

# Report on Medicare Compliance Volume 30, Number 28. August 02, 2021

## Form for Confidential Interviews During Investigations

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This form is part of the Investigation Toolkit used by Hazelden Betty Ford Foundation.<sup>[1]</sup> Contact Jackie Stemwedel at [jstemwedel@hazeldenbettyford.org](mailto:jstemwedel@hazeldenbettyford.org), Jacki Waltman at [jwaltman@hazeldenbettyford.org](mailto:jwaltman@hazeldenbettyford.org) and Melissa Edson at [medson@hazeldenbettyford.org](mailto:medson@hazeldenbettyford.org).

### **\*\*CONFIDENTIAL – INTERVIEW NOTES\*\***

Case No. \_\_\_\_\_

Attorney-Client Privileged: Yes ☐ No ☐

Interviewee Name: \_\_\_\_\_ Date and Time: \_\_\_\_\_

Interviewer Name: \_\_\_\_\_ Notetaker Name: \_\_\_\_\_

**Introduction:** Introduce yourself and provide an explanation of the goal for meeting with the individual (i.e., goal to gather information that person may have).

**Example:** Thank you for taking the time to meet with me today. My name is Jane Doe, compliance specialist, and this is John Doe, human resources business partner. We are gathering information related to a policy violation and believe you might have information that might be helpful. I will be asking the majority of the questions, and John will be taking notes. We have scheduled an hour for this meeting, but can schedule more time if needed. Do you have any questions before we begin?

**Insert your introduction notes/comments here:**

*\*\*\*Please utilize this document as a reference tool and consult with your organization for preferred statements to provide as part of your standard interview script and proper processes to follow within your organization.\*\*\**

**Confidentiality:** You may want to consider describing to the interviewee your limits in keeping their information as confidential as possible. This may include an inability to promise complete anonymity due to needing to disclose information within the investigation team or to cooperate with other parties as required (e.g., regulators, government agencies).

**Nonretaliation:** You may want to outline your organization's nonretaliation policy.

- Do you have any questions about confidentiality and nonretaliation?
  - Do you agree to keep this meeting confidential?
  - Do you have any other questions before we begin?
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**Confidentiality and Nonretaliation Notice Provided:** Yes ☒ No ☒

**Attorney-led Investigations:** Do you need to provide the Upjohn Warning? If yes, please see Reference: Upjohn Warning for language.

**Upjohn Warning Provided:** Yes ☒ No ☒

**Interview Questions:** The questions following are recommended at the beginning and end of each interview; insert if applicable. Insert additional questions in the space provided. Use the Additional Notes section to note comments, observed behavior or additional questions.

**Recommended Ending Questions:**

- Do you have any documents or emails related to this investigation?
- Do you know of anyone else who may have information related to this investigation?
- Is there anything else that I should know?

**Insert questions here:**

- **Question 1:**
  - Response:
- **Question 2:**
  - Response:

**Interview Closing:** At the end of each interview, thank the interviewee for their time, inform the interviewee of the potential need for follow-up, and remind the interviewee of confidentiality and nonretaliation expectations. If you asked for documentation, request that it be forwarded to you and provide a specific deadline. Provide your contact information, and encourage the interviewee to reach out if they think of any additional questions or feel they have further information they would like to discuss related to the interview.

**Example:** I don't have any other questions at this time; however, this investigation is ongoing, and I may need to contact you in the future to ask additional questions. Please reach out to me if you think of anything else that would be helpful or if you become aware of any new information. As discussed, please forward all information/emails related to this incident to me by the end of this week. I want to remind you to keep what was discussed during this meeting confidential and to report any retaliation, if it occurs. Thank you again for your time and cooperation. Feel free to reach out to me at any time with questions or concerns.

**Additional Notes/Comments/Observations:**

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