MAIMONIDES HEALTH

CODE: COMPL-010 (Reissued)
DATE: July 21, 2026
ORIGINALLY ISSUED: March 22, 2007

SUBJECT: PROTECTION AGAINST RETALIATION AND INTIMIDATION

I. POLICY

A key element of Maimonides Health's ("Maimonides") Corporate Compliance Program is the ability of employees to express problems, concerns or opinions without fear of intimidation, retaliation or reprisal. At the same time, employees have an affirmative duty to report issues or concerns that come to their attention through the appropriate channels. Failure to do so can result in disciplinary action up to and including termination. Employees are protected from intimidation or retaliation in any form and by anyone connected to Maimonides for reporting issues and concerns in good faith and on a timely basis.

II. SCOPE

This policy applies to all employees, contractors, volunteers, students, trustees and others who provide services to or on behalf of Maimonides Health Resources, Inc., its subsidiaries and affiliated entities including Maimonides Medical Center, Maimonides Midwood Community Hospital, Community Care of Brooklyn IPA, Inc., Brooklyn Communities Collaborative, Inc., MMC Holding of Brooklyn, Inc., Maimonides Research and Development Foundation, and M2 Medical Community Practice, PC (collectively "Maimonides Health" or "Maimonides"). This policy shall also apply to the Medical Staff including the voluntary staff but disciplinary action for the voluntary medical staff shall be handled in accordance with the Medical Staff By-Laws.

III. DEFINITIONS N/A

IV. PROCEDURES

A. It is forbidden for any employee or any (contractor) to harass or intimidate or retaliate against any employee, trustee, director, officer or volunteer who, in good faith, has reported a suspected violation of the law or Maimonides' policies. Not only is it against Maimonides' policy to intimidate or retaliate against those who report concerns, it is also illegal under both state and federal law. Any employee who violates this policy may be subject to discipline, up to and including termination of employment. Of course, employees who report violations of law are not immune from adverse employment action unrelated to the report. Any such adverse action, however, will be taken in conjunction with, and under the guidance of, the Human Resources Department.

B. Managers should maintain an environment whereby employees feel comfortable raising issues or asking questions. Managers should also take appropriate steps to address concerns that are raised and communicate the results of corrective action whenever possible or appropriate.

C. Employees will be advised of Maimonides' Protection Against Retaliation and Intimidation policy at the time of employment and during the annual Corporate Compliance training. Notices of employee protections, rights, and obligations under New York Labor Law §§ 740 and 741 are posted in locations frequented by employees and applicants for employment.

D. The New York Non-Profit Revitalization Act, Section 715-b provides that no director, officer, employee or volunteer who in good faith reports any action or suspected action taken by or within Maimonides or its subsidiaries or affiliates that is illegal, fraudulent or in violation of any adopted policy of Maimonides or that subsidiary or affiliate shall suffer intimidation, harassment, discrimination or other retaliation or, in the case of employees, adverse employment consequence.

E. New York Labor Law §740 and §741 provides that an employer shall not take any retaliatory action against an employee, former employee, or independent contractor when the individual:

- Discloses, or threatens to disclose to a supervisor or to a public body an activity, policy or practice of the employer that is in violation of law, rule or regulation which violation creates and presents a substantial and specific danger to the public health or safety, or which constitutes health care fraud or which the employee reasonably believes constitutes improper quality of care or workplace safety;
- Provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into any such violation of a law, rule or regulation by such employer; or
- Objects to, or refuses to participate in any such activity, policy or practice in violation of a law, rule or regulation; or
- Objects to, or refuses to participate in any activity, policy or practice of the employer or agent that the employee, in good faith, reasonably believes constitutes improper quality of patient care or workplace safety.

F. New York Social Services Law 363-d requires Maimonides to have a policy of non-intimidation and non-retaliation for good faith participation in the Maimonides' compliance program, including but not limited to reporting potential issues, investigating issues, self-evaluation, audits and remedial actions and reporting to appropriate officials.

G. The federal Patient Safety & Quality Improvement Act of 2005 provides that an employer may not take adverse employment action against an individual based on the fact that the individual in good faith reported information either to a provider with the intent of having such information reported to a Patient Safety Organization or directly to a Patient Safety Organization.

H. The federal False Claims Act ("FCA") provides a right of relief to any employee, contractor, or agent who is discharged, demoted, suspended, threatened, harassed, or in any other manner discriminated against in the terms and conditions of employment because of lawful acts in furtherance of an action under the FCA or other efforts to stop a violation of the FCA. The available relief includes reinstatement with the same seniority, double the amount of back pay plus interest, and special damages including litigation costs and attorneys' fees. The New York State False Claims Act ("NY FCA") provides substantially similar rights to employees, contractors, and agents who take lawful action in furtherance of an action under the NY FCA.

I. Section 1558 of the Patient Protection and Affordable Care Act ("PPACA") amended the Fair Labor Standards Act of 1938 ("FLSA") to prohibit any employer from discharging or in any manner discriminating against any employee with respect to his or her compensation, terms, conditions, or other privileges of employment because the employee (or an individual acting at the request of the employee):

- Received a premium tax credit or subsidy for a health plan;
- Provided, caused to be provided, or is about to provide or cause to be provided to the employer, the Federal Government, or the attorney general of a State information relating to any violation of, or any act or omission the employee reasonably believes to be a violation of Title I of PPACA which, among other things, sets forth rules for the operation of health insurance exchanges and imposes certain mandates on employers with respect to providing health coverage;
- Testified or is about to testify in a proceeding concerning such violation;
- Assisted or participated, or is about to assist or participate, in such a proceeding; or
- Objected to, or refused to participate in, any activity, policy, practice, or assigned task that the employee (or other such person) reasonably believed to be in violation of any provision of Title I of PPACA, or any order, rule, regulation, standard, or ban under Title I of PPACA.

J. A number of federal laws enforced by the Equal Employment Opportunity Commission, as well as the New York State Human Rights Law and New York City Human Rights Law (NYC HRL), make it unlawful for an employer to discriminate against an individual with respect to hiring, compensation, terms and conditions of employment because of, including, but not limited to, all classifications protected under applicable federal, New

York State, and New York City law, as amended, actual or perceived race, color, religion, creed, age, sex, national origin, alienage, citizenship status, culture, language, socioeconomic status, marital status, partnership status, familial status, caregiver status, parental status, domestic violence victim status, military status, veteran status, genetic information, sexual orientation, gender, gender identity gender expression, gender non-conformance or transgender status, physical or mental disability or other legally protected classification. These laws prohibit retaliation against individuals who oppose unlawful discrimination or who file or participate in an employment discrimination proceeding. Depending on the particular law, employees may be entitled to compensation damages including back pay and front pay, reinstatement, and punitive damages and attorney fees (NYC HRL).

K. Employees should inform the offices of Human Resources or Corporate Compliance regarding any allegation and/or incidents of retaliation or intimidation. Employees may also report by using the toll-free Compliance Hotline 1-800-585-7970. Using the Compliance Hotline enables anonymous reporting.

L. Reported incidents of retaliation or intimidation will be investigated promptly and thoroughly by the OCC with the assistance of Human Resources as appropriate. The Chief Compliance Officer will report investigations of allegations of retaliation or intimidation to the Compliance Committee of the Board.

M. To the extent possible, confidentiality will be preserved. However, the investigation may result in the identity of the complainant becoming known.

N. If legal, fraud or abuse issues arise, the Office of Legal Affairs should be contacted immediately.

O. Any resulting disciplinary action will be done in conjunction with the Human Resources Department or in the case of voluntary medical staff, with medical staff leadership.

P. The Chief Compliance Officer will provide periodic reports on allegations of retaliation or intimidation to the Oversight Compliance Committee.

Q. Where other policies (i.e., Sexual Harassment) have specific processes for addressing retaliation complaints, the procedures set forth in those policies shall prevail over the process in this policy.

R. A copy of this policy shall be distributed to all trustees, directors, officers, employees and volunteers who provide substantial services to Maimonides or the relevant affiliated company.

V. CONTROLS

The offices of Corporate Compliance, Human Resources and Legal Affairs shall ensure compliance with this policy.

REFERENCES:	Code of Conduct HR-039 Anti-Harassment and Anti-Sexual Harassment with Attachment RES-015 Research Misconduct New York State Labor Law §740, 741 New York State Social Services Law §363-d 18 NYCRR 521.1 (December 28, 2022) Social Services Law § 363-d Patient Safety and Quality Improvement Act of 2005 73 FR70731 (November 21, 2008) 31 U.S.C. § 3730(h) New York State Finance Law § 191 The Patient Protection and Affordable Care Act, Pub. L. No. 111-148 § 1558 (2010) New York Non-Profit Revitalization Act (2013) New York Not-For-Profit Corporation Law §715-b Compliance Program Review Guidance issued by Medicaid Office of Inspector General (January 2023)
INDEX:	Retaliation, Intimidation
DEPARTMENT RESPONSIBLE:	Corporate Compliance
ATTACHMENT:	None