UNIVERSITY COMPLIANCE PLAN

Objectives of the Compliance Program

The University Compliance Program provides a proactive program that ensures full compliance with all applicable policies, procedures, laws and regulations. The Compliance Officer’s responsibilities include development, implementation and management of a program of action designed to promote ethical behavior in accordance with MUSC’s core values as expressed in the Mission Statement and Code of Conduct. This program will endeavor to protect the reputations of faculty and staff at MUSC and the reputation of the institution for integrity and ethics. A key element in the success of this program is the cultivation and nurturing of an environment committed to the principle of good stewardship and efficient utilization of public funds. The Compliance Office serves as a focal point for an understanding of MUSC’s total compliance responsibilities. It proactively seeks to train employees and provide for the active solicitation and discovery of concerns followed by an appropriate investigation into problem areas and the timely resolution of issues. This program will directly assist MUSC’s management at all levels in maintaining and enhancing an environment where ethics are paramount in both strategic and operational decisions throughout the organization.

Elements of the Compliance Program

Organizations that violate Federal law may by required by the government to implement a compliance program as a condition of continuing participation in a government program, such as receiving Federal awards for research activities. The Office of the Inspector General (OIG) encourages the voluntary development and implementation of such programs. The existence of an effective and comprehensive compliance program that pre-dates any governmental investigation of an organization is favorably considered by the OIG when assessing civil or criminal penalties. As recommended by the OIG, the University has elected to base our program upon the following seven elements of the Federal Sentencing Guidelines:

1) Establish compliance standards and procedures that are reasonably capable of reducing the prospect of criminal conduct;

2) Assign high-level personnel with overall responsibility to oversee compliance;

3) Use due care not to delegate substantial discretionary authority to individuals whom the organization knows, or should have known through the exercise of diligence, had a propensity to engage in illegal activities;

4) Communicate effectively compliance standards and procedures to all employees by requiring participation in training programs and by disseminating publications that explain in a practical manner what is required;
5) Achieve compliance with standards by utilizing monitoring and auditing systems reasonably designed to detect misconduct by employees and by having in place a reporting system whereby employees can report misconduct without fear of retribution;

6) Enforce standards through appropriate disciplinary mechanisms including discipline of individuals responsible for failure to detect an offense; and

7) Respond appropriately to an offense once it has been detected and take reasonable steps to prevent further offenses including modification of the program to prevent and detect violations of the law.

Roles and Responsibilities

The Compliance Officer is responsible for:

1) Developing, establishing and maintaining an effective and broad-based compliance program designed to prevent, monitor and detect areas of non-compliance and recommend corrective actions when necessary to fully meet compliance requirements. This includes a system of education and training to proactively promote full compliance with all aspects of MUSC’s academic activities;

2) Assuring that administrative units have policies and procedures in place and recommending broad policy and procedures necessary to ensure effective compliance with applicable state and federal regulations;

3) Establishing and operating a dedicated "hotline" for purposes of individuals reporting known or suspected cases of non-compliance or wrongdoing;

4) Investigating (or cause to be investigated) all issues of substance that arise either through the "hotline" or through other proactive compliance checks, internal or external audits, or other means;

5) Recommending corrective actions to include changes in policy and/or procedures and/or disciplinary action up to and including termination for cause in accordance with existing personnel policy; and

6) Assuring that training programs are developed and managed appropriate to individuals at all working and management levels within MUSC. This includes both initial (for a new employee or a change in policy or procedure) and periodic training to ensure all employees know their individual responsibilities relative to compliance issues.

The Compliance Officer will be informed promptly regarding all interactions with internal and external audit activities documenting noncompliance, including being
provided with summary information on all applicable audit interactions and copies of those audit reports.

**Deans/Chairs (as applicable) are responsible for:**
1) Appointing a Unit Compliance Manager; and

2) Sharing responsibility with the Unit Compliance Manager for the implementation of any Corrective Action Plan deemed necessary to maintain departmental compliance.

**Unit Compliance Managers are responsible for:**
1) Overseeing development of unit quality control programs;

2) Overseeing implementation and communication of regulatory changes;

3) Developing quality control programs or protocols for faculty and staff to enhance compliance efforts in the unit;

4) Tracking and verifying the completion of all training programs for unit faculty and staff, as applicable; and

5) Developing corrective action plans for non-compliance with regulatory requirements.

**Education and Training**

The University Compliance Office will assist in the identification of education and training needs and will notify the Unit Compliance Manager or others responsible for education and training. In addition, the Compliance Office will serve as a resource for the development and subsequent implementation of programs to address these needs. Finally, the Compliance Office will monitor the overall outcome of the programs. Towards these ends, information on compliance issues will be placed, updated, and maintained on this web site and links will be provided to other sources of information including available training.

**Reporting Compliance Issues**

Concerns about compliance issues may be reported verbally or in writing. Employees are permitted to report concerns on an anonymous basis. Concerns may be reported to the University Compliance Officer, University General Council, College Deans, Unit Chairs, Unit Compliance Manager or normal unit reporting channel. In addition, a confidential 7 day a week, 24-hour third-party "hotline" has also been established to permit compliance issues to be reported on a confidential basis. This hotline is staffed by skilled Compliance Risk Specialists. Posters regarding this hotline, called the Confidential Hotline, are displayed throughout the University in common work areas. Calls made to
the Confidential Hotline involving University affairs are forwarded to the University Compliance Office.

The Compliance Officer will maintain a log of any compliance concerns that are reported to the Compliance Office. This log will record the issue, the unit affected and the resolution. This log will be treated as a confidential document and access will be limited to those persons at the University who have responsibility for compliance matters.

Employees who report in good faith possible compliance issues should not be subjected to retaliation or harassment as a result of the reporting. Concerns about possible retaliation should be immediately reported to the University Compliance Officer.

Compliance Officer (843-792-8740 or 792-8744)
Compliance Hotline (1-800-296-0269)

Investigating Compliance Issues

Whenever conduct that may be inconsistent with a University policy or requirement is reported, the University Compliance Officer should determine whether there is reasonable cause to believe that a compliance issue may exist. If that preliminary review indicates that a problem may exist, an inquiry into the matter will be undertaken with appropriate assistance. Responsibility for conducting the review will be decided on a case-by-case basis. University faculty, staff and students will cooperate fully with any inquiries. An effort should be made to maintain the confidentiality of such inquires and the information gathered, but confidentiality cannot be guaranteed.

Corrective Action

Whenever a compliance issue is identified, the University Compliance Officer shall have the responsibility and authority to take or direct appropriate action to address the issue. The corrective action will be set forth in writing. In developing a Corrective Action Plan, the Compliance Officer may obtain advice from the Provost and the University’s legal counsel. Corrective action should be designed to ensure not only that the specific issue is addressed, but also that similar problems do not occur in other units.

Monitoring and Auditing

In order to monitor and ensure compliance, internal or external auditors who have expertise in federal and state statutes, regulations and University requirements will conduct periodic audits. Audits will focus on areas of concern that have been identified by any entity, i.e., federal, state or institutional. Random audits of the compliance activities of units within the University may also be conducted.

Disciplinary Actions
In accordance with the Human Resources Management Disciplinary Action Policy, non-faculty employees are subject to disciplinary actions, up to and including termination, for the willful violation of written rules, regulations and policies, actions involving moral turpitude, a felony or a misdemeanor that adversely reflects on an employee's suitability for continued employment.

The discipline of faculty members involved in similar infractions as mentioned above will be subject to the policies and processes outlined in the Faculty Handbook.

**Revisions to the Plan**

This Compliance Plan is intended to be flexible and readily adaptable to changes in regulatory requirements. This Plan should be reviewed to assess whether it is providing the desired results. The University Compliance Officer has the authority to amend this Plan as deemed necessary.