



Non Retaliation: Reports of Suspected Compliance Program Violations

Subject: Responding to Compliance Issues

Policy Number: BPS RCI-002

PURPOSE

The purpose of BPS RCI-002 is to provide (1) a statement of Bluestone's (BPS) policy regarding non-retaliation with respect to reports of suspected non-compliance, and (2) procedures to ensure that Bluestone's practices are consistent with its stated policies.

SCOPE

This policy applies to all *covered persons of Bluestone Physician Services, P.A., Bluestone National, LLC, and Bluestone Physician Services Wisconsin, and its subsidiaries and affiliates, (collectively, Bluestone Physician Services (BPS)).

DEFINITION

*Covered persons means: (a) all owners who are natural persons, officers, board members, and employees of Provider; (b) all contractors who furnish patient care items or services or perform billing or coding functions on behalf of Provider; and (c) all physicians and other non-physician practitioners who are members of Provider's active medical staff.

POLICY

BPS Covered persons are required to report any suspected noncompliance with applicable laws and regulations, the Compliance Plan, Code of Conduct, Policies and Procedures, or other applicable requirements. Individuals submitting such reports of noncompliance in good faith shall not be subject to retaliation or any form of harassment.

PROCEDURE

A. General Rule. When an individual has made a report (internally or externally) of an activity, practice, or arrangement that the individual in good faith believes violates or may violate laws or regulations, Blueston's Compliance Program, Code of Conduct, Policies and Procedures, or other applicable requirements:



Non Retaliation: Reports of Suspected Compliance Program Violations

Subject: Responding to Compliance Issues

Policy Number: BPS RCI-002

1. Bluestone (BPS) shall in no way impede, prohibit, or dissuade the individual from reporting a suspected Compliance Program violation;
 2. BPS shall not retaliate or engage in retribution (including discharge, demotion, suspension, denial of promotion, or discrimination) against, or otherwise harass in any manner, the individual for making a report, provided such report was made in good faith and the individual was not involved in the misconduct at issue;
 3. The BPS Compliance Officer periodically will make appropriate inquiry to determine whether those who report suspected Compliance Program violations were victims of retaliation conduct;
 4. Any covered persons who are involved in any act of retaliation, retribution, or any form of harassment - either committing the act or condoning it - against a person who reports a compliance concern will be subject to disciplinary action, up to and including termination.
- B. Self-Disclosure of Participation in Non-Compliance.
1. Notwithstanding its commitment not to retaliate for reporting known or suspected Compliance Program violations, Bluestone shall take appropriate corrective and/or disciplinary action against any individual who violates the Compliance Plan, Policies and Procedures, Code of Conduct, or applicable laws or regulations, regardless of whether that individual reported such violation.
 2. As set forth in Policy BPS RCI-004 , however, the fact that the individual reported his or her own misconduct - and the truthfulness and completeness of that self-disclosure - may be a mitigating factor in determining the severity of any corrective and/or disciplinary action.
 3. No corrective and/or disciplinary action shall be taken against any individual who mistakenly reported what he or she reasonably and in good faith believed to be an act of non-compliance or a Compliance Program violation. However, an individual may be subject to corrective and/or disciplinary action if it is determined that the report of wrongdoing or suspected Compliance Program violation was not made in good faith (e.g., was knowingly fabricated, distorted, exaggerated, or minimized in order to injure someone else, protect himself/herself, or for any other reason).
 4. Any BPS Covered Persons who misuses the Confidential Compliance Reporting tools or attempts to interfere with efforts to investigate or address a possible compliance issue is subject to corrective and/or disciplinary action, up to and including termination.



Non Retaliation: Reports of Suspected Compliance Program Violations

Subject: Responding to Compliance Issues

Policy Number: BPS RCI-002

C. Documentation. Bluestone shall document compliance with Policy BPS RCI-002 and maintain such documentation consistent with BPS document retention policies.

ENFORCEMENT

All staff whose responsibilities are affected by this policy are expected to be familiar with the basic procedures and responsibilities created by this policy. Failure to comply with this policy will be subject to appropriate performance management pursuant to all applicable policies and procedures, up to and including termination.

Related Policies and Procedures

- [BPS Code of Conduct](#)
- [BPS CMO- 002](#) - Reporting Suspected Non-Compliance, Subject: Compliance Monitoring & Oversight
- [BPS RCI-001](#) - Responding to Compliance Issues, Subject: Responding to Compliance Issues
- [BPS RCI-003](#) - Investigation of Compliance Violation Reports, Subject: Responding to Compliance Issues
- [BPS HE-004](#) - Duty to Report Suspected Non-Compliance, Subject: Hiring, Employment, & Contracting

RESOURCES

[1] 42 C.F.R. 425.300.

[2] The OIG provides detailed compliance program advice, including "best practices" at its website, www.oig.hhs.gov/compliance , including specific advice for separate types of entities. A review of compliance guidance posted here should regularly be undertaken to ensure a complete, up-to-date



Non Retaliation: Reports of Suspected Compliance Program Violations

Subject: Responding to Compliance Issues

Policy Number: BPS RCI-002

understanding of compliance requirements.

[3] 42 C.F.R. 425.314.

[4] Established under Section 3022 of the ACA, amending Title 18 of the Social Security Act by adding Section 1899, et seq.

[5] 76 Fed. Reg. 19528 (April 7, 2011), 76 Fed. Reg. 67802 (Nov. 2, 2011), 79 Fed. Reg. 72760 (Dec. 8, 2014), 80 Fed. Reg. 32692 (June 9, 2015), and 81 Fed. Reg. 37950 (June 6, 2016).

[6] Located at

<http://www.cms.gov/Medicare/Medicare-Fee-for-Service-Payment/sharedsavingsprogram/index.html?redirect=/sharedsavingsprogram/> .

Approval History

Date (MM/YYYY)	Stakeholders	Name/Title
10/2024	Compliance Committee	Compliance Committee

Revision History

Date (MM/YYYY)	Revisions	Name/Title	Version
8/7/24	DRAFT	Nanc MacLeslie, Compliance Team	DRAFT
10/2024	Approved	ECC	1

1

¹ Prepared at the direction, request, and in furtherance of the purposes of a review organization and any and all information and documentation prepared in furtherance of this policy is confidential and should not be shared outside of Bluestone Physician Services or its Affiliates. Protected under Wis. Stat. 146.38 and Minn. Stat. 145.61et seq. and FL Stat 766.101. The information contained herein is provided for informational purposes only and does not constitute legal, medical, or professional advice. Further, these policies and procedures are subject to change without



Non Retaliation: Reports of Suspected Compliance Program Violations

Subject: Responding to Compliance Issues

Policy Number: BPS RCI-002

prior notice, and Bluestone makes no representation to reliance on users of outdated information. Users should check back here for updates regularly.