



SALISH BHO

ADMINISTRATION POLICIES AND PROCEDURES

Policy Name: PROTECTIONS AGAINST RETALIATION

Policy Number: 2.22

Reference: State contract, WAC 388-877-0605; -0680

Effective Date: 6/2000

Revision Date(s): 2/2013; 4/2016; 6/2018

Reviewed Date: 4/2016; 6/2017; 6/2018

Approved by: SBHO Executive Board

CROSS REFERENCES

- Plan: Compliance Plan
- Policy: Corrective Action Plans
- Policy: Fraud and Abuse Compliance Reporting Standards

PURPOSE

The Salish Behavioral Health Organization (SBHO) will prevent any incidence of retaliation, intimidation, coercion, or harassment directed against any individual, Ombuds, SBHO Advisory Board, SBHO Executive Board, Quality Review Team (QRT) member, SBHO staff and investigate any alleged incidents thereof.

Individuals may perform functions that may put themselves and/or family member individuals at risk or perceived risk of retaliation. The SBHO shall assure these individuals may perform their duties free from retaliation or threat of retaliation.

DEFINITIONS

Retaliation refers to any actions perceived as revengeful or vindictive in nature.

POLICY

Retaliation is completely incompatible with the values and goals of the SBHO and will not be tolerated. Retaliation, whether actual or threatened, destroys a sense of community and trust that is central to a quality behavioral health care program.

1. There will be no retaliation, intimidation, coercion or harassment directed against any individual for filing a grievance or for disclosing or alleging official misconduct. The term retaliation shall have the meaning that it does under state whistleblower laws.
2. The SBHO prohibits retaliation of any kind against the Ombuds and QRT, SBHO staff, Executive Board or Advisory Board members for the completion of their official duties, in accordance with SBHO policies and procedures.
3. The SBHO believes that the improvement of the quality of services through the concern and grievance process is vital to Quality Management and Quality Improvement processes.

PROCEDURE

1. If an individual experiences any action perceived as retaliatory in nature (as defined above) from a SBHO network behavioral health provider, subcontractor, ancillary community provider, or individual members of the community, or SBHO staff, the individual must report the incident to the SBHO Regional Administrator.
 - The SBHO Regional Administrator will review all substantiated concerns and grievances regarding retaliation. The SBHO Regional Administrator may delegate the issues of concern to the SBHO Compliance Officer.
2. The SBHO will take action in accordance with the provider contract, allied system coordination plan, and/or personnel policies and procedures to prevent and correct behavior that violates this policy.
 - If the incident involves an employee of a network provider agency, the incident will be reported to the agency human resources department and the employee's direct supervisor.
 - A SBHO employee who violates this policy, or acts in a way that is contrary to this policy, is subject to progressive disciplinary action in accordance with the SBHO/Kitsap County personnel policies and procedures.
 - If the concern involves the SBHO Regional Administrator, the individual will report the incident to the Kitsap County Human Services Director.
 - If the concern involves the Kitsap County Department Head or a member of the SBHO Executive Board, their respective county will be informed so that they may follow their own policies and procedures.

3. The SBHO will investigate any acts reported and perceived as retaliatory in nature within thirty (30) days from the date of report.
4. The SBHO will provide a written conclusion of the investigation to the complainant within fifteen (15) days of the completion of the investigation.
5. The SBHO may consult with the State or their subcontractor, such as the external quality review organization (EQRO) entity or WIMRT, to adopt procedures to prevent retaliation or deal with a noted trend of retaliation.
6. The SBHO will participate, to the fullest extent, with any investigation facilitated by the State or their formal designee.
7. Remedial action to retaliation allegations determined to be founded may include:
 - Education and training
 - Referral to Employee Assistance Programs (EAP)
 - Employee disciplinary action
 - Employee or member appointment suspended
 - Employee or member appointment terminated
8. Full records of all concerns or grievances regarding retaliation will be maintained in confidential files by the SBHO Regional Administrator or designee.

MONITORING

This policy is a mandated by statute and contract.

1. The SBHO will monitor this policy through the use of:
 - Annual SBHO Provider and Subcontractor Administrative Review
 - Biennial Provider Quality Review Team On-site Review
 - Grievance Tracking Reports
 - Quality Management Plan activities and Quality Improvement Committee (QUIC) oversight, such as review targeted issues for trends and recommendations
2. Due to the nature of this policy, policy monitoring activities and Corrective Action Plans may be individualized to address the threat of retaliation concerns.
Reference SBHO Corrective Action Plan Policy