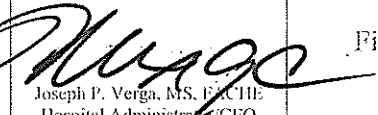


GUAM MEMORIAL HOSPITAL AUTHORITY
ADMINISTRATIVE MANUAL

APPROVED BY:  Joseph P. Verga, MS, FACHE Hospital Administrator/CEO	RESPONSIBILITY: Fiscal Services	EFFECTIVE DATE: May 1, 2014	POLICY NO. A-LD900	PAGE 1 of 2
TITLE: THE RECOVERY OF FUNDS DUE TO THE GUAM MEMORIAL HOSPITAL AUTHORITY				
LAST REVIEWED/REVISED: 05/2014				
ENDORSED: EMC 05/2014				

PURPOSE:

To necessitate the restitution of monies due to the Hospital as a result of unofficial methods.

POLICY:

It shall be the policy of the Hospital that if an employee of the Hospital has been found to be unjustly enriched due to compensation received from the Hospital, restitution of such proceeds shall be compulsory and suitable.

Hospital employees are required to disclose over-payment of compensation if (s)he becomes aware of an over-payment.

PROCEDURES:

- A. The Hospital shall base its computation of any and all payments due to hospital employees in accordance and compliance with the Board Approved Hospital Administrative Rules, the Fair Labor Standards Acts, the Department of Labor, the Guam Civil Service Commission, the terms and conditions of a valid hospital employment contract or independent contractor agreement and the laws of Guam.
- B. In the event a hospital employee is found to have received compensation from the Hospital either by design or involuntarily that is not based on the above listed standards, said proceeds shall be consequentially deemed fully reimbursable to the Hospital.
- C. The Hospital Administrator/CEO and Chief Financial Officer shall be formally informed via written notification to contain specifics relevant to the incident(s).
- D. Determination of the full amount to be reimbursed to the Hospital shall be from the point of inception.
- E. Such hospital employee shall be informed in writing in a manner consistent with that of the Hospital's Personnel Rules and Regulations from the Hospital Administrator/CEO.
 1. The employee shall be made to sign an acknowledgment signifying:
 - a. Receipt of the unjust compensation
 - b. Amount of the overpayment
 - c. Assurance of the return of the overpayment as set by this policy

- F. Upon the full discretion of the Hospital Administrator/CEO, full restitution shall be either:
1. A one-time cash payment in full with the hospital's Business Office within ten (10) working days from the date of written notice to the employee; or
 2. until the end of the current pay period; or
 3. over four payroll periods; or,
 4. other arrangements approved by the Hospital Administrator/CEO; or
 4. for independent contractors, in the next accounts payable check or funds will be held until the full amount owed to the hospital is recovered by the hospital; or
- G. In the event that the proceeds determined to be fully reimbursable to the Hospital is beyond that of the employee's current means, the option of a payroll deduction may be employed only upon the full approval of the Hospital Administrator/CEO or CFO. The Hospital Administrator/CEO or CFO shall determine the terms and conditions of the said payroll deduction with re-payment completed within four payroll periods
- H. In the event the employee chooses to terminate the employment status with the Hospital prior to the amount being fully paid, it shall be the responsibility of the employee to:
1. Ensure that any and all outstanding balances shall be paid in full prior to actual resignation.
 2. Employee will not be able to "officially clear" from the hospital until such time that any and all outstanding balances have been paid in full.
 3. Provide proof of full payment.
 4. Inform via written notification to respective supervisor, personnel, and the Hospital Administrator/CEO of desire to resign prior to actual resignation.
- I. The "**voluntary repayment**" by the employee shall have no bearing on the employee's standing with the Hospital in regard to any and all personnel action, adverse or otherwise.
- J. The "**involuntary repayment**" by the employee shall have direct bearing on the employee's standing with the Hospital in regard to any and all personnel action, adverse or otherwise.
- K. The Hospital shall reserve the right to pursue any and all civil and legal proceedings in the full recovery of said funds.

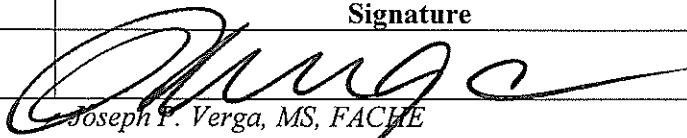
RESCISSION:

Policy 6100-31, *The Recovery of Funds due to the Guam Memorial Hospital Authority*, of the GMHA Administrative Manual made effective 10/2009, Last reviewed/revised 09/2012

**GUAM MEMORIAL HOSPITAL AUTHORITY
REVIEW AND ENDORSEMENT CERTIFICATION**

The signatories on this document acknowledge that they have reviewed and approved the following:

- Bylaws Submitted by Department/Committee: **Fiscal Services**
- Rules & Regulations Policy No.: **A-LD900**
- Policies & Procedures Title: **THE RECOVERY OF FUNDS DUE TO THE GUAM
MEMORIAL HOSPITAL AUTHORITY**

Reviewed/Endorsed	Date	Signature
Title		 <i>Joseph F. Verga, MS, FACHE</i> <i>Executive Management Committee, Chairperson</i>
Reviewed/Endorsed	Date	Signature
Title		
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Title		

***Use more forms if necessary. All participating departments/committees in developing the policy should provide signature for certification prior to submitting to the Compliance Officer.**