

ANDRUS ON HUDSON

Department: Administration

Policy No.:

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Subject: Whistleblower Protection

Date Approved: 8/15/2020

Previously Approved:

Reviewed by: Jon V. Kole

Distribution:

References/Addendum/Special Instructions:

Policy:

Andrus on Hudson (AOH) is committed to the highest standards of moral and ethical behavior by all employees and in all business dealings. Employees, and others having business dealings with our company, have a responsibility to report suspected dishonest acts and/or fraudulent activity to management and/or to appropriate government agencies.

Definitions:

“**Whistleblower**” is a person who reports any kind of information or activity that is deemed illegal, unethical, or against facility policies.

Policy Explanation and Compliance Guidelines:

1. Employees acting in good faith to report suspected dishonest acts and/or fraudulent activity are protected against retaliation for making such report(s).
2. Any person who willfully and/or knowingly files a false report of wrongdoing will be subject to disciplinary action, including prosecution.
3. For the purposes of this policy, the definition of a dishonest act or fraudulent activity includes, but is not limited to:
 - a. An intentional or deliberate act to deprive our company, patients, staff, or third-party vendors of something of value, or to gain an unfair benefit using deception, false suggestions, suppression of truth, or other unfair means which are believed and relied upon.
 - b. Fraud generally involves the intentional misuse of company property or resources for personal non-company use. Examples of fraudulent activities covered by this policy include, but are not limited to:
 - i. Embezzlement or other financial irregularities.

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- ii. Misappropriation, misapplication, destruction, removal, or concealment of property.
 - iii. Forgery, falsification, or alteration of documents (e.g., checks, promissory notes, time sheets, travel expense reports, contractor agreements, purchase orders, or other financial documents, electronic files, etc.).
 - iv. Improprieties/misrepresentation in the handling or reporting of money or financial transactions.
 - v. False claims or misrepresentation of facts.
 - vi. Theft of an asset including but not limited to money, tangible property, trade secrets or intellectual property.
 - vii. Theft, destruction, or misappropriation of company funds, patient funds, securities, supplies, inventory, or any other asset, including furniture, fixtures, and equipment.
 - viii. Accepting or offering of bribes, kickbacks, or rebates.
 - ix. Inappropriate use of computer systems including hacking and software piracy.
 - x. Authorizing or receiving payment for goods not received or services not performed.
 - xi. Authorizing or receiving payments for hours/time not worked.
 - xii. Failure to provide care and treatments to patients in accordance with care plan.
 - xiii. Failure to report patient abuse, mistreatment, and neglect.
 - xiv. Actions related to concealing or perpetuating any of the activities listed above.
4. Any person(s) having knowledge of illegal or fraudulent activity must promptly report such activity to their supervisor, or they may report such information directly to company management or to the appropriate government agency.
 5. Insofar as permitted by law, source information will be kept confidential.
 6. No disciplinary action shall be threatened, initiated or administered against an employee as a result of the employee's disclosure of information in response to a subpoena or other legal process, except when:
 - a. An employee discloses information that s/he knows to be false or who discloses information with disregard to the truth.
 - b. An employee discloses information that is considered confidential under any provision of the law.
 7. AOH will not retaliate against employees who act in good faith to report suspected dishonest and/or fraudulent activity, including protection from retaliation in the form of adverse employment action, poor work assignments, and/or threats of physical harm.

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8. Employees who believe that she/he has been the victim of retaliation may file a complaint with Human Resources 914-478-3700 ext. 3025 within sixty days of the alleged retaliation.
 9. An investigation will be conducted by Human Resources, or other person designated by Administration within ten workdays of receipt of the complaint.
 10. The employee will receive a written report of the findings and corrective action(s) taken (if any) within five workdays of the completion of the investigation.
 11. An appeal of the findings may be made to company management.

Signature: _____ *Jon Kola* _____

Date: 11/4/21