



Policy/Procedure Title	Healthcare Whistleblower & Anti-Retaliation			Policy #	
Manual Location(s)	Compliance	Effective	3/26/26	Manual Location (s)	UCGH
Department Generating Policy	Administration				
Affected Departments	All Staff				
Prepared By	Brian Roland	Date/Title	3/26/2026, CEO		
Medical Staff Committee	Mark Van Wormer, MD	Date/Title	4/16/2026, Chief of Staff		
Governing Board	Judith Cooper	Date/Title	4/27/2026, Board Chair		

POLICY: Healthcare Whistleblower & Anti-Retaliation Policy (New Mexico)

Clayton Health Systems Inc dba Union County General hospital and clinic employees are encouraged to report in good faith any concerns regarding patient safety, legal violations, fraud, abuse, or unethical conduct. Reports may be made confidentially.

Retaliation against any employee who reports concerns or participates in an investigation is strictly prohibited. This includes termination, demotion, reduction in hours, reassignment, intimidation, or harassment.

The organization will comply with the New Mexico Whistleblower Protection Act and all applicable federal laws. Any employee who experiences retaliation may file a complaint and is entitled to remedies including reinstatement, back pay, and damages.

PROCEDURE:

Who it protects: Employees of public healthcare entities:

- State hospitals
- County/public clinics
- Public universities (e.g., teaching hospitals)

What it protects: You are protected if you act in good faith and:

- Report illegal or improper acts
- Participate in investigations
- Refuse to participate in wrongdoing

The law explicitly states that employers cannot take retaliatory action (like firing, demotion, etc.) for these actions

Policy/Procedure Title	Healthcare Whistleblower & Anti-Retaliation	Policy #	
Manual Location(s)	Compliance Manual	Page #	Page 2 of 3

What counts as retaliation: Termination- Demotion or pay cuts- Loss of benefits or shifts- Any adverse change in working conditions

Remedies if retaliation happens:

You can sue and potentially receive:

- Reinstatement
- Double back pay and damages
- Attorney's fees

Healthcare-Specific Whistleblower Protections (NM)

Medicaid / healthcare fraud reporting:

- New Mexico has protections tied to fraud laws (e.g., Medicaid fraud)
- Employees cannot be retaliated against for reporting billing fraud or abuse

Health system oversight protections:

Under the **Health Care Consolidation Oversight Act**

- Whistleblowers can report improper healthcare mergers or undisclosed transactions
- Reports can be confidential
- Retaliation is prohibited
- Violators may face financial penalties (\$10k–\$100k per violation)

Workplace safety: Under OSHA-related protection:

- Healthcare workers can report unsafe conditions (e.g., infection risks, understaffing)
- Employers cannot retaliate for safety complaints
- Examples of illegal retaliation include:
 - Firing
 - Shift changes
 - Blacklisting
 - Reduced hours or pay

What To Do If You Face Retaliation:

If you're in New Mexico healthcare and think retaliation is happening:

1. **Document everything** (emails, schedule changes, write-ups)
2. Report internally (HR/compliance) if safe
3. File with:

Policy/Procedure Title	Healthcare Whistleblower & Anti-Retaliation	Policy #	
Manual Location(s)	Compliance Manual	Page #	Page 3 of 3

- New Mexico Department of Workforce Solutions
 - Occupational Safety and Health Administration
4. Consider speaking to an employment or healthcare attorney

Original Effective Date:					
Reviewed and/or Revised Dates					
	1 st	2 nd	3 rd	4 th	5 th
Review Date:					
Revised Date:					
Supersedes:					
By:					