

## **NORTH BAY REGIONAL CENTER WHISTLEBLOWER POLICY/PROCESS**

**Notice:** Please be aware that making a report of abuse to NBRC in no way replaces a mandated reporter's responsibility to report abuse to Child or Adult Protective Services or other required regulatory entities.

Date: November 2010

### **Policy**

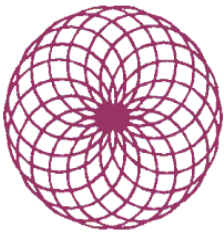
North Bay Regional Center (NBRC) encourages individuals to report suspected or actual illegal or improper activity, financial or otherwise. NBRC will not condone any activity that is illegal or improper, whether done by an employee, board member, vendor, or contractor.

*Definition of Regional Center or Vendor/ Contractor Whistleblower Complaints:* Regional Center or Vendor/Contractor Whistleblower complaints are defined as the reporting of an "improper Regional Center or Vendor/Contractor activity."

- An "improper Regional Center activity" means an activity by a Regional Center, or an employee, officer, or board member of a Regional Center, in the conduct of Regional Center business, that is a violation of a state or federal law or regulation; violation of contract provisions; fraud or fiscal malfeasance; misuse of government property; or constitutes gross misconduct, incompetency, or inefficiency.
- An "improper Vendor/Contractor activity" means an activity by a Vendor/Contractor, or an employee, officer, or board member of a Vendor/Contractor, in the provision of DDS-funded services, that is a violation of a state or federal law or regulation; violation of contract provisions; fraud or fiscal malfeasance; misuse of government property; or constitutes gross misconduct, incompetency, or inefficiency.

### *Confidentiality*

North Bay Regional Center will do everything possible to maintain the confidentiality of a complainant making a whistleblower complaint if the complainant requests confidentiality. However, in the circumstance where NBRC is unable to maintain confidentiality due to its statutory responsibilities (including ensuring the health and safety of consumers and Regional Center contract compliance), NBRC will attempt to inform the complainant of its need to disclose certain information prior to releasing identifying information. Additionally, the identity of the complainant may be revealed to appropriate law enforcement agencies conducting a criminal investigation.



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### *Filing a Complaint*

NBRC will need a clear and concise written statement of the improper activity and any evidence the complainant has to support the allegation.

If a complainant does not provide their name or other information (witnesses or documents) that clearly identifies the person he/she is alleging has acted improperly, and the Regional Center or Vendor/Contractor where that person works, NBRC may not have sufficient information to investigate. Copies of documents, rather than originals, should be submitted, as they cannot be returned.

Although complaints may be filed anonymously, if insufficient information is provided and NBRC has no means to contact the complainant, NBRC may not be able to investigate the allegations.

Written complaints will be promptly investigated and appropriate corrective action will be taken if warranted by the investigation.

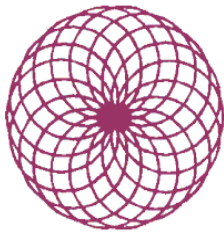
It is NBRC's intent to adhere to all laws and regulations that apply to the Agency. The underlying purpose of this policy is to support the Agency's goal of legal compliance.

NBRC will not retaliate against any individual who has made a protest or raised a complaint against some practice of NBRC, or of another individual or entity with whom NBRC has a business relationship, on the basis of a reasonable belief that the practice is an improper Regional Center or Vendor/Contractor activity as previously defined. NBRC will not retaliate against an individual who discloses or threatens to disclose to a supervisor or a public body any activity, policy or practice of NBRC that the individual reasonably believes is an improper Regional Center or Vendor/Contractor activity as previously defined. If an individual believes he/she has been the target of retaliation due to making a complaint under this policy he/she should immediately report the retaliation to the NBRC Director of Administrative Services and/or the NBRC Board of Directors. NBRC will conduct a prompt and thorough investigation and take appropriate action into any reports of retaliation as related to this policy.

An individual is protected from retaliation if he/she brings the alleged unlawful activity, policy or practice to the attention of NBRC and provides NBRC with a reasonable opportunity to investigate and correct the alleged unlawful activity

### *Notification Requirements*

North Bay Regional Center's Whistleblower Policy along with the Department of Developmental Services Whistleblower Complaint Process are posted on the



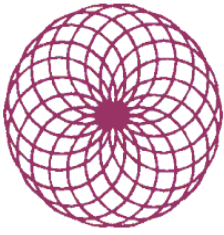
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regional center's website. Notification of both the regional center and the State's Whistleblower policy will be provided annually to employees, board members, consumers/families and the vendor community.

### *How to File a Whistleblower Complaint*

A complaint may be filed by contacting:

- Phone
  - Director of Administrative Services/Compliance Officer  
707-256-1100
- Fax
  - Director of Administrative Services/Compliance Officer  
707-256-1229
- US Regular Mail – Primary Address
  - Whistleblower Complaint  
North Bay Regional Center  
Attention: Human Resources Department OR Executive Director  
10 Executive Ct.  
Napa, CA 94558
- US Regular Mail – Alternate Address
  - Whistleblower Complaint  
North Bay Regional Center  
Attention: Board of Directors  
P.O. Box 3360  
Napa, CA 94558
- Email the Board of Directors
  - [NBRCBoard@yahoo.com](mailto:NBRCBoard@yahoo.com)



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WHISTLEBLOWER POLICY/PROCESS**

**REGIONAL CENTER EMPLOYEE ACKNOWLEDGMENT**

I \_\_\_\_\_ acknowledge that I have

(Print Name)

received a copy of, read and understand North Bay Regional Center's  
Whistleblower Policy/Process.

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date