

### **Section 6032 of the Deficit Reduction Act:**

In accordance with the requirements of the federal law, Section 6032 of the Deficit Reduction Act of 2005 (DRA), Hackensack Meridian Health (HMH) has implemented a Corporate Policy “Fraud, Waste and Abuse Prevention, Detection and Resolution – DRA Compliance Policy”. This policy summarizes federal and state laws concerning false claims and administrative remedies for false claims and statements, whistleblower protections under such laws, and a summary of HMH’s policies and procedures for detecting and preventing fraud, waste and abuse and the rights of employees as whistleblowers to be protected from retaliation. As a contractor/vendor/agent that does business with HMH, you are required by law to communicate and educate your staff on this policy, and you and your staff are required to abide by the requirements of this policy.

The federal and state laws summarized in this policy include but are not limited to:

- Deficit Reduction Act of 2005, S.1932 (February 8, 2006);
- Enhancement of Contractor Protection From Reprisal For Disclosure of Certain Information (41 USC § 47.12);
- Federal Civil False Claims Act, 31 USC 3729 et seq.;
- Federal Program Fraud Civil Remedies Act of 1986, 31 USC 3801 – 3812
- New Jersey False Claims Act, NJSA 30:4D-17(e);
- New Jersey Health Care Claims Fraud Act, NJSA 2C:21-4.2 and NJS 2C:51-5;
- New Jersey Conscientious Employee Protection Act, NJSA. 2C:2.1-4.2 and 4.3; NJS 2CC:51-5;
- NJ Medical Assistance and Health Services Act – Criminal Penalties, NJSA 30:4D-17 (1)-(d);
- NJ Medical Assistance and Health Services Act – Civil remedies, NJSA 30:4D-7.h; NJS 30:4D-17E - (i); NJS 30:4D-17.1.a;
- The Uniform Enforcement Act, NJS 45:1-21 b and o;
- New Jersey Consumer Fraud Act, NJS 56:8-2, 56:8-3.1, 56:8-14 and 56:8-15;
- New Jersey Insurance Fraud Prevention Act, NJSA 17:33A-1;
- False Claim for Payment of a Government Contract, NJSA 2C:21-34a;
- New York Labor Law, Sections 740 and 741
- New York False Claims Act (State Finance Law §§ 187-194)
- New York Social Services Law, Sections 145-b, 145-c, 145, 366-b;
- New York Penal Law, Articles 155, 175, 176, 177.

These federal and state laws provide for civil and/or criminal penalties against any person who submits or causes the submission of claims to Federal and State funded programs knowing that those claims are false or fraudulent, or for acting with reckless disregard or deliberate ignorance of truth or falsity of such claims.

In addition, these laws also contain anti-retaliation “Whistleblower” protections, where individuals within an organization who observe activities or behavior that may violate the law in

some manor and who report their observations either to the leadership of HMH or to governmental agencies are provided protections under certain laws. Whistleblower protections are also contained in HMH policies, including the Code of Conduct and the Non-Retaliation Policy.