

**Medicaid Business Unit
Policies and Procedures**

Section (Primary Department) Medicaid Compliance		SUBJECT (Document Title) Non-retaliation and Non-Intimidation - WNY	
Effective Date 01/01/2017	Date of Last Review	Date of Last Revision	Dept. Approval Date 12/28/2016
<u>Department Approval/Signature :</u>			
<u>Procedure applies to Medicaid products offered by health plans operating in the following State(s)</u>			
California	Louisiana	Tennessee	
Florida	Maryland	Texas	
Georgia	Nevada	Virginia	
Indiana	New Jersey	Washington	
Iowa	New York	Wisconsin	
Kansas	New York (WST) X	West Virginia	
Kentucky	South Carolina		

BACKGROUND:

The Federal Sentencing Guidelines state that an organization shall publicize a system, which may include mechanisms that allow for anonymity and confidentiality, whereby the organization’s employees and agents may report or seek guidance regarding potential or actual criminal conduct without fear of retaliation and intimidation. A work environment free from retaliation, retribution, and intimidation is one that allows associates to freely express their ethics and compliance-related concerns.

PURPOSE:

Amerigroup Partnership Plan (APP) is committed to providing its associates with a work environment that is free from retaliation and intimidation for reporting actual or suspected ethical or compliance concerns. APP understands that an associate’s willingness to report potential compliance violations is reduced if the associate feels she/he will be subject to retaliation, retribution, or intimidation. This policy is intended to reaffirm APP’s policy prohibiting such retaliation.

POLICY:

APP prohibits retaliation and intimidation against anyone (including vendors, subcontractors, providers, members and other agents) for reporting in good faith an ethics or compliance concern or for participating in an investigation of such a report. Any associate, regardless of status, who engages in retaliatory activity, is subject to corrective action, up to and including termination of employment. Retaliatory activity includes discharging, demoting, suspending, threatening, intimidating or harassing the reporter or participant.

Anyone (associate, vendor, subcontractor, providers, member and other agent) who reports, in good faith, an actual or suspected ethical or compliance concern, or participates in an investigation, will not be subject to retaliation or intimidation. Any associate, regardless of seniority or status, who engages in or condones retaliatory activity is subject to corrective action, up to and including termination of employment.

The policy is not limited to acts of retaliation, retribution and intimidation by a manager against

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an associate. The policy also covers acts of retaliation and intimidation by an associate against another associate, or by an associate towards a manager.

The Ethics Office fully investigates allegations of retaliatory conduct. In the event that retaliation is proven, The Ethics Office works collaboratively with Human Resources, Legal, and management as appropriate.

MONITORING:

The Ethics Office periodically monitors compliance with this policy by performing activities such as follow-up contact to reporters to ensure no retaliation or intimidation has occurred, culture surveys and associate feedback on the I Am...Anthem annual training outlined in the Annual and Ongoing Ethics & Compliance Training Policy.

RESPONSIBILITIES /ONGOING REPORTING:

Associates must allow other associates to freely express their ethics and compliance related concerns without fear of retaliation, retribution, and intimidation.

Management must provide an environment that enables associates to freely express their ethics and compliance related concerns without fear of retaliation and intimidation.

The Ethics Office communicates this policy in forums that are widely distributed to Anthem associates, such as the Standards of Ethical Business Conduct, Online News, and educational courses, as appropriate. In addition, the Ethics Office investigates reports of retaliation, retribution, and intimidation and takes appropriate corrective action.

RECORD RETENTION:

The Ethics Office documents and retains its investigation records for a period of at least ten years.

REFERENCES:

- New York State Labor Law §§ 740 and 741
- United States Sentencing Guidelines §8B2.1 (b)(2)(B)
- United States Sentencing Guidelines §8B2.1 (b)(5)(C)

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Related Documents

Annual and Ongoing Ethics and Compliance Training Policy
 Ethics Office Applicability Matrix
 Standards of Ethical Business Conduct

EXCEPTIONS:

None

REVISION HISTORY:

Review Date	Changes
12/28/2016	• New Policy
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