


<b>COMPLIANCE</b>	 From DentaQuest			
	<i>Policy and Procedure</i>			
	Policy Name:	<b>Duty to Report Non-Compliance; Non-Retaliation</b>	Policy ID:	<b>PLANCG-65</b>
	Approved By:	Courtney Ransom, Head of Risk Management, Ethics & Compliance	Last Revision Date:	02/03/2026
	States:	Oregon	Last Review Date:	03/25/2026
Application:	Medicaid	Effective Date:	03/26/2026	

## PURPOSE

The purpose of this policy is to ensure that The Dental Subcontractor officers, employees, independent contractors, Board members and subcontractors (downstream entities) and other interested parties understand their duty to report potential instances of non-compliance without fear or risk of retaliation.

## POLICY

The Dental Subcontractor is committed to providing alternative channels for reporting problems and concerns. This policy requires Team Members to report actual or potential wrongdoing, including any actual or potential violation of law, regulation, policy, or procedure either anonymously or in confidence, within 24 hours of identification. The Dental Subcontractor ensures effective lines of communication from all Team Members to the Head of Risk Management, Ethics & Compliance (“**Compliance Officer**”) and other reporting channels, including a process - such as an anonymous disclosure program - to receive complaints. Furthermore, this policy is established as an avenue for Team Members to report suspected criminal activity or unethical conduct occurring within the organization in the event other resolution channels are ineffective or the Team Member wishes to remain anonymous.

## REFERENCES

CMS Managed Care Manual Chapter 21  
 CMS Prescription Drug Benefit Manual Chapter 9  
 42 C.F.R. §§ 422.503 (b)(4)(vi)(D), 423.504 (b)(4)(vi)(D)  
 42 C.F.R. § 438.608(a)(1)(v)

## DEFINITIONS

- “**Team Member**” includes any employee, officer and/or other interested party of The Dental Subcontractor.
- “**The Dental Subcontractor**” includes the corporate The Dental Subcontractor parent organization and all of its subsidiary entities.
- “**Compliance Issue**” means a suspected violation of a law, regulation, policy, or contract requirement governing The Dental Subcontractor.
- “**Caller**” means a person or entity that files or calls to report a complaint or allegation.

- **“Respondent”** means a person or entity named in a complaint or the subject of an allegation.

## **PROCEDURE**

### **I. Duty to Report Noncompliance; Non-retaliation**

An important factor in establishing a strong ethical culture is to provide a means for employees to report ethics violations when they occur. Anonymous disclosures provide a critical communication channel for health care organizations and are a key component of an effective compliance program.

Team Members who report concerns in good faith are not subjected to retaliation, retribution, or harassment. No Team Member is permitted to engage in retaliation, retribution, or any form of harassment against another Team Member for reporting compliance-related issues or fraud, waste, and abuse (FWA). Any retribution, retaliation, intentional misconduct or harassment will be met with more stringent disciplinary action. This policy assures Team Members that their employment with The Dental Subcontractor is not at risk by such reporting. However, Team Members cannot exempt themselves from the consequences of wrongdoing by self-reporting, although self-reporting may be taken into account in determining the appropriate course of action.

In compliance with Chapter 21-Compliance Program Guidelines for Medicaid and Medicare, within two weeks of notification of program non-compliance, The Dental Subcontractor will begin an inquiry.

The Team Member can easily and confidentially report a known or suspected violation by using any of the following avenues of reporting:

- The Compliance Officer
- Compliance Alert Line (Hotline): 1-866-737-3559
- Anonymous Compliance Reporting Form: <https://clearviewconnects.com>
- FWA Hotline: 1-800-237-9139
- Ethics and Compliance E-mail Distribution List: [DL-Compliance@greatdentalplans.com](mailto:DL-Compliance@greatdentalplans.com)
- Manager of Human Resources (HR)
- HIPAA Privacy E-mail Box: [privacy@greatdentalplans.com](mailto:privacy@greatdentalplans.com)
- HIPAA Privacy Reporting Form

### **II. Investigation**

- A. Preliminary Investigation:** During the preliminary phase, the Compliance Officer or designated representative will gather information and evidence from the Caller, in accordance with company policy, but is not responsible for contacting the respondent (the accused) or other witnesses. If the Compliance Officer or designated representative needs additional information from the Caller who wishes to remain anonymous, this can be done by using the third-party ethics hotline as an intermediary. The purpose of the initial investigation is to determine the possibility that an ethical violation did occur. If it is apparent that an incident likely did occur, the Compliance Officer will determine whether the alleged activity may violate the Code of Conduct & Ethics or other ethical

policies and procedures. If the Compliance Officer determines that there is not enough evidence to indicate a violation has occurred, the Caller should be notified in writing, again using the third-party hotline as an intermediary if necessary.

- B. Full Investigation:** If the preliminary fact-finding results indicate that a full investigation is warranted, the Compliance Officer or designated representative will decide who will conduct the investigation, give proper notification to individuals involved in the investigation, prepare the actual investigation and interviews, conduct interviews, and handle appropriate follow-up. Complaints and Grievances (C&G), Fraud Prevention & Recovery (FPR), HR and/or any other operational area chosen to conduct the investigation of the complaint for validity will operate in accordance with their policies and procedures. Based on the nature of the complaint and its categorization, the Compliance Officer or designated representative will forward the complaint to the appropriate operational unit to begin the investigation.

All investigations will be handled and logged as outlined in policy PLANCG-63 Compliance Investigations.

- C. C&G Coordination** If the Compliance Department receives a member complaint or appeal that should be handled by C&G, the matter will be forwarded to: DL C-G management. The C&G manager will assign the issue to the appropriate specialist. The complaint or appeal will be forwarded as quickly as possible, 24 hours or less. Where The Dental Subcontractor is not delegated for member complaints, those complaints must go to the health plan(s) within 24 hours from when it was received at The Dental Subcontractor.

#### Proper Notification

The assigned operational area will notify the respondent in writing as to the findings of the preliminary investigation, including any charges that are being levied. Respondents will be given a reasonable amount of time, typically 30 days, to reply to the charges and furnish their own evidence, as well as a list of any witnesses that support their case. In the event the complainant supplied contact information to the third-party ethics hotline, the Compliance Officer or designated representative will also notify the complainant of the findings in accordance with company policy.

If respondents need additional time to respond to the allegations, they should notify the Compliance Officer or designated representative before the specified date. Respondents should not be told the identity of the complainant unless it is necessary for their defense.

### **III. Review and Determination**

- A. Resolution:** After all the information has been compiled and the investigation has concluded, the Compliance Officer or designated representative will make a final determination. The results will be provided on a “need to know basis,” which typically involves the complainant, respondent and any pertinent members of management. If it is determined that remedial action is necessary, any decisions regarding consequences will be made in conjunction with management and HR policies.

The Dental Subcontractor, in its sole discretion, shall determine when a satisfactory complaint or allegation resolution has been reached.

**B. Remedies:** When deciding on the type of remedial action, several factors will be taken into consideration. These include the seriousness of the offense and the frequency of occurrence, the overall employee record of the respondent, as applicable, how similar occurrences have been handled in the past and the suitability of the intended punishment in relation to company policy.

Requiring action on the part of the respondent may also be an option. The respondent may be sent a letter outlining actions that need to be taken, such as providing restitution or making a formal apology to the complainant. Conditions may be imposed if the respondent does not comply.

**NOTES**

This policy was previously tracked as Compliance Policy number 1200.009 Non-retaliation and Obligation to Report Noncompliance.

***Revision History***

Date:	Description
2/20/2015	Updates driven by the recommendations from the 2014 Compliance Program Assessment.
3/8/2016	Combined former policies on Anonymous Disclosures and Reporting Obligations into one policy 1200.009
2/27/2018	Conversion to revised policy and procedure format and naming convention.
5/2/2018	Moved content from policy 1200.007 Access to Chief Compliance and policy 1200-009 Non-retaliation and Obligation to Report Noncompliance to COM09-ENT-SOP: Answering Protocol
5/29/2020	ADS Compliance Committee approval
06/09/2021	Updates based on annual review.
10/5/2021	Updates based on annual review.
11/30/2021	Updates based on annual review.
12/31/2022	Updates based on annual review.
03/07/2024	Updates based on annual review.
09/27/2024	Updates based on annual review.
02/03/2026	Updates based on annual review.