

Responding to External Investigations

Federal Regulations:	Effective Date: September 3, 2019
State Regulations:	Revision Date(s): February 27, 2023

PURPOSE: To define how to respond appropriately to an unexpected government investigation.

POLICY: The Hospice does not impede any investigations by governmental agencies.

PROCEDURE:

- 1) Verify each individual's identification and agency affiliation and obtain business cards from each to obtain name(s), titles and phone numbers
- 2) Identify the individual in charge and ask about the nature of the investigation. Obtain a copy of the subpoena or search warrant. Do not impede or obstruct the search.
- 3) Put the individuals in an empty conference room and have someone from the hospice stay with them.
- 4) Notify the Administrator, VP of Hospice Operations, VP of Hospice Clinical and Compliance Officer immediately. If the administrator is not available, she designates the staff that is responsible with interacting with the agent(s) in charge and to monitor the investigation.
- 5) Compliance Officer will notify the hospice's legal counsel.
- 6) The Administrator / Compliance Officer should try to determine the nature of the investigation or any alleged violations and reviews the subpoena or search warrant and record key information to the scope of the warrant or subpoena.
 - a) Ask if an affidavit was submitted to a court or some other official body as a prerequisite to obtain the authorization and request a copy of any such affidavit.
 - b) Verify the scope of the subpoena or search warrant to ensure the agent's search or seizure is limited to such scope.
- 7) Monitor the investigators/agents and record everything they ask for, review, copy and take.
- 8) Ask to make copies of the originals and backup of any electronically stored information the agents are seizing.
- 9) Advise employees concerning their rights should agents want to interview anyone.
- 10) Obtain a detailed receipt of items seized and verify the completeness and accuracy of the list.
- 11) Do not sign any statement without advice from legal counsel.
- 12) Do not speak to the media without a prepared statement developed in conjunction with legal counsel.