



Fraud, Waste and Abuse Prevention and Detection for Whidbey Island Public Hospital District Employees, Contractors and Agents

Federal law requires that we educate all Whidbey Island Public Hospital District employees, contractors and agents about our policies on state and federal False Claims Act statutes and whistleblower protections and penalties.

The Federal False Claims Act can be found in the United States Code in sections 3729-3733. The Federal False Claims Act is a statute that imposes civil liability of between \$5,500 and \$11,000 per claim, plus three times the amount of damages sustained by the government as a result of the violation of this statute, to any person or entity who:

1. Knowingly submits a false claim to the federal government for payment
2. Knowingly makes or uses a false record or statement to obtain payment or approval of a claim by the federal government
3. Uses a false statement to decrease an obligation to the government

Under the qui tam (whistleblower) provisions of the False Claims Act, private citizens with knowledge of potential violations may file suit on behalf of the government. A private citizen must be an original source who has direct and independent knowledge of the information on which the allegations are based and has voluntarily provided the information to the government before filing an action.

If the government proceeds with the suit, the government will have primary responsibility for prosecution, and the private citizen will have the right to be a party to the suit. In this case, the private citizen would be entitled to receive a portion of the proceeds of the suit or a settlement.

If the government chooses to not proceed with prosecuting the action under the False Claims Act, the private citizen will have the right to proceed with a case on their own.

The False Claims Act provides protection and relief to any employee who is discharged, demoted, suspended, threatened, harassed, or incurs any discrimination in the terms and conditions of employment because of bringing the action. The relief includes reinstatement with the same seniority status they would have had prior to the discrimination, twice the amount of back pay and compensation for any special damages sustained, including litigation and reasonable attorneys' costs.

WhidbeyHealth has issued a Code of Conduct. Any interested party can obtain a copy by calling the Compliance Officer at **360.678.7656 ext.4100**.

There is also a Compliance Reporting structure available to anyone who wants to report any suspected or observed non-compliant activities. Reporting of suspected activity or observed non-compliant activities can be accomplished by:

1. Calling the Compliance Officer at **360.678.7656 ext. 4100**
2. Sending an e-mail to the Compliance Officer at ***stoutb@whidbeyhealth.org***
3. Calling the Compliance Hotline at **866.476.6942**
4. Accessing the Compliance Self-Reporting Hotline at
<https://www.mycompliancereport.com/report.asp?fid=11&cid=wgho&rpt=1>

31 USC § 3729; United States Code - Federal False Claims Act - General Provisions

31 USC § 3730 (h); United States Code - Federal False Claims Act - Relief from Retaliatory Actions

42 CFR 422.503(b) (4) (vi); Code of Federal Regulations - Basic Compliance Requirements

42 CFR 422.503 Code of Federal Regulations - General Requirements of a Medicare Advantage Plan

42 CFR 423.272; Code of Federal Regulations - Chapter IV-Centers For Medicare & Medicaid Services, Department Of Health And Human Services - Part 423 -

42 CFR 423.4; Code of Federal Regulations - Chapter IV--Centers For Medicare & Medicaid Services, Department Of Health And Human Services - Part 423 -

Voluntary Medicare Prescription Drug Benefit - Definitions

42 CFR 423.504(b) (4) (vi) (H); Code of Federal Regulations - General Requirements of a Part D Plan

42 CFR 438.608; Code of Federal Regulations - Program Integrity Requirements

42 CFR 455.2; Code of Federal Regulations - Chapter IV - Centers For Medicare & Medicaid Services, Department Of Health And Human Services - Part 455 - Program Integrity: Medicaid - Definitions

CMS Prescription Drug Benefit Manual; Chapter 9 - Fraud, Waste and Abuse Deficit Reduction Act of 2005

Washington Healthcare False Claims Act CHAPTER 48.80 RCW

Washington MEDICAID FRAUD FALSE CLAIMS ACT RCW 74.66