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PURPOSE:

To outline how Open Door Community Health Centers (ODCHC) will meet the requirement set forth in Public Law 115-31, Section 743 - Confidentiality Agreements.

DEFINITIONS:

Confidentiality Agreement: An internal agreement or statement preventing an individual from reporting to a designated investigative or law enforcement representative of a federal department or agency authorized to receive such information.

POLICY:

ODCHC will not use federal contract, grant, or cooperative agreement funds to:

- Prevent an employee or contractor from seeking to report fraud, waste, or abuse through an internal confidentiality agreement or statement prohibiting or otherwise restricting such employees or contractors from lawfully reporting such waste, fraud, or abuse to a designated investigative or law enforcement representative of a federal department or agency authorized to receive such information.
- The limitation in Section 743 subsection (a) shall not contravene requirements applicable to federal Standard Form 312 (Classified Information Nondisclosure Agreement), Form 4414 (Sensitive Compartmented Information Nondisclosure Agreement), or any other form issued by a federal department or agency governing the nondisclosure of classified information.
- These limitations also apply to subawards/subcontracts under a Health Resources and Services Administration (HRSA) grant or cooperative agreement.

REFERENCES:

Public Law 115-31, Section 743

NACHC Sample Policy and Procedure on Legislative Mandates Restricting the Use of Federal Grant Funds, May 2018

Feldsman, Tucker, Liefer and Fidell LLC

Office of Federal Assistance Management, Bulletin Number 2018-04

Consolidated Appropriations Act, 2018, https://www.congress.gov/bill/115th-congress/house-bill/1625

ASSOCIATED DOCUMENTS:

AG_HRSA Grant Restrictions

KEYWORD TAGS:

None