



Vice President and Chief Executive Officer of the Medical Center

MEDICAL CENTER POLICY NO. 0223

- A. SUBJECT: Government and Regulatory Investigation Response
- B. EFFECTIVE DATE: October 1, 2013 (Rvd)
- C. POLICY:

The University of Virginia Medical Center will cooperate with any government or regulatory agency that investigates Medical Center operations, and in responding to all such investigations, will appropriately assist employees as necessary.

D. PROCEDURE:

1. REQUEST FOR INFORMATION

Any Medical Center employee who is contacted by a representative from any federal, state or local agency for information regarding Medical Center operations shall:

- a. Identify the agent and find out the reason for the request, if possible, and verify the identity of the individual by requesting identification and business card. If the person does not have a business card, write down the person's name and agency.
- b. Immediately contact the Medical Center Corporate Compliance and Privacy Office, Medical Center Senior Management or the General Counsel's Office. If the request is received by mail, immediately give a copy of the written request to the Medical Center Corporate Compliance and Privacy Officer, Senior Management or the Office of General Counsel. Do not respond to written requests until receiving instructions from one of the above listed offices.

2. DEMAND FOR IMMEDIATE ACCESS TO RECORDS

Any Medical Center employee who receives a governmental agency's demand for immediate access to Medical Center records shall immediately contact the Medical Center Corporate Compliance and Privacy Officer, Medical Center Senior Management, and the Office of General Counsel. Consultation with the Office of General Counsel must occur before any demand for immediate access can be granted.

3. SEARCH WARRANTS

If a search warrant is served at the Medical Center, the Medical Center employee receiving the warrant shall request time to seek legal advice from the Office of General Counsel. In the event

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the request is not granted or a representative of the Office of General Counsel is not immediately available, immediately contact the Medical Center Corporate Compliance and Privacy Office or Medical Center Senior Management.

4. SUBPOENAS

- a. When a subpoena is issued by a local, state or federal governmental agency seeking Medical Center records to be produced before a grand jury or a court, the Medical Center Corporate Compliance and Privacy Officer, Medical Center Senior Management or Office of General Counsel shall be informed immediately. Response to a subpoena requesting the release of any patient's health information shall comply with the requirements of [Medical Center Policy No. 0092 "Release of Patients' Protected Health Information"](#).
- b. When an employee is served with a subpoena issued by a local, state or federal governmental agency seeking his/her testimony before a grand jury or a court, the employee shall immediately notify the Medical Center Corporate Compliance and Privacy Officer, Medical Center Senior Management, or the Office of General Counsel of receipt of the subpoena.

5. QUESTIONING BY GOVERNMENT INVESTIGATORS

Government investigators may attempt to interview Medical Center employees at the workplace or at home without prior notice. Employees may accept or decline the request for an interview and should seek legal advice from the Office of General Counsel in such a situation.

6. PRESERVATION OF RECORDS

Employees who receive information indicating that a government investigation of Medical Center operations may be pending or underway, shall notify the Medical Center Corporate Compliance and Privacy Officer, Medical Center Senior Management or the Office of General Counsel immediately for advice on preservation of potentially relevant records and the possible suspension of routine document destruction and electronic record deletion practices, including the deletion of e-mails.

SIGNATURE:



R. Edward Howell, CEO, UVA Medical Center

DATE:

9/24/13

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Approved April 2001

Reviewed September 2013

Revised June 2004, September 2007, September 2010

Approved by Special Advisor to Chief Executive Officer

Approved by Medical Center Administration