

Fraud and Investigation Policy

KEYWORDS: Fraud, investigation, fraudulent, cheat, cheating, swindling, embezzlement, deceit, deception, swindler.

PURPOSE: Depending on the circumstances, investigations may be conducted by the Security, Corporate Compliance and/or Legal Department. These investigations provide a sound foundation for the protection of the innocent, the removal of wrong-doers from the ranks of St. Joseph's Healthcare System, appropriate judicial action when warranted and the basis for filing bond and insurance claims.

SCOPE: All St. Joseph's Healthcare System Facilities.

LEGAL/REGULATORY CITES: N/A

DEFINITIONS: Wrongful or criminal deception intended to result in person gain.

Policy

The Corporate Compliance and Security Departments have been directed to make themselves available and receptive to receiving relevant information concerning any situation involving possible impropriety matters pertaining to the operations of St. Joseph's Healthcare System. Employees are expected to contact members of the Corporate Compliance Department through the Compliance Hotline (973-754-2017) or e-mail (cchotline@sjhmc.org) to report potential ethical or legal concerns, possible breaches of patient privacy and confidentiality or fraudulent activities.

Procedure

Upon being notified of a potentially fraudulent activity, the Corporate Compliance Department will notify, as appropriate, legal counsel, administrative personnel and Security. If the notification is through the Compliance Hotline reporting system, the date, nature and name of the informant (if known) will be logged in the Corporate Compliance Hotline Log. The following investigative procedures will be followed:

1. No investigative techniques verging on illegal activities will be used (e.g. recording, photography devices).
2. All interviews and interrogations will be conducted in such a manner as not to discredit persons being interviewed, and will be conducted by two persons charged with investigative responsibilities.
3. Corporate Compliance, legal counsel and Security will be the custodians of all original files and documents (e.g. contracts, cancelled checks, affidavits, etc.) involved in the investigation.
4. Legal counsel will prepare a case report where there is sufficient evidence present to show probable cause that a crime has been committed.

5. Legal counsel will assure that there is no known circumstances that would preclude providing the case report and evidence gathered to appropriate law enforcement for their independent investigation and action.
6. All requests for information from outside law enforcement agencies will be forwarded to legal counsel.
7. All information collected during investigations will be under attorney client privilege.
8. In conducting an investigation, Corporate Compliance, Security and legal counsel will have access to all St. Joseph's property and records without the prior consent of any employee who uses or has custody of those items.
9. The Corporate Compliance Officer and/or legal counsel will verbally inform the Board of Trustees through the Audit/Compliance Committee and the President/CEO in the event that an investigation is initiated involving a member of senior management.
10. Only Corporate Compliance, legal counsel, Security, Audit/Compliance Committee members, the President/CEO and those members of management who have a need to know the contents of the investigation shall have access to the case report.

Kevin J. Slavin
President/CEO