corporate Compliance Program Education Plan which is approved by Corporate Compliance Committee. The Corporate Compliance Program Education Plan along with the Corporate Compliance Plan identifies the:

1. specific educational objectives and initiatives;
  2. deployment method, for example via Learning Management System, in person, virtual in person, virtual recorded;
  3. timing of completion, for example annually, one-time, every 2 years, ad hoc, etc.
- focused audience, for example, employees, managers and above, physicians and other practitioners, and other non-employees who work with Scripps, for example volunteers, vendors, contractors, etc.

- B. **Reporting Compliance and Other Business Practices Concerns:** Any individual, whether an employee, physician, volunteer, or vendor who becomes aware of a situation where non-compliance with Scripps policies or federal or state laws and regulations is known or suspected, or an unsafe situation exists, or where the ethical integrity of the Scripps organization is being compromised, is required to promptly make it known so that Scripps may investigate and resolve the matter. Any such violation, issue or concern should be reported to a supervisor, senior management of the applicable business unit, medical staff office, Corporate Compliance Department, or to the **Scripps Compliance and Patient Safety Alertline (1-888-424-2387)**. Concerns related to safety or quality of care may also be reported directly to The Joint Commission (JC) by mail, fax, or email.

1. **Non-Retaliation and Anonymity:** It is the policy of Scripps that neither retribution nor retaliation for reporting a compliance violation or concern will be tolerated. Any individual found to have retaliated against another for making a good faith compliance complaint or found to have attempted to prevent or discourage a compliance complaint, will be subject to discipline, up to and including termination. Efforts will be made to protect the identity of the employee to the extent allowable by law. Anonymity cannot be protected if individuals identify themselves or provide information that can be used to identify them.
2. **Management:** If an employee reports a compliance concern or violation directly to management, that manager immediately must notify Corporate Compliance of the issue. Managers should not attempt to conduct compliance investigations on their own. Corporate Compliance will log the concern, direct the manager as to appropriate next steps, and monitor the investigation and corrective action process.

- C. **Confidential Compliance Hotline**

Scripps Health has established an anonymous reporting hotline known as the Scripps Compliance and Patient Safety Alertline. The Alertline is operated through an independent firm to ensure integrity and objectivity of the process. No effort is made to determine the telephone number or location from which a call is made. Posters are located throughout all Scripps Health facilities indicating the Scripps Compliance and Patient Safety Alertline toll-free number that can be called 24 hours a day, 365 days a year (1-888-424-2387). The Scripps Compliance and Patient Safety Alertline is also available via a web portal that is accessible internally through a secure link provided on ScrippsConnect on the "Report a Concern" compliance webpage and is also found on the Tools and Apps page.

Types of concerns that might be reported using the Scripps Compliance and Patient Safety Alertline include:

1. Fraudulent or erroneous billing.
2. Medicare fraud and abuse.
3. Violations of patient rights, patient privacy, or confidentiality.
4. Safety concerns or unsafe behavior.
5. Concerns related to security of Scripps Confidential Information.
6. Violations of professional standards of practice.
7. Violations of professional or business ethics.
8. Conflicts of interest.
9. Reports of sexual harassment
10. Suspected fraud, embezzlement, or financial irregularities.
11. Questionable business practices.
12. Violations of Scripps Policies.

**D. Compliance Resources - Compliance Website**

Scripps internal Website, ScrippsConnect, contains a Compliance & Privacy Program section, which is located in the Corporate Departments section. Corporate Compliance has developed and maintains this website as a resource for Scripps staff. The site contains specific information, including education and training materials, the Compliance Program, Information Security and Privacy Program and other key resource links.

**E. Contacts**

Direct any general questions about the Compliance Program or related activities to your immediate supervisor or Administration at your facility. If you have a specific question, you may contact one of the following:

- ☐ Audit, Compliance & Risk Services (ACRS) General Phone Number (858) 678-6810
- ☐ Privacy/Compliance Team Voicemail (858) 678-6819
- ☐ *Also please see the ACRS Contact List on [ScrippsConnect](#).*

**VI. RELATED FORMS**

- A. Scripps Standards of Conduct; [100-NS8631-105SW](#)
- B. Scripps Compliance Guidance for Practitioners; [SW-LD-1003 B](#)
- C. Employee Standards of Conduct Acknowledgment (New Employee Orientation documentation).

**VII. SUPERSEDED**

Scripps Compliance Program; S-FW-LD-1003, 11/21

<b>Document Chronology</b>		
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